

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**THURSDAY, JUNE 19, 2014**  
**9:30 A.M.**

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

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**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

- June 5, 2014 - Regular Meeting
- June 11, 2014 - Public Hearing

**APPROVAL OF PURCHASE ORDERS**

- June 19, 2014

**APPROVAL OF ACCOUNTS PAYABLE**

- May 2014 - Check Register
- Pay Period Ending May 31, 2014
- June 12, 2014
- June 13, 2014 - Vouchers Payable
- June 19, 2014

**ANNOUNCEMENTS**

- Report if there are changes in the agenda if applicable

**PUBLIC COMMENT**

**PRESENTATIONS**

1. 9:45 a.m. Angie Banks, Assessor  
- Exonerations - Discussion/Action
2. 9:50 a.m. Dr. David Didden and Thomas Trumble - Jefferson County Health Department  
- Introduction of the new Health Administrator, Christina Jackson
3. 10:00 a.m. Jennifer Maghan, County Clerk  
- Approval of Depository Bonds - Discussion/Action

4. 10:15 a.m. Lori Robertson and Mayor Jim Auxer, Shepherdstown Council  
 - Continuation of the discussion of the Shepherdstown Bike Path - Discussion/Action  
  
 - Request from Commissioner Widmyer to discuss Jefferson County Commission to sign a memorandum of understanding with the WV DOH and the Jefferson County Parks and Recreation Commission to provide the same level of maintenance as provided on the trail at Morgans Grove Park - Discussion/Action
5. 10:30 a.m. Presentation of Resolution to AHA/Jefferson County Arts Council
6. 10:45 a.m. **BREAK**
7. 11:00 a.m. Interviews and Appointment to the Jefferson County Planning Commission for an unexpired term ending March 31, 2016 - Discussion/Action  
  
 - Interviews and Appointment to the Jefferson County Board of Zoning Appeals for one unexpired term ending January 1, 2015 - Discussion/Action
8. 11:15 a.m. Tom Reilly, IT Consultant  
 - Monthly IT update
9. 11:30 a.m. Roger Goodwin, Chief County Engineer  
 - Complete release of construction bond security for Summit Point Automotive Research Center, LLC - Jefferson Circuit Expansion (File #S13-02) Letter of Credit #323 with the Bank of Charles Town, Charles Town, WV - Discussion/Action  
  
 - Complete release of construction bond security for Hospice of the Panhandle, Inc. (File #S10-05) - Letter of Credit #10010976610 with Susquehanna Bank, Martinsburg, WV - Discussion/Action  
  
 - Partial release of construction bond security for Leetown Baptist Church - Leetown Baptist Church Addition (File #S09-04) - Cash in Escrow with the Bank of Charles Town, Charles Town, WV - Discussion/Action  
  
 - Complete release of construction bond security for New Vision Properties II, Inc. - Windmill Crossing Subdivision (File #03-01) - Letter of Credit #02-04-2 with United Bank, Shepherdstown, WV - Discussion/Action  
  
 - Partial release of the construction bond security for the Quail Ridge Subdivision, Section II, Phase III, Lots 129-159 (File #05-55) - Discussion/Action

10. 11:45 a.m. Elizabeth McDonald, President - Jefferson County Farmland Protection Board  
- Approval of the Farmland Protection Board's request to reclassify the Board's Administrator position from a 70 hour schedule to 80 hour schedule to properly reflect the Farmland Protection Board workload - Discussion/Action
11. 12:00 p.m. Stephen Groh, Assistant Prosecuting Attorney  
- Update on litigation resolution - Possible Executive Session §6-9A-4

### **NEW BUSINESS**

12. Begin preparation to institute an impact fee for the proposed PSD sewer project - Discussion/Action (DM)
13. Approval of the revised Boards and Commission Policy - Discussion/Action (DK)
14. Approval of Contracts for the Fire Companies for FY15 - Discussion/Action (DK)
15. Decision on the Ordinance to dissolve and reconstruct the Jefferson County Emergency Services Agency - Discussion/Action
16. Decision on the increase on the Emergency 911 Land Line Fee from \$2.90 to \$5.00 - Discussion/Action
17. Discuss the request for the petition from the Monongalia County Commission for pending electric increase - Discussion/Action
18. RFP for IT - Discussion/Action
19. Potential Funding of part-time position within the Communications Department - Discussion/Action

### **FINANCIAL DIRECTOR REPORTS**

- Approval of WV Corp Insurance Renewal Changes - Discussion/Action
- Finance Summary & Approval of Internal Budget Revision #19 - Discussion/Action

### **COUNTY ADMINISTRATOR REPORTS**

- Code of Ethics Letter
- Review of approved Jefferson County Emergency Service Fee Ordinance
- Review of approved Sexual Harassment Policy
- Review of approved Issue Resolution Policy

## COUNTY COMMISSION REPORTS

20. 12:30 p.m. **BREAK FOR LUNCH**

~~~~~ **AFTERNOON SESSION** ~~~~~

21. 1:30 p.m. Presentation of Resolutions in Recognition of Service to the Envision Jefferson 2035 Steering Committee

22. 1:45 p.m. Jennifer Brockman, Planning and Zoning Director

- Overview and Summary of the Draft Envision Jefferson 2035 Comprehensive Plan (the 2014 Comprehensive Plan) transmitted by the Envision Jefferson 2035 Steering Committee

- Recommendation from the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for two parcels owned by Hoy Shingleton, Trustee for Pearl Perkins, Beneficiary; and Eric and Stacy Lindberg; designated as Tax District: Middleway (07), Map: 1, Parcels: 1.2 (16.62 acres, with 12.67 acres in Jefferson County) and 1.1 (7 acres), located on the north side of Route 115 (Old Route 9/Charles Town Road), along the Berkeley/Jefferson County line for the purpose of setting a public hearing to be held by the County Commission - Discussion/Action

- "SB 595" Vested Development Time Extension Proposal - Discussion/Action

- Approval of Job Offer for Vacant Planning Clerk Position - Discussion/Action

23. **ADJOURN**

## CORRESPONDENCE/INFORMATION

Notice of Closure of County Offices on Friday, June 20, 2014 in observance of West Virginia Day.

Letter from Glen B. Gainer, WV State Auditor, regarding Senate Bill No. 1005.

Letter from the WV Public Service Commission regarding the disbursement of Wireless E-911 subscriber fees.

Jefferson County Public Service District - Work Session Minutes from May 05, 2014.

Jefferson County Public Service District - Regular Board Meeting Minutes from May 05, 2014.

Letter from the WV DEP asking tank owners to secure Electronic Submission System (ESS) access

prior to opening of tank registration period.

Notice from the Jefferson County Historic Landmarks Commission regarding the addition of Elk Branch Church & Academy and Jacob Homar Barn to the Jefferson County Historic Landmarks list.

Impact Fee Status Report - May 2014.

Memorandum from the Jefferson County Engineering Department - Office of Impact Fees regarding the Transfer of Funds from Office of Impact Fees General Account to Sheriff's Schools Impact Fee Account.

Memorandum from the Jefferson County Engineering Department - Office of Impact Fees regarding the Transfer of Funds from Office of Impact Fees General Account to Sheriff's Law Enforcement Impact Fee Account.

Memorandum from the Jefferson County Engineering Department - Office of Impact Fees regarding the Transfer of Funds from Office of Impact Fees General Account to Sheriff's Parks and Recreation Impact Fee Account.

Memorandum from the Jefferson County Engineering Department - Office of Impact Fees regarding the Transfer of Funds from Office of Impact Fees General Account to Sheriff's Fire & EMS Impact Fee Account.

Letter from Paul Frickey, citizen, regarding the Shepherdstown Volunteer Fire Department.  
Letter from anonymous citizen regarding barking dogs.

WV Weekly Lottery Settlement for Charles Town - week ending May 31, 2014.

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

## Minutes

### Jefferson County Commission

Thursday, June 5, 2014

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A meeting of the Jefferson County Commission was held on Thursday, June 5, 2014 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, Jane Tabb, and Lyn Widmyer. President Pellish was absent with notice. Also present were Debbie Keyser, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jimmy Eddy, Bailiff. (An audio file of the Thursday, June 5, 2014 meeting is available through the Jefferson County Commission Office.)

#### PLEDGE OF ALLEGIANCE

Commissioner Manuel led the Pledge of Allegiance.

#### APPROVAL OF MINUTES

**Motion by Mr. Manuel to approve the minutes for the May 29, 2014 Regular Meeting with noted correction. Motion seconded and unanimously approved.**

#### APPROVAL OF PURCHASE ORDERS

**Motion by Ms. Noland to approve Purchase Orders in the amount of \$11,470.38 to include Purchase Order Numbers 51406, 52547, 52578, 52579, 51384, 51385, 52608, 52609, 52612, and 52406. Motion seconded and unanimously approved.**

#### APPROVAL OF ACCOUNTS PAYABLE

| CHCKNO | DEPT | VENDOR                  | PONUM | POAMT     | NOAMT | CHECK AMOUNT |
|--------|------|-------------------------|-------|-----------|-------|--------------|
| 072306 | 425  | BLUE RIDGE GARAGE DOORS | 52611 | \$ 125.00 | \$ -  | \$ 125.00    |
| 072307 | 425  | B-K OFFICE SUPPLY INC   | 52394 | \$ 537.00 | \$ -  | \$ 537.00    |
| 072307 | 425  | B-K OFFICE SUPPLY INC   | 52399 | \$ 507.40 | \$ -  | \$ 507.40    |
| 072307 | 433  | B-K OFFICE SUPPLY INC   | 51382 | \$ 931.98 | \$ -  | \$ 931.98    |
| 072307 | 712  | B-K OFFICE SUPPLY INC   | 52555 | \$ 405.00 | \$ -  | \$ 405.00    |

|        |         |                          |       |             |             |             |
|--------|---------|--------------------------|-------|-------------|-------------|-------------|
| 072308 | 425     | BOLAND SERVICES          | 51764 | \$ 898.00   | \$ -        | \$ 898.00   |
| 072308 | 425     | BOLAND SERVICES          | 51764 | \$ 898.00   | \$ -        | \$ 898.00   |
| 072309 | PAYROLL | BUREAU F/CHILD SUPPORT   |       | \$ -        | \$ 49.85    | \$ 49.85    |
| 072310 | PAYROLL | BUREAU FOR CHILD SUPPORT |       | \$ -        | \$ 28.85    | \$ 28.85    |
| 072311 | PAYROLL | BUREAU F/CHILD SPRT ENF  |       | \$ -        | \$ 212.31   | \$ 212.31   |
| 072312 | 424     | BURKE ST. TRIMMINGS LLC  | 52369 | \$ 3,345.00 | \$ -        | \$ 3,345.00 |
| 072313 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -        | \$ 461.54   | \$ 461.54   |
| 072314 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -        | \$ 119.54   | \$ 119.54   |
| 072315 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -        | \$ 530.77   | \$ 530.77   |
| 072316 | 403     | CASTO & HARRIS INC       | 51469 | \$ 1,431.95 | \$ -        | \$ 1,431.95 |
| 072317 | 413     | THE CHAPMAN PRINTING CO  | 52454 | \$ 42.67    | \$ -        | \$ 42.67    |
| 072318 | 424     | CHARLES TOWN UTILITIES   |       | \$ -        | \$ 102.82   | \$ 102.82   |
| 072318 | 425     | CHARLES TOWN UTILITIES   |       | \$ -        | \$ 1,106.16 | \$ 1,106.16 |
| 072319 | 405     | MARCIA LYNN CHANDLER     | 52677 | \$ 329.70   | \$ -        | \$ 329.70   |
| 072320 | 425     | OLD CHARLES TOWN LIBRARY |       | \$ -        | \$ 1,500.00 | \$ 1,500.00 |
| 072321 | 440     | DAVID M. CARTER          |       | \$ -        | \$ 161.00   | \$ 161.00   |
| 072322 | PAYROLL | CHILD SUPPORT ENFORCE AG |       | \$ -        | \$ 27.69    | \$ 27.69    |
| 072323 | 405     | KIMBERLEY CROCKETT       |       | \$ -        | \$ 212.80   | \$ 212.80   |
| 072324 | 711     | CERVIS TECHNOLOGIES, LLC | 52020 | \$ 1,500.00 | \$ -        | \$ 1,500.00 |
| 072325 | 425     | DAYCON                   | 52395 | \$ 918.96   | \$ -        | \$ 918.96   |
| 072326 | PAYROLL | DIVERSIFIED COLLECTION   |       | \$ -        | \$ 154.83   | \$ 154.83   |
| 072327 | 433     | D & S CONSTRUCTION       | 51381 | \$ 3,012.50 | \$ -        | \$ 3,012.50 |
| 072328 | PAYROLL | DELTA DENTAL OF WV       |       | \$ -        | \$ 5,691.36 | \$ 5,691.36 |
| 072329 | 404     | J & S BUSINESS FORMS LLC | 52405 | \$ 3,013.09 | \$ -        | \$ 3,013.09 |
| 072330 | PAYROLL | GUARDIAN                 |       | \$ -        | \$ 1,701.70 | \$ 1,701.70 |
| 072330 | PAYROLL | GUARDIAN                 |       | \$ -        | \$ 1,933.11 | \$ 1,933.11 |
| 072331 | 425     | GRAINGER, INC            | 52614 | \$ 108.90   | \$ -        | \$ 108.90   |
| 072331 | 717     | GRAINGER, INC            | 52614 | \$ 52.39    | \$ -        | \$ 52.39    |
| 072332 | 440     | ROGER GOODWIN            |       | \$ -        | \$ 115.00   | \$ 115.00   |
| 072333 | 412     | MICHAEL HARMAN           |       | \$ -        | \$ 818.16   | \$ 818.16   |
| 072334 | PAYROLL | ING NATIONAL TRUST       |       | \$ -        | \$ 2,850.00 | \$ 2,850.00 |
| 072335 | 401     | JEFFERSON PUBLISH CO INC |       | \$ -        | \$ 193.28   | \$ 193.28   |
| 072335 | 402     | JEFFERSON PUBLISH CO INC | 52453 | \$ 151.82   | \$ -        | \$ 151.82   |
| 072335 | 413     | JEFFERSON PUBLISH CO INC | 52447 | \$ 135.00   | \$ -        | \$ 135.00   |
| 072335 | 413     | JEFFERSON PUBLISH CO INC | 52450 | \$ 3,187.44 | \$ -        | \$ 3,187.44 |
| 072335 | 424     | JEFFERSON PUBLISH CO INC | 52613 | \$ 129.10   | \$ -        | \$ 129.10   |
| 072336 | 425     | JEFFERSON UTILITIES INC  | 52605 | \$ 425.00   | \$ -        | \$ 425.00   |
| 072337 | PAYROLL | JEFFERSON SECURITY BANK  |       | \$ -        | \$ 5,308.00 | \$ 5,308.00 |
| 072338 | 433     | LYLE SIGNS, INC.         | 51379 | \$ 918.00   | \$ -        | \$ 918.00   |
| 072339 | 412     | JUDITH A MATLICK         |       | \$ -        | \$ 513.60   | \$ 513.60   |

|              |         |                          |       |                      |                      |                      |
|--------------|---------|--------------------------|-------|----------------------|----------------------|----------------------|
| 072340       | 712     | PRIORITY DISPATCH        | 52235 | \$ 375.00            | \$ -                 | \$ 375.00            |
| 072341       | 439     | MICHAEL MONAGHAN         |       | \$ -                 | \$ 97.00             | \$ 97.00             |
| 072342       | PAYROLL | HIGHMARK WV              |       | \$ -                 | \$ 180,062.13        | \$ 180,062.13        |
| 072343       | 717     | MILLER'S CHRYSLER JEEP   | 52615 | \$ 102.90            | \$ -                 | \$ 102.90            |
| 072344       | PAYROLL | HELEN M. MORRIS, TRUSTEE |       | \$ -                 | \$ 150.00            | \$ 150.00            |
| 072345       | PAYROLL | NATIONWIDE RETIREMENT    |       | \$ -                 | \$ 749.00            | \$ 749.00            |
| 072346       | 424     | NEOPOST USA INC.         | 52610 | \$ 79.98             | \$ -                 | \$ 79.98             |
| 072347       | 402     | PIFER OFFICE SUPPLY, INC | 52448 | \$ 166.38            | \$ -                 | \$ 166.38            |
| 072347       | 402     | PIFER OFFICE SUPPLY, INC | 52449 | \$ 300.63            | \$ -                 | \$ 300.63            |
| 072347       | 402     | PIFER OFFICE SUPPLY, INC | 52451 | \$ 65.65             | \$ -                 | \$ 65.65             |
| 072347       | 404     | PIFER OFFICE SUPPLY, INC | 52404 | \$ 660.70            | \$ -                 | \$ 660.70            |
| 072348       | 402     | POSTMASTER CHARLES TOWN  | 52455 | \$ 92.00             | \$ -                 | \$ 92.00             |
| 072349       | 425     | RCS SECURITY             | 52607 | \$ 265.20            | \$ -                 | \$ 265.20            |
| 072350       | 402     | RECORD MANAGEMENT SOLUTN | 51631 | \$ 35.00             | \$ -                 | \$ 35.00             |
| 072350       | 403     | RECORD MANAGEMENT SOLUTN | 51438 | \$ 30.00             | \$ -                 | \$ 30.00             |
| 072351       | PAYROLL | RETIREE HLTH BENEFIT TRS |       | \$ -                 | \$ 6,974.00          | \$ 6,974.00          |
| 072352       | 403     | SOFTWARE SYSTEMS, INC    | 51439 | \$ 324.47            | \$ -                 | \$ 324.47            |
| 072352       | 424     | SOFTWARE SYSTEMS, INC    | 51439 | \$ 450.00            | \$ -                 | \$ 450.00            |
| 072353       | 704     | ST/WV REGIONAL JAIL &    | 52576 | \$ 108,659.00        | \$ -                 | \$ 108,659.00        |
| 072354       | PAYROLL | SHERIFF OF JEFFERSON CO  |       | \$ -                 | \$ 43,327.52         | \$ 43,327.52         |
| 072354       | PAYROLL | SHERIFF OF JEFFERSON CO  |       | \$ -                 | \$ 10,132.98         | \$ 10,132.98         |
| 072354       | PAYROLL | SHERIFF OF JEFFERSON CO  |       | \$ -                 | \$ 41,543.82         | \$ 41,543.82         |
| 072355       | 401     | STAPLES CREDIT PLAN      |       | \$ -                 | \$ 266.83            | \$ 266.83            |
| 072355       | 412     | STAPLES CREDIT PLAN      |       | \$ -                 | \$ 72.70             | \$ 72.70             |
| 072355       | 712     | STAPLES CREDIT PLAN      |       | \$ -                 | \$ 13.86             | \$ 13.86             |
| 072356       | 401     | CAROL SWIGER             |       | \$ -                 | \$ 20.38             | \$ 20.38             |
| 072357       | 712     | SEN COMMUNICATIONS       | 52239 | \$ 601.80            | \$ -                 | \$ 601.80            |
| 072357       | 712     | SEN COMMUNICATIONS       | 52549 | \$ 40.00             | \$ -                 | \$ 40.00             |
| 072357       | 712     | SEN COMMUNICATIONS       | 52550 | \$ 40.00             | \$ -                 | \$ 40.00             |
| 072357       | 712     | SEN COMMUNICATIONS       | 52551 | \$ 75.00             | \$ -                 | \$ 75.00             |
| 072357       | 712     | SEN COMMUNICATIONS       | 52554 | \$ 134.64            | \$ -                 | \$ 134.64            |
| 072358       | 425     | TRENARY SERVICE CO       | 52606 | \$ 350.67            | \$ -                 | \$ 350.67            |
| 072359       | PAYROLL | UNICARE EAP              |       | \$ -                 | \$ 322.20            | \$ 322.20            |
| 072360       | 405     | THOMSON REUTER - WEST    | 51638 | \$ 692.25            | \$ -                 | \$ 692.25            |
| 072360       | 405     | THOMSON REUTER - WEST    | 52216 | \$ 1,459.20          | \$ -                 | \$ 1,459.20          |
| 072361       | 412     | WVU-OFFICE TECHNOLOGY    | 50022 | \$ 852.47            | \$ -                 | \$ 852.47            |
| 072362       | 402     | XEROX CORPORATION        | 51632 | \$ 1,987.68          | \$ -                 | \$ 1,987.68          |
|              |         |                          |       |                      |                      |                      |
| <b>TOTAL</b> |         |                          |       |                      |                      | <b>\$ 448,369.31</b> |
| <b>TOTAL</b> |         |                          |       | <b>\$ 140,844.52</b> | <b>\$ 307,524.79</b> | <b>\$ 448,369.31</b> |

**Motion by Ms. Noland to approve the Accounts Payable for June 5, 2014 in the amount of \$448,369.31. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:**

Ronda Eddy, Executive Director of the Jefferson Day Report Center – informed the Commission she had submitted the Community Corrections Grant before the subcommittee in Charleston, and invited the Commission to the Governor’s Substance Abuse Task Force meeting to be held on Monday, June 16<sup>th</sup> from 10-12 pm at DHHR in Berkeley County.

Ed Slonaker, Broker of Record for Jefferson County – stated the current process of selecting a new broker of record is not in the best interest of tax payers or county employees.

David Tabb, resident – spoke regarding his agreement with the County Commission and stated he has been raising funds for the erection and maintenance of an American flag outside of the County Commission meeting room.

**PRESENTATIONS**

1. Roger Goodwin, Chief County Engineer
  - A. Requested the approval of the agreement with United Bank, Inc. for the completion of the subdivision site work at Summit View Estates Subdivision
    - **Motion by Mr. Manuel to approve staff to work with United Bank, Inc. to complete the remaining site work at the Summit View Estates Subdivision (JCPC File No. 03-21) in exchange for the Jefferson County Commission returning the construction bond/surety funds being held in an escrow account, in the amount of \$250,000 to United Bank, Inc. and that all work shall be fully complete to the satisfaction of the Chief County Engineer before the funds are returned. Motion seconded and unanimously approved.**
  - B. Requested the complete bond release for Suzanne L. Walls – Walls Nursery
    - **Motion by Ms. Noland to authorize a complete release of \$11,501.00 from the construction bond amount for Suzanne A. Walls – Walls Nursery. Motion seconded and unanimously approved.**
  - C. Requested a complete bond release for Summit Point Baptist Church.
    - **Motion by Ms. Widmyer to authorize a complete release of \$38,189.00 from the construction bond amount for Summit Point Baptist Church. Motion seconded and unanimously approved.**
  - D. Requested a partial bond release for the U.S. Coast Guard Office Building Project.

- **Motion by Mr. Manuel to authorize a partial release of \$650,882.00 from the construction bond amount for ARC-FD JV, LLC AKA U.S. Coast Guard Office Building Project. Motion seconded and unanimously approved.**
- E. Requested the tolling of bonding request for Quail Ridge Subdivision, Section II, Phase III, Lots 129-159.
- **Motion by Ms. Noland to authorize the Commission and Staff to accept and execute the Tolling of Bonding Agreement with the owner/developer of the Quail Ridge Subdivision, Section II, Phase III, Lots 129-159. Motion seconded and unanimously approved.**
- F. Requested the approval to call Letter of Credits that have not been renewed by July 15, 2014.
- **Motion by Ms. Noland to authorize staff to call any Letter of Credits that are due that have not been renewed by close of business on Monday, July 7, 2014. Motion seconded and unanimously approved.**
2. Elizabeth Wheeler, Farmland Protection Board – requested the approval of the purchase of one Agricultural Conservation Easement.
- **Motion by Ms. Tabb to approve the purchase by the Jefferson County Farmland Protection Board for the Jefferson County Farmland Protection Program and the Natural Resources Conservation Service of one conservation easement on the property in Jefferson County owned by the following persons: William M. Nicewarner and Deloris M. Nicewarner. Motion seconded and unanimously approved.**

The Commission recessed for break at 10:30 am.  
 The Commission reconvened at 10:45.

3. Final Decision on the Jefferson County Emergency Ambulance Service Fee Ordinance
- **Motion by Mr. Manuel to accept the Jefferson County Emergency Ambulance Service Fee Ordinance and move it before the body for discussion. Motion seconded.**
    - It was the consensus of the Commission to add the following for clarity: *“If a commercial enterprise is conducted in a residential unit and the commercial enterprise is not a separate addressable unit, the owner will pay the single higher commercial rate for that address.”*

- It was the consensus of the Commission that property owners will receive a single bill which denotes multiple units.
  - It was the consensus of the Commission to add a comment which states the Ambulance Fee is to cover the annual operating costs of the JCESA and does not negate the payment required for each use of ambulance services.
  - It was the consensus of the Commission to remove the word “initially” from Section 11 and rename Section 11 “Use of Funds.”
  - It was the consensus of the Commission to add the following to Section 11: “...provided that such paramedics and EMTs may be cross trained to also fight fires.”
- **Motion by Mr. Manuel to approve the amendments made to the Jefferson County Emergency Ambulance Service Fee Ordinance. Motion seconded unanimously approved.**
  - **Motion by Mr. Manuel to approve the Jefferson County Emergency Ambulance Service Fee as amended. Motion seconded and unanimously approved.**
4. Tim Stanton, Finance Director – provided the Commission with a budget overview and requested the approval of multiple internal and state budget revisions.
- A. Requested the approval of Internal Budget Revision #14 in the amount of \$60 to fund a deficit in Emergency Services Computer Hardware.
- **Motion by Mr. Manuel to approve Internal Budget Revision #14 as presented. Motion seconded and unanimously approved.**
- B. Requested approval of Internal Budget Revision #15 in the amount of \$3,500 to transfer funds within the Engineering Department to obtain a balanced budget at the end of the fiscal year.
- **Motion by Ms. Widmyer to approve Internal Budget Revision #15 as presented. Motion seconded and unanimously approved.**
- C. Requested approval of Internal Budget Revision #16 in the amount of \$4,200 for the County Clerk’s Office to cover deficit in ads/legal.
- **Motion by Mr. Manuel to approve Internal Budget Revision #16 as presented. Motion seconded and unanimously approved.**

D. Requested approval of Internal Budget Revision #17 in the amount of \$2,500 for the GIS/Addressing Office to fund the purchase of ArcGIS Network Analyst License.

- **Motion by Ms. Noland to approve Internal Budget Revision #17 as presented. Motion seconded and unanimously approved.**

E. Requested the approval of Internal Budget Revision #18 in the amount of \$106,005.39 for the Sheriff's Office to fund the cost of contracted deputy services.

- **Motion by Ms. Noland to approve Internal Budget Revision #18 as presented. Motion seconded and unanimously approved.**

F. Requested the approval of State Budget Revision #28 in the amount of \$281 for the County's Clerk's Office.

- **Motion by Mr. Manuel to approve State Budget Revision #28 as presented. Motion seconded and unanimously approved.**

G. Requested the approval of State Budget Revision #29 in the amount of \$41,583 for the Sheriff's Office to increase overtime wages with an offsetting increase to revenue.

- **Motion by Ms. Widmyer to approve State Budget Revision #29 as presented. Motion seconded and unanimously approved.**

### **NEW BUSINESS**

5. Barb Miller, Director of Homeland Security and Emergency Management – requested the approval of the contract with J.H. Consulting in the amount of \$5,000 to update the Jefferson County COOP and to develop and carry out a table top exercise for Government Department Heads.

- **Motion by Ms. Widmyer to approve the contract with J.H. Consulting to update the Jefferson County COOP and to develop and carry out a table top exercise for County Government Department Heads, as presented. Motion seconded and unanimously approved.**

6. Establishment of a date/time for the WVDOH Road Summit for Jefferson County.

- **Motion by Mr. Manuel to direct staff to contact local delegation and representatives from the WVDOH to schedule the WVDOH Road Summit for Jefferson County in early fall of 2014. Motion seconded and unanimously approved.**

7. Establishment of a date/time for the Jefferson County Public Service District to provide the Commission with a presentation outlining the \$15 million dollar sewer project, including the impact this project may have on the ratepayers.
  - **Motion by Ms. Tabb to request available Public Service District staff and board members to make a presentation to the Commission on the \$40 million dollar sewer project, including the impact this project may have on the ratepayers, to be held in mid-July. Motion seconded and unanimously approved.**
8. Approval of Contract for the Jefferson County Website.
  - **Motion by Ms. Tabb to approve the contract for the Jefferson County website as presented pending legal review. Motion seconded and unanimously approved.**
9. Approval of Contract for the Broker of Record.
  - Upon unanimous consent, the Commission decided to delay action on this item until President Pellish could be in attendance.
10. Approval of Requests for Proposal for Information Technology Support Services.
  - Upon recommendation from Ms. Keyser, the Commission gave unanimous consent to hold this item over for discussion/action until the regularly scheduled June 19, 2014 County Commission meeting.
11. The Commission broke for lunch at 12:30 pm.  
The Commission reconvened at 1:30 pm.
12. Patti Hamilton, West Virginia Association of Counties – provided the Commission with a legislative update and an update on the association.

## **COUNTY ADMINISTRATOR REPORTS**

Code of Ethics for Current Boards, Commissions, and Committee Members – Ms. Keyser submitted a draft of the notification letter to be sent to current boards, commissions, and committee members regarding the Code of Ethics and asked the Commission to review the document and submit any changes via e-mail prior to the June 19, 2014 Commission meeting.

Software for Ambulance Fee Collection – Ms. Keyser stated she has spoken with the Assessor and the Commission staff is investigating the option of utilizing less expensive

software currently used by the Assessor's office for the data collection and implementation of the Ambulance fee.

### **COUNTY COMMISSIONERS' REPORTS**

Jane Tabb

- Attended the Public Hearing on the JCESA Board Reorganization.
- Attended the "Touch a Truck" event in association with the Development Authority.

Patsy Noland

- Attended the Public Hearing on the JCESA Board Reorganization.
- Provided the Commission with an update on the John Brown tours and encouraged county employees to participate.

Dale Manuel

- Attended the Public Hearing on the JCESA Board Reorganization.
- Attended a PSD meeting.
- Attended an Affordable Housing meeting.

Lyn Widmyer

- Attended the Public Hearing on the JCESA Board Reorganization.

13. The Commission meeting was adjourned at 2:40 pm on a motion by Mr. Noland.  
Motion was seconded and unanimously approved.

---

WALT PELLISH, 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 June 11, 2014 at 7 pm (An audio file of the June 11, 2014 meeting is available through the Jefferson County Commission Office.)

PRESENT:       Walt Pellish, President  
                  Jane Tabb, Vice President  
                  Dale Manuel, Commissioner  
                  Patsy Noland, Commissioner  
                  Lyn Widmyer, Commissioner  
                  Debbie Keyser, County Administrator  
                  Jessica Carroll, Executive Administrative Assistant

**RE: Proposed Amended Ordinance for Jefferson County, WV to raise the E911 landline fee from \$2.90 to \$5.00**

President Pellish called the meeting to order at 7:03 pm.

Vice President Tabb led the Pledge of Allegiance.

President Pellish then opened the floor for public comment. Public Comment was made by the following:

David Tabb, resident – stated he understood the County needed to increase its revenue, but questioned why the increase in fee would only impact those with landlines. Mr. Tabb also stated it's important for the Commission to demonstrate to the taxpayers how they plan to conserve the impending increase in revenue to avoid another difficult budget season.

Terry Courtwright, resident –stated he would like to see a justification of why the E911 landline fee was being raised and echoed Mr. Tabb's comments regarding the increase only applying to landlines and not mobile lines.

There being no further comments from the public, President Pellish stated the record would remain open for one week to allow time for written comment. The public hearing was adjourned at 7:12 pm.

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WALT PELLISH, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant

**PURCHASE ORDERS TO BE APPROVED**

**June 19, 2014**

| DEPARTMENT      | PURCHASE ORDER | AMOUNT        | VENDOR                                   | DESCRIPTION                             |
|-----------------|----------------|---------------|------------------------------------------|-----------------------------------------|
| ANIMAL CONTROL  | 51950          | \$ 444.54     | Hillside Vet.                            | Vet Services                            |
| ASSESSOR        | 52434          | \$ 260.00     | Pifer Office Supply                      | Screens                                 |
| CIRCUIT CLERK   | 51471          | \$ 450.00     | Vital Signs Plus                         | 10,000 Regular Envelops                 |
|                 | 51474          | \$ 741.00     | Software Systems, Inc.                   | Monthly Invoice for May                 |
| COMMISSION      | 52223          | \$ 6,600.00   | City of Charles Town                     | Parking Permits                         |
|                 | 52776          | \$ 113,049.75 | WV Regional Jail & Correctional Facility | May 2014 Regional Jail Bill             |
|                 | 52580          | \$ 16,630.00  | TischlerBise, Inc.                       | Impact Fee Study Update                 |
| COMMUNICATIONS  | 52252          | \$ 1,199.00   | Motorola                                 | Programing Cables                       |
|                 | 52544          | \$ 305.82     | BK Office Supply                         | Equipement Labeling Tapes               |
|                 | 52545          | \$ 1,278.40   | SenCommunications                        | Corded Head Set                         |
|                 | 52575          | \$ 2,768.00   | Teltronic                                | Equipment Repairs                       |
| COURTHOUSE      | 52619          | \$ 1,049.50   | Trenary Service Co.                      | Equipment Repair                        |
| EXTENSION AGENT | 50017          | \$ 5,909.17   | WPS                                      | Savin 9080 SP Fuel/Freight Excess Usage |
| OTHER BUILDINGS | 52618          | \$ 1,074.00   | BK Office Supply                         | Copy Paper                              |
|                 | 52620          | \$ 386.95     | Fidelity Power Systems                   | Service Call on Generator               |
|                 | 52622          | \$ 7,755.50   | Trenary Serice Co.                       | Replaced 2 HP condensing units          |
|                 | 52623          | \$ 1,162.29   | Daycon                                   | Cleaning Supplies                       |

|                      |       |                      |                         |                                  |
|----------------------|-------|----------------------|-------------------------|----------------------------------|
| PLANNING/ZONING      | 52328 | \$ 728.91            | Xerox Corporation       | Equipment Maintenance/Repair     |
| PROSECUTING ATTORNEY | 52679 | \$ 781.00            | Marcia L. Chandler, RPR | Transcripts                      |
| SHERIFF - LAW        | 51977 | \$ 1,768.58          | CDW Government          | Laptop Memory                    |
|                      | 51978 | \$ 2,010.40          | Galls, Inc.             | Uniforms/Accessories             |
|                      | 51979 | \$ 300.00            | ROCIC                   | Dues                             |
|                      | 51980 | \$ 900.00            | No Rules Lettering      | Materials/Equipment for Vehicles |
|                      | 51981 | \$ 1,000.00          | Superior Autobody       | Vehicle Repairs                  |
|                      | 51982 | \$ 2,165.75          | Taser International     | Tasers                           |
|                      | 51984 | \$ 300.00            | Jefferson Urgent Care   | Invoice for Grantham Physical    |
| SHERIFF - TAX        | 52408 | \$ 4,342.54          | Spirit of Jefferson     | 2013 Delinquent Tax Lists        |
| <b>GRAND TOTAL</b>   |       | <b>\$ 175,361.10</b> |                         |                                  |

**ACCOUNTS PAYABLE  
CHECK REGISTER**

| <b>Date</b> | <b>Check #</b> | <b>VENDOR</b>                    | <b>Amount</b>       |
|-------------|----------------|----------------------------------|---------------------|
|             |                | <b>ASSESSOR VALUATION</b>        |                     |
|             |                | <b>056</b>                       |                     |
| 05/02/14    | 512            | STEPHEN C. SLUSS                 | \$ 437.50           |
| 05/30/14    | 513            | KNIGHT CONSULTING                | \$ 3,500.00         |
|             |                |                                  | <b>\$ 3,937.50</b>  |
|             |                | <b>BARDANE</b>                   |                     |
|             |                | <b>244</b>                       |                     |
| 05/16/14    | 527            | JEFFERSON UTILITIES              | \$ 301.01           |
| 05/16/14    | 528            | JEFF. CO PSD                     | \$ 153.80           |
| 05/23/14    | 529            | POTOMAC EDISON                   | \$ 4,429.42         |
|             |                |                                  | <b>\$ 4,884.23</b>  |
|             |                | <b>COAL SEVERANCE</b>            |                     |
|             |                | <b>002</b>                       |                     |
| 05/09/14    | 373            | EASTRIDGE HEALTH SYSTEMS         | \$ 2,750.00         |
| 05/09/14    | 374            | TISCHLER BISE                    | \$ 3,322.00         |
| 05/16/14    | 375            | SHERIFF OF JEFFERSON CO          | \$ 25,000.00        |
|             |                |                                  | <b>\$ 31,072.00</b> |
|             |                | <b>MAGISTRATE COURT</b>          |                     |
|             |                | <b>005</b>                       |                     |
| 05/23/14    | 305            | SHERIFF OF JEFFERSON CO          | \$ 3,750.00         |
|             |                |                                  |                     |
|             |                | <b>FARMLAND PROTECTION BOARD</b> |                     |
|             |                | <b>057</b>                       |                     |
| 05/16/14    | 252            | JEFFERSON CO FARMLAND PROT.      | \$ 41,781.86        |
|             |                |                                  |                     |
|             |                | <b>SHERIFF'S CAPITAL OUTLAY</b>  |                     |
|             |                | <b>246</b>                       |                     |
| 05/02/14    | 1472           | DELL                             | \$ 5,005.00         |
| 05/09/14    | 1474           | GLOBAL DATA CONSULTANT           | \$ 8,692.81         |
| 05/09/14    | 1475           | ACCURATE SYSTEMS                 | \$ 1,080.00         |
| 05/09/14    | 1476           | UNITED BANK                      | \$ 2,669.87         |
| 05/09/14    | 1477           | CDW GOV                          | \$ 4,488.50         |
| 05/09/14    | 1478           | IT SAVVY                         | \$ 308.10           |
| 05/16/14    | 1479           | UNITED BANK                      | \$ 3,419.94         |
|             |                |                                  | <b>\$ 25,664.22</b> |
|             |                | <b>PARK &amp; REC LAND FUND</b>  |                     |
|             |                | <b>247</b>                       |                     |
| 05/09/14    | 45             | LPDA                             | \$ 2,350.00         |

TAX OFFICE  
MAY 2014

| Date      | check | VENDOR                              | Amount      |
|-----------|-------|-------------------------------------|-------------|
|           |       | WV STATE POLICE ACCT                |             |
|           |       | 315                                 |             |
| 5/28/2014 | 654   | WV STATE POLICE ACCT                | \$ 975.00   |
|           |       |                                     |             |
|           |       | WV DEPUTY SHRF RETIRE SYST DISBURSE |             |
|           |       | 369                                 |             |
| 5/5/2014  | 291   | WV DEPUTY SHRF RETIRE SYST DISBURSE | \$ 582.00   |
|           |       |                                     |             |
|           |       | CONCEAL WEAPONS                     |             |
|           |       | O59                                 |             |
| 5/1/2014  | 740   | MARINER FINANCE                     | \$ 1,572.84 |
| 5/5/2014  | 741   | WV ST TREASURER OFF                 | \$ 885.00   |
| 5/6/2014  | 742   | SSI                                 | \$ 859.56   |
|           |       |                                     | \$ 3,317.40 |

PAYROLL CHECK  
MAY 2014

| Date     | Check # | VENDOR                   | Amount      |
|----------|---------|--------------------------|-------------|
|          |         | HOME DETETION            |             |
| 05/21/14 | 470     | SHERIFF OF JEFFERSON CO. | \$ 1,823.59 |
|          |         | DOG & KENNEL             |             |
|          |         | OO8                      |             |
| 05/21/14 | 209     | SHERIFF OF JEFFERSON CO  | \$ 30.76    |

**ACCOUNTS PAYABLE  
CHECK REGISTER**

| <b>Date</b>  | <b>Check #</b> | <b>VENDOR</b>        | <b>Amount</b>        |
|--------------|----------------|----------------------|----------------------|
|              |                |                      |                      |
|              |                | TEEN COURT           |                      |
|              |                | 077                  |                      |
| 05/09/14     | 1024           | TEEN COURT           | \$ 910.00            |
|              |                |                      |                      |
|              |                | IMPACT FEES FIRE/EMS |                      |
|              |                | 249                  |                      |
| 5/9/2014     | 124            | TODD ELECTRIC        | \$ 27,368.00         |
|              |                |                      |                      |
|              |                |                      |                      |
| <b>TOTAL</b> |                |                      | <b>\$ 141,717.81</b> |
|              |                |                      |                      |
|              |                |                      |                      |



## Finance Department

100 East Washington Street, Charles Town, West Virginia 25414  
304-728-3340 (office) 304-728-3279 (fax)

6/5/2014

Request Approval of Payroll checks dated 6/5/2014 (see attached detail)

Transfer of Funds for payroll- check # 072305 in the amount of: \$235,209.98

Check # 060491 thru 060501

Direct Deposit # 43971 thru 44171

REPORT DATE 06/02/2014  
 SYSTEM DATE 06/02/2014  
 FILE ID J

Jefferson County Commission  
 Current Earnings Register  
 COMPLETE REPORT  
 PAY PERIOD ENDING: 05/31/2014

PAGE 30  
 TIME 11:30:09  
 USER SALLY

| EMPLOYEE NAME            | EMPL. ID    | SOC.SEC.NUM. | LOCATION    | DEPARTMENT  | JOB CLASS   | CHECK#      | GROSS PAY  |
|--------------------------|-------------|--------------|-------------|-------------|-------------|-------------|------------|
| PAY.....HOURS.....AMOUNT | DEDUCT.CODE | DEDUCT.CODE  | DEDUCT.CODE | DEDUCT.CODE | DEDUCT.CODE | DEDUCT.CODE | DEDUCTIONS |
| *****                    |             |              |             |             |             |             |            |
| SLRY .00 333175.58       | 41543.82    | FIT          | 6372.27     | SITS        | 21663.76    | FICA        | 12696.21   |
| STR 118.75 2477.31       | 10126.88    | HOS*         | 5308.00     | XMAS        | 9006.19     | SITM        | 498.10     |
| OVTM 137.75 5230.36      | 1315.34     | D/VF         | 2850.00     | 457I        | 793.49      | CANC        | 1318.67    |
| HRLY 836.25 11945.33     | 1368.24     | ATCH         | 264.25      | MDST        | 154.83      | ATC4        | 212.31     |
| ANNU 66.00 1710.06       | 83.25       | ATC2         | 80.38       | VA          |             |             | 5237.29    |
| HOLI 130.00 4843.62      |             |              |             |             |             |             | 5066.49    |
| DOJ 7.00 298.76          |             |              |             |             |             |             | 258.09     |
| GRT 8.00 370.72          |             |              |             |             |             |             | 749.00     |
| HR-2 144.50 2125.10      |             |              |             |             |             |             | 457        |
|                          |             |              |             |             |             |             | DRET       |
|                          |             |              |             |             |             |             | NET PAY    |
|                          |             |              |             |             |             |             | 362176.84  |
|                          |             |              |             |             |             |             | 126966.86  |
|                          |             |              |             |             |             |             | 235209.98  |

REPORT TOTALS

\*\*\*\*\*

CR # 060491 - 060501

- \$ 9,447.99

DD # 43971 - 44171

- \$ 225,761.99

CR Date - 06-05-2014

Total \$ 235,209.98

9,447.99\*+  
 225,761.99 +  
 235,209.98 \*

**VOUCHERS PAYABLES**

**JUNE 13, 2014**

|                                            |                |                                    |               |
|--------------------------------------------|----------------|------------------------------------|---------------|
| <b>HOME DETETION</b>                       |                |                                    |               |
| <b>008</b>                                 |                |                                    |               |
| <b>Date</b>                                | <b>Check #</b> | <b>VENDOR</b>                      | <b>Amount</b> |
|                                            | 471            | <b>3M ELECTRONIC MON.</b>          | \$ 72.85      |
| <b>FARMLAND PROTECTION BOARD</b>           |                |                                    |               |
| <b>057</b>                                 |                |                                    |               |
| <b>Date</b>                                | <b>Check #</b> | <b>VENDOR</b>                      | <b>Amount</b> |
|                                            | 253            | <b>JEFFERSON CO FARMLAND PROT.</b> | \$ 40,143.22  |
| <b>TEEN COURT</b>                          |                |                                    |               |
| <b>077</b>                                 |                |                                    |               |
| <b>Date</b>                                | <b>Check #</b> | <b>VENDOR</b>                      | <b>Amount</b> |
|                                            | 1025           | <b>TEEN COURT</b>                  | \$ 1,050.00   |
| <b>BARDANE</b>                             |                |                                    |               |
| <b>244</b>                                 |                |                                    |               |
| <b>Date</b>                                | <b>Check #</b> | <b>VENDOR</b>                      | <b>Amount</b> |
|                                            | 531            | <b>JEFFERSON UTILITIES</b>         | \$ 301.01     |
|                                            | 532            | <b>JEFF. CO PSD</b>                | \$ 192.25     |
|                                            | 530            | <b>POTOMAC EDISON</b>              | \$ 3,282.39   |
| <b>SHERIFF'S CAPITAL OUTLAY</b>            |                |                                    |               |
| <b>246</b>                                 |                |                                    |               |
| <b>Date</b>                                | <b>Check #</b> | <b>VENDOR</b>                      | <b>Amount</b> |
|                                            | 1480           | <b>SPILLMAN</b>                    | \$ 89,703.00  |
|                                            | 1481           | <b>ACCURATE SYSTEM</b>             | \$ 1,800.00   |
| <b>WV DEPUTY SHRF RETIRE SYST DISBURSE</b> |                |                                    |               |
| <b>369</b>                                 |                |                                    |               |
| <b>Date</b>                                | <b>Check #</b> | <b>VENDOR</b>                      | <b>Amount</b> |
|                                            | 292            | <b>WV ST TREASURER OFF</b>         | \$ 414.00     |

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Angie Banks

Department or Organization: Assessor

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

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

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

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

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Dr. David Didden/ Thomas Trumble

Department or Organization: Jefferson County Health Department

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: **June 19, 2014**

*If a specific date is needed, please provide reason for specific date:* Click here to enter text.

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): Introduction of the new Health Administrator, Christina Jackson

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

Is this a funding request? Y/N NO

If so, how much? \$Click here to enter text.

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Click here to enter text.

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

If not attached, explain: Click here to enter text.

Is equipment needed? Projector Y/N NO. Internet/Wi Fi Y/N No Telephone for conference call Y/N Click here to enter text.

Contact information: Sandy Hite

Email address: [sandy.d.hite@wv.gov](mailto:sandy.d.hite@wv.gov) Phone Number: (304)728-8416

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS**

Click here to enter text.

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: **Jennifer Maghan**

Department or Organization: **County Clerk**

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: **June 19, 2014**

*If a specific date is needed, please provide reason for specific date: **To comply with State code.***

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): **Approval of Depository Bonds**

Please provide the County Commission with a description of your request or presentation, including any background information:  
Depository bonds must be approved by the County Commission at the last meeting held in June of each year.

Is this a funding request? Y/N Click here to enter text.

If so, how much? \$Click here to enter text.

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Approve Depository bonds for the fiscal year 2014-2015.

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

If not attached, explain: Copies of the bonds will be sent to the County Commission as soon as they are all received from the banks.

Is equipment needed? Projector Y/N Click here to enter text. Internet/Wi Fi Y/N Click here to enter text.

Telephone for conference call Y/N Click here to enter text.

Contact information: Gail Magaha

Email address: [gmagaha@jeffersoncountywv.org](mailto:gmagaha@jeffersoncountywv.org) Phone Number: 304-728-3216

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS**

Click here to enter text.




# Office of Sheriff and Treasurer of Jefferson County

Law Enforcement Office  
102 Industrial Blvd  
Kearneysville, WV 25430  
304-728-3205  
Fax: 304-728-3299

Tax Office  
PO Box 9  
Charles Town, WV 25414  
304-728-3220  
Fax: 304-728-4034

March 13, 2014

To: County Commission  
County Clerk  
Prosecuting Attorney

From: Sheriff Dougherty 

Subject: Bank Securities/Bonding – County Bank Accounts

The following is an overview of the various County Bank Accounts which hold County Monies and the Securities/Bonding for each of these accounts:

|                         |                                                                                                                                         |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Bank of Charles Town    | Account balance of \$10,107,171.60 as of 2/28/14. ( <b>\$14,000,000.00 in pledged securities.</b> )                                     |
| Jefferson Security Bank | Account balance of \$880,514.27 as of 2/28/14. ( <b>\$750,000.00 in pledged securities.</b> )                                           |
| United National Bank    | Account balance of \$3,129,730.95 as of 2/28/14. ( <b>\$2,500,000.00 in pledged securities, all other amounts are covered by FDIC</b> ) |
| BB&T                    | Account balance of \$647,319.49 as of 2/28/13. ( <b>\$800,000.00 in pledged securities.</b> )                                           |

**It is my recommendation that the pledged securities with Jefferson Security Bank be increased to \$1,000,000.00 and that the rest remain as is.**

**In accordance with the memorandum dated September 28, 2006 concerning bondings of depositories, the Chief Tax Deputy will continue to monitor all accounts on a monthly basis to assure that each account is sufficiently collateralized. Should it be determined that adjustments in securities on respective accounts are needed, the banking institution will be contacted for this purpose.**



@ your service

received  
6-5-2014

May 27, 2014

Jefferson County Commission  
Attn: Ms. Jennifer S. Maghan  
P.O. Box 208  
Charleston Town, WV 25414-0014

Dear Ms. Maghan:

The purpose of this correspondence relates to the issuance of a depository bond by United Bank, Inc. ("United") for the upcoming fiscal year. In lieu of issuing a depository bond, United will pledge qualified investment securities or issue Federal Home Loan Bank letters of credit to appropriately collateralize outstanding deposits in excess of the amount insured by the Federal Deposit Insurance Corporation (FDIC), an independent agency of the U.S. Government. Both methods of collateralization are fully compliant with West Virginia State Code.

To ensure compliance with West Virginia Code each month, United compares outstanding deposit balances of all customers deemed to hold public funds with either the market value of pledged investment securities or the value of issued Federal Home Loan Bank letters of credit. Should sufficient collateral be found to exist, no action is taken. However, if collateral is found to be below the current level of outstanding deposits, United will either pledge additional qualified investment securities or cause the issuance of an additional Federal Home Loan Bank letters of credit. United sends a statement monthly to each public funds customer detailing out all investment securities pledged as collateral and their market values. Please compare this monthly total along with the value of any Federal Home Loan Bank letters of credit to your outstanding deposit balances and contact us if you feel that additional collateral is necessary to be pledged.

Please feel free to contact me at (304) 348-8396 should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Salyers', written over a white background.

Larry Salyers  
Senior Vice-President  
Treasury Management

received  
4-1-2014

**JEFFERSON COUNTY COMMISSION DEPOSITORY BOND  
BRANCH BANKING AND TRUST COMPANY  
WINSTON-SALEM, NORTH CAROLINA**

**KNOW ALL MEN BY THESE PRESENTS**, That, the undersigned, Branch Banking and Trust Company (BB&T), Winston-Salem, North Carolina, a Corporation organized and existing under the laws of the United States of America, is held and firmly bound unto the State of West Virginia, in the sum of Eight Hundred Thousand Dollars (\$800,000.00) to the payment thereof, will truly be made to said Jefferson County Commission, State of West Virginia, the undersigned binds itself and its successors and assigns by these present,

Signed and sealed this 24th day of March 2014.

**THE CONDITIONS OF THE ABOVE OBLIGATION IS SUCH THAT**, Whereas, BB&T of Winston-Salem, North Carolina, principal has been duly and legally designated in the manner required by law as a depository of the public monies of the Jefferson County Commission, State of West Virginia. Now therefore, if the said BB&T, principal herein, shall reserve safely, keep well and truly pay over all monies which may be deposited in or under the custody of the said BB&T as such County depository, according to law and shall further faithfully perform all the duties by law upon said principal as depository monies, then this obligation shall be null and void, otherwise are to remain in full force and effect.

The said Bank herewith deposited and pledged with the Jefferson County Commission, State of West Virginia, to secure the performance of its undertakings herein above set out the following collateral to-wit:

| <u>PAR VALUE</u> | <u>DESCRIPTION</u>                 | <u>COUPON RATE</u> | <u>MATURITY DATE</u> |
|------------------|------------------------------------|--------------------|----------------------|
| \$800,000.00     | GNMA II Arm Pool 82663 (36225E5Z1) | 3.00%(Variable)    | 11/20/2040           |

Authorization for the pledging of the above securities is certified to the Secretary of the Board of Directors of said Bank attached hereto.

It is understood and agreed:

- (1) Such collateral shall be held by **WELLS FARGO BANK, N.A.**, Minneapolis, MN or the **FEDERAL RESERVE BANK** of Richmond, Virginia, (Safekeeping Agents) so long as the said BB&T is not in default in its undertakings hereinabove set out, and if the said BB&T has not defaulted in its undertakings then such collateral shall be returned to the said BB&T on the 30<sup>th</sup> day of June, 2015.
- (2) The said BB&T shall have the right to the interest payable on such collateral, and may for the purpose of collecting the same have access to such collateral, in conjunction with a representative of the said Safekeeping Agent in order to obtain interest coupons representing interest payable or may direct the said Safekeeping Agent to detach such coupons.
- (3) The said BB&T shall from time to time have the right to withdraw any part of the above collateral upon substitution of other collateral of the same marketability acceptable to the Jefferson County Commission. The said BB&T shall have the right to withdraw any part of the above-mentioned collateral when properly authorized, providing the monies on deposit with the said BB&T do not exceed the amount of such collateral security remaining as security for the performance under the terms of this depository bond.

- (4) In the event of default of the said BB&T in its undertakings, herein set out during the said period beginning July 1, 2014 and ending June 30, 2015 the said Jefferson County Commission, State of West Virginia, shall have the right to make sale of so much of the collateral hereinbefore referred to as may be required to make good the undertaking of the said BB&T after due notice is given to the said BB&T.

(SEAL)

**BRANCH BANKING AND TRUST COMPANY**

BY: Teresa G. Williams  
Senior Vice President,  
BB&T Funds Management

**STATE OF NORTH CAROLINA,  
COUNTY OF ROBESON, TO-WIT:**

I, Amy Pittman a Notary Public in and for the County and State aforesaid, do hereby certify that Teresa G. Williams, who signed the writing above as Senior Vice President of BB&T, a Corporation, bearing date of the 24th day March 2014 for said Corporation has this day acknowledged the said writing to be the act and deed of said Corporation.

Given under my hand this 24th day of March 2014.

Amy Pittman  
Notary Public

My commission expires: 7/23/18

**STANDING RESOLUTION - FUNDS MANAGEMENT / MORTGAGE LENDING / DEPOSIT SERVICES**

AUTHORITY TO PURCHASE, SELL, TRANSFER OR ASSIGN, OR OTHERWISE ENGAGE IN TRANSACTIONS WITH RESPECT TO, SECURITIES AND FINANCIAL INSTRUMENTS OR CONTRACTS

RESOLVED, that each of the following officers may purchase, sell, transact, deal in or otherwise engage in transactions with respect to any of the following: (a) any security (including, but not limited to any note, stock, treasury stock, United States Bonds or other bonds of any nature, mutual funds, debenture, collateral trust certificate, pre-organization certificate or subscription, voting-trust certificate, certificate of deposit, investment contract or certificate of interest, interest of a limited partner in a limited partnership, warrants, subscriptions or any other interest commonly known as a "security"); (b) currency (including any forward or spot foreign exchange agreement), check, draft, bill of exchange, or bank letter of credit; (c) commodity futures contract or forward contract, (including any option, warrant, or right to subscribe to or purchase or sell a commodity futures contract or an option to purchase or sell a commodity or any spot transaction with respect thereto) (d) any loan, debt or evidence of indebtedness (including, but not limited to, any interest or participation in a loan, a group or index of securities, or certificate of deposit, (including an interest therein or based on the value thereof)), (e) any option on any of the foregoing, including an option to purchase or sell any such security, certificate of deposit, loan, interest, group or index, (f) any forward agreement, repurchase or reverse repurchase transaction on any such security, certificate of deposit, loan, interest, group or index, or option, and (g) any swap agreement (including, but not limited to, any interest rate swap, option, future, or forward agreement (including a rate floor, rate cap, rate collar or basis swap)), any currency swap, cross-currency swap or cross-currency rate swap, any agreement in respect of precious metals, any equity index or equity swap, option, future, or forward agreement, any debt index or debt swap, option, future, or forward agreement, any total return, credit spread, credit default, credit index or credit swap, option, future, or forward agreement, any commodity index or a commodity swap or option thereon, and any other agreement or transaction that is similar to any other agreement or transaction referred to herein and that (i) is of a type that has been, is presently, or in the future becomes, the subject of recurrent dealings in the swap markets, and (ii) is a forward, swap, future, or option on one or more rates, currencies, commodities, equity securities, or other equity instruments, debt securities or other debt instruments, quantitative measures associated with an occurrence, extent of an occurrence, or contingency associated with a financial, commercial, or economic consequence, or economic or financial indices or measures of economic or financial risk or value (collectively, "Transactions");

FURTHER RESOLVED, that any and all purchases, sales, assignments or transfers of, or the entering into the foregoing Transactions heretofore or hereafter made by any of the below named officers as authorized by the foregoing resolutions are hereby ratified and confirmed.

FURTHER RESOLVED, that, if any of the below-named officers should no longer be empowered as above as a result of a change in position or employment or otherwise, or if another officer should be so empowered prior to the next regularly scheduled Board meeting at which such officers are named, then the Chief Financial Officer or the Treasurer, acting individually, may remove or add such officer, as the case may be, by written notice to the Secretary or the Assistant Secretary.

**FUNDS MANAGEMENT**

|                       |                                         |
|-----------------------|-----------------------------------------|
| Daryl N. Bible        | Senior Executive Vice President and CFO |
| Hal S. Johnson        | Executive Vice President<br>& Treasurer |
| Gypsy A. McKenzie     | Executive Vice President                |
| John B. Foreman       | Senior Vice President                   |
| Thomas E. Powell      | Senior Vice President                   |
| Dorothy Clewis        | Senior Vice President                   |
| Stuart F. Winikoff    | Senior Vice President                   |
| Evan S. Gutshall      | Vice President                          |
| Justin A. LaFramboise | Vice President                          |
| Randy Mann            | Vice President                          |
| Paul A. Slaga         | Vice President                          |
| Douglas W. Jernigan   | Assistant Vice President                |
| Andrew D. Kunkel      | Assistant Vice President                |

MORTGAGE LENDING

|                   |                          |
|-------------------|--------------------------|
| Daniel F. Racher  | Executive Vice President |
| Andrew T. Ball    | Senior Vice President    |
| Sean G. Mistretta | Vice President           |
| Angela K. Dudley  | Assistant Vice President |
| Timothy M. White  | Assistant Vice President |
| Sarah T. Monger   | Banking Officer          |

DEPOSIT SERVICES

|                     |                                                               |
|---------------------|---------------------------------------------------------------|
| Donna C. Goodrich   | Senior Executive Vice President<br>& Deposit Services Manager |
| William B. Long     | Senior Vice President                                         |
| Kevin L. Willis     | Senior Vice President                                         |
| Christopher Bradley | Vice President                                                |

FURTHER RESOLVED, that the following officers are hereby authorized to sign any documents or agreements (including any master agreements), to pledge and receive collateral and to make and receive payments, in each case with respect to the foregoing Transactions, and any such documents, agreements, pledges, receipts and payments heretofore or hereafter made by any of the below named officers as authorized by the foregoing resolutions are hereby ratified and confirmed.

FURTHER RESOLVED, that, if any of the below-named officers should no longer be empowered as above as a result of a change in position or employment or otherwise, or if another officer should be so empowered prior to the next regularly scheduled Board meeting at which such officers are named, then the Chief Financial Officer or the Treasurer, acting individually, may remove or add such officer, as the case may be, by written notice to the Secretary or the Assistant Secretary.

FUNDS MANAGEMENT

|                        |                                         |
|------------------------|-----------------------------------------|
| Daryl N. Bible         | Senior Executive Vice President and CFO |
| Hal S. Johnson         | Executive Vice President<br>& Treasurer |
| Gypsy A. McKenzie      | Executive Vice President                |
| John B. Foreman        | Senior Vice President                   |
| Ernest M. Sessoms      | Senior Vice President                   |
| Donna L. Thome         | Senior Vice President                   |
| Teressa G. Williams    | Senior Vice President                   |
| Carrie B. Kinlaw       | Vice President                          |
| Robert Randal          | Vice President                          |
| Deborah Harrell-Cayton | Assistant Vice President                |
| Myra R. Musselwhite    | Assistant Vice President                |
| Myra I. Edge           | Banking Officer                         |
| Amy C. Pittman         | Assistant Vice President                |

MORTGAGE LENDING

|                   |                          |
|-------------------|--------------------------|
| Daniel F. Racher  | Executive Vice President |
| Andrew T. Ball    | Senior Vice President    |
| Daniel F. Ondejko | Senior Vice President    |

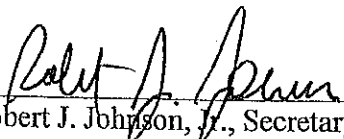
DEPOSIT SERVICES

|                     |                                                               |
|---------------------|---------------------------------------------------------------|
| Donna C. Goodrich   | Senior Executive Vice President<br>& Deposit Services Manager |
| William B. Long     | Senior Vice President                                         |
| Kevin L. Willis     | Senior Vice President                                         |
| Christopher Bradley | Vice President                                                |

This is to certify that the foregoing is a true and correct transcript of the resolutions adopted by the Board of Directors of Branch Banking and Trust Company, Fort Lauderdale, Florida, at a regular meeting held April 23, 2013 at which a quorum was present and voting throughout, and said resolutions have not been amended, repealed or modified.

This 26th day of April, 2013.

BRANCH BANKING AND TRUST COMPANY

  
\_\_\_\_\_  
Robert J. Johnson, Jr., Secretary

BOND OF BANK OF CHARLES TOWN  
AS  
DEPOSITORY OF PUBLIC MONEYS

KNOW ALL MEN BY THESE PRESENTS,

That the undersigned Bank of Charles Town, a banking institution incorporated under the laws of the State of West Virginia and doing business at Charles Town, Jefferson County, West Virginia, is held and firmly bound unto the State of West Virginia, in the sum of Fourteen Million Dollars (\$14,000,000.00) for the payment of which well and truly to be made, the said Bank of Charles Town binds itself and its successors firmly by these presents.

IN WITNESS WHEREOF the said Bank of Charles Town has executed this bond by causing its Senior Vice President to sign its corporate name and affix its corporate seal hereto by order of its Board of Directors, this 12<sup>th</sup> day of June 2014.

The condition of the above obligation is such that whereas the said Bank of Charles Town has been designated by the County Commission of Jefferson County, West Virginia, as depository of public moneys under the provisions of Chapter 7, Article 6, Section 2, Official Code of West Virginia, now therefore, if said Bank of Charles Town shall receive, keep safe, and pay over all moneys which may be deposited in or come under the custody of said Bank of Charles Town as such depository, from the 1st day of July 2014, through the 30th day of June, 2015, and shall faithfully perform all of the duties imposed by said Article upon the said Bank of Charles Town as such depository, then this obligation shall be void; otherwise to remain in full force and effect.

As security for the faithful performance of this bond and to protect and indemnify against any or all loss of public moneys by reason of any default on the part of said Bank of Charles Town in its capacity as such depository of public moneys, the said Bank of Charles Town, by order of said County

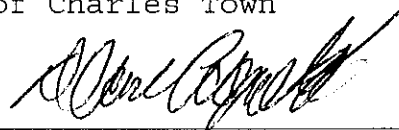
Commission, and in accordance with the provisions of Chapter 7, Article 6, Section 2 of the code, will execute one Irrevocable Standby Letter of Credit; No. TBD / Copy of Letter of Credit to be provided for \$14,000,000 to cover all County accounts including Impact Fees. This Letter of Credit will be issued with the Federal Home Loan Bank of Pittsburgh, PA. This letter of credit will be held by the Federal Home Loan Bank of Pittsburgh, PA as collateral security for this bond, with a copy provided to the Jefferson County Commission.

In event of any default in the conditions of this bond, The Federal Home Loan Bank shall reimburse the County Commission of Jefferson County, West Virginia, and shall accept as sufficient evidence of such default for such delivery, a certified copy of an order of said County Commission stating such default.

Upon receipt of said funds under these Letter of Credit from the said The Federal Home Loan Bank of Pittsburgh, PA in case of any default of the said Bank of Charles Town in complying with the conditions of its said bond, the said County Commission shall apply the proceeds to the payment of the amount owing by said Bank of Charles Town by reason of any such default in the conditions of its said bond, and after such payment the residue, if any, shall be paid to said Bank of Charles Town.

On June 30, 2015, if the said Bank of Charles Town has complied with the conditions of this bond, said letter of credit will expire, and, if the need for a new bond is necessary for a subsequent period, the said Bank of Charles Town will execute such new bond and new letter of credit.

Bank of Charles Town



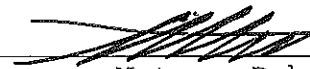
Senior Vice President

SEAL

State of West Virginia

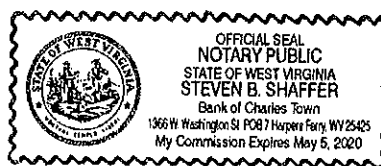
County of Jefferson, to-wit:

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of June 2014, by Dean J. Cognetti, Senior Vice President of Bank of Charles Town, a West Virginia corporation, on behalf of the corporation.



Notary Public

My Commission expires: May 5, 2020



I RALPH A. LOREUZETTI, Prosecuting Attorney of Jefferson County, West Virginia, hereby certify that the above bond is in due and legal form and conformable to the provisions of Chapter 7, Article 6, Section 2 of the Code of West Virginia.



Prosecuting Attorney

Date: 5-19-2014

COPY

R E S O L U T I O N

"Resolved that this bank do execute and deliver to the County Commission of Jefferson County, West Virginia, a bond in the penalty of \$14,000,000 as depository of Public Moneys, under the provisions of Chapter 7, Article 6, Section 2, Official Code of West Virginia, and that said bond be secured by an Irrevocable Standby Letter of Credit Number TBD/Copy of Letter of Credit to be provided for \$14,000,000 to cover all County funds including Impact Fees. This Irrevocable Standby Letter of Credit is issued by the Federal Home Loan Bank of Pittsburgh, PA in the favor of the Jefferson County Commission.

The draft of the said bond has been submitted to the Board at this meeting be and the same is hereby approved, and the Senior Vice President be and he/she is hereby authorized and directed to execute said bond, in the corporate name, and under the corporate seal of this bank, and the Senior Vice President of this bank be and he/she is hereby authorized and directed to execute the letter of credit with the Federal Home Loan Bank of Pittsburgh, PA as described above, and to file with the Clerk of the said County Commission the said bond of this bank to become effective July 1, 2014, and to expire on June 30, 2015, subject to the approval of and acceptance by said County Commission."

I certify the foregoing to be an exact copy of a resolution unanimously passed and adopted by a quorum of the Board of Directors of Bank of Charles Town at their regular meeting on June 10, 2014.



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Secretary

State of West Virginia

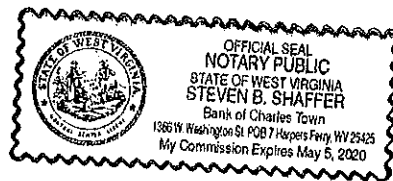
County of Jefferson, to-wit:

The foregoing instrument was acknowledged before me this 12th day of June, 2014, by Dean J. Cognetti, Secretary of Bank of Charles Town, a West Virginia Corporation, on behalf of the corporation.

  
\_\_\_\_\_  
Notary Public

My commission expires:

May 5<sup>th</sup> 2020







Name: **Lyn Widmyer**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: Click here to enter text.

Date Requested – 1<sup>st</sup> Choice: **June 19, 2014**

*If a specific date is needed, please provide reason for specific date:* Click here to enter text.

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): **Jefferson County Commission sign a memorandum of understanding with WV DOH and the Jefferson County Parks and Recreation Commission to provide the same level of maintenance as provided on the trail at Morgans Grove Park.**

Please provide the County Commission with a description of your request or presentation, including any background information: **Due to the hard work of the Town of Shepherdstown and the WV DOH, monies have been secured to design, engineer and build a path between Shepherdstown Middle School and Morgan's Grove Park. The Jefferson County has committed \$39,000 as a match to secure funding for the entire project. A further commitment is needed in terms of maintenance once the path is built.**

Is this a funding request? Y/N NO

If so, how much? \$Click here to enter text.

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): **I move the Jefferson County Commission sign a memorandum of understanding with WV DOH and the Jefferson County Parks and Recreation Commission to provide the same level of maintenance as provided on the trail at Morgans Grove Park.**

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

If not attached, explain: Click here to enter text.

Is equipment needed? Projector Y/N Click here to enter text. Internet/Wi Fi Y/N Click here to enter text.

Telephone for conference call Y/N Click here to enter text.

Contact information:

Email address: Click here to enter text. Phone Number: Click here to enter text.

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: **Lyn Widmyer**

Department or Organization: Click here to enter text.

Estimation of amount of time needed for appointment: Click here to enter text.

Date Requested – 1<sup>st</sup> Choice: **May 29** — *June 19*  
*If a specific date is needed, please provide reason for specific date:* Click here to enter text.

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): Resolution of appreciation to AHA/Jefferson County Arts Council for Artomatic event

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

**As the County Commission learned from the presentation by AHA/Jefferson County Arts Council, the month long Artomatic event was a tremendous success in terms of promoting local arts, helping local artisans and attracting visitors. The Commission should show our appreciation by approving a resolution of thanks.**

Is this a funding request? Y/N NO  
If so, how much? \$Click here to enter text.

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Request staff to prepare a resolution of appreciation for the Artomatic event.

Attach supporting documents for request, or request may be denied.  
If not attached, explain: Click here to enter text.

Is equipment needed? Projector Y/N Click here to enter text. Internet/Wi Fi Y/N Click here to enter text.  
Telephone for conference call Y/N Click here to enter text.

Contact information:  
Email address: Click here to enter text. Phone Number: Click here to enter text.

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

RESOLUTION IN RECOGNITION OF THE JEFFERSON ARTS COUNCIL AND THE SUCCESS OF  
ARTOMATIC@JEFFERSON

WHEREAS, the Jefferson Arts Council (formerly known as AHA!) was formed in September of 1975 and has since evolved and grown into an organization with a broad base of support for cultural and artistic events and programs; and

WHEREAS, the Jefferson Arts Council promotes and advocates for the arts and humanities by creating cultural partnerships that enhance the quality of life in Jefferson County, WV; and

WHEREAS, in 2012, Ginny Fite, President of the Jefferson Arts Council, began to pursue the development of an independently organized and licensed Artomatic event in Jefferson County, WV; and

WHEREAS, with the help of local artists, partners and sponsors, Artomatic@Jefferson opened in October 2013 for a free, month-long feast of artistic endeavor, showcasing creative work in visual art, performing art, music, dance, poetry, and film; and

WHEREAS, Artomatic@Jefferson successfully created community and expanded economic development in Jefferson County, WV by transforming available space into a playground for artistic expression, where participating artists made over \$9,000 in sales and saw over 4,000 visitors from Maryland, Virginia, Pennsylvania, Washington, D.C. and beyond

NOW THEREFORE BE IT RESOLVED that the Jefferson County Commission hereby honors and expresses its sincere appreciation to the Jefferson Arts Council for their dedication to enriching the lives of the citizens of Jefferson County, WV through the arts and humanities and offers sincere congratulations for the success of Artomatic@Jefferson.

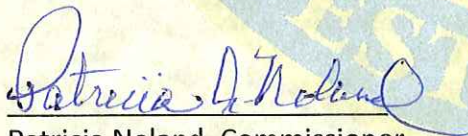
By ORDER of the Jefferson County Commission:



Walt Pellish, President



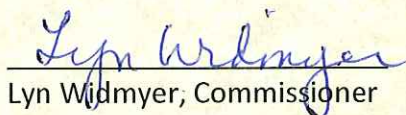
Jane Tabb, Vice President



Patricia Noland, Commissioner



Dale Manuel, Commissioner



Lyn Widmyer, Commissioner

AGENDA REQUEST FORM  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Jessica Carroll

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

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

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

Subject (*Wording to be placed on agenda*): Interviews and Appointments to the Jefferson County Planning Commission – one unexpired term ending March 31, 2016.

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

**Jefferson County Commission**  
**Application for Boards, Committees or Commissions**

Please type or print information

Name: Stephen J. Paradis

Home Telephone Number: 508 439 7209

Work Address: Potomac Asset Management; 5 South Market; Frederick, MD 21701

Work Phone Number: 508 439 7209

Mobile Phone Number: 508 439 7209

E-mail Address: stephen.j.paradis@gmail.com

Party Affiliation: (*Building Commission applicants only*) \_\_\_\_\_

Occupation: manager (financial)

Education: High School Central Catholic High School, Lawrence, Mass.

College Massachusetts Institute of Technology (MIT)

~~Trade/Business School~~ Stanford University Graduate School of Business, Stanford, CA

Are you a United States citizen? Yes  No

Are you a West Virginia resident? Yes  No

Are you a resident of Jefferson County? Yes  No

Address:

PO Box 1101 Harpers Ferry, WV 25425

1212 Washington Street Bolivar, WV 25425

Magisterial District: \_\_\_\_\_

Are you a Jefferson County registered voter? Yes  No

Do you pay personal property tax? Yes  No

List Qualifications for this Position:

six years in senior management for the Appalachian Trail Conservancy, a national non-profit headquartered in Jefferson County , an organization formed from a project in regional planning in the 1920's.

education - Masters degree in business administration from Stanford University; masters and bachelors degrees in engineering from the Massachusetts Institute of Technology; professional experience in project management and project finance\_\_

Organization Memberships and Positions Held :

Bolivar Planning Commission (president); Harpers Ferry Historic Town Foundation (board member; former treasurer); Harpers Ferry Merchants Association (former member and vice president); Canal Town Partnership (former Harpers Ferry-Bolivar representative and treasurer)

Please list any felonies, convictions or convictions of moral turpitude or any other offenses to reflect poorly on Jefferson County. none

| Date: | Offense: |
|-------|----------|
|       |          |
|       |          |
| )     |          |

Statement: The practice of planning, developing and adhering to ordinances, is essential to promoting growth and economic development while appreciating and balancing the importance of quality of life issues and the value a community possesses in its natural and cultural resources. As a resident of the town of Bolivar and Jefferson County, I would welcome the opportunity to serve by sharing my perspectives with others on the commission from across the county.\_\_\_\_

I hereby certify that the facts set forth in the above are true and complete to the best of my knowledge and authorize the Jefferson County Commission to verify their accuracy and to obtain reference information. I hereby release Jefferson County Commission from any/all liability of whatever kind and nature which, at any time, could result from obtaining and having an appointment decision based on such information.

I understand that falsified statements of any kind or omissions of facts called for on this application shall be considered sufficient basis for removal.

I understand that I will fully adhere to the policies, rules and regulations of this appointment.

Signature: Stephen J. Braddy Date: 12 June 2014

*This application is good for and will be retained for two (2) years in accordance with the Administrative Policies and Procedures Policy. In order to be considered for appointment, a new application must be submitted.*

June 15, 2014

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

Dear County Commissioners:

I am writing in response to your recent request for an appointment to the Jefferson County Planning Commission. I have been a resident of Harper's Ferry for 10 years and I am very interested in participating on the Planning Commission. I have served on many boards and commissions throughout my life and feel that my experience could greatly benefit the Jefferson County Planning Commission.

I retired from the military in 1998 as a Military Intelligence Instructor. I have spent the past 16 years working for the Department of Homeland Security (DHS) and currently I am the Chief of the Threat Assessment Branch at United States Citizenship and Immigration Services, DHS. My family and I moved here in 2004 and have thoroughly enjoyed living in this community. Being active in the community is very important to me and I would greatly appreciate the opportunity to serve on the Planning Commission.

Should you have any questions or require additional information from me, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Thomas", with a large, stylized flourish extending from the end of the name.

Ron Thomas

75 Overlook Drive  
Harpers Ferry, WV 25425  
cell – (202)-680-9926

154 East Street  
Middleway, WV 25430

15 June 2014

Jefferson County Commission  
P.O. Box 250  
Charles Town, WV 25430

Re: Notice of Intent to Appoint to the Planning Commission

Dear Commissioners,

Please accept my application for the vacant position on the Planning Commission, one unexpired term ending 31 March 2016.

I have been actively involved in Jefferson County community issues for more than twenty years, most recently as a 10-year member of the Jefferson County Farmland Protection Board and as a member of the Envision 2035 Comprehensive Plan Steering Committee. Also during this period I have been active as a member of the Middleway Conservancy Association, an organization which seeks to conserve the historic district of a unique village. During this time I have garnered an appreciation of the diverse economic and social issues facing Jefferson County and its communities and the key-role that careful and thoughtful planning can play in development and growth.

Now that I am "retired" my hope is that I can play a more active role on the Planning Commission as the County enters a new era of development and growth.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Peter Fricke", written in a cursive style.

Peter Fricke

# PETER H. FRICKE

154 East Street, Middleway, WV 25430 | 304-728-6400 | peterfricke01@gmail.com

## SUMMARY

I have worked on applied land-use and community planning issues for much of my professional life since 1970 and as a volunteer in Jefferson County since 1990. As one who grew up on a farm, has lived in rural communities for much of his life, and has had experience in small businesses and rural development, my skill and knowledge set is broad. Service in the public sector has provided familiarity with regulatory regimes and their application.

## EXPERIENCE

- 2012-2014 Member, *Jefferson County Envision 2035 Comprehensive Plan Steering Committee*
- 2002-2012 Member, *Jefferson County Farmland Protection Board*  
Participated in growing farm easement program from nothing to 3,900 acres
- 1990-2014 Member, *Middleway Conservancy Association, Inc.*  
worked on historic site conservation projects, including BAD Buildings Program project; planning for village infrastructure and economic development; village service projects.
- 1990-2014 Member, *Grace Episcopal Church, Middleway*  
Served on Vestry and in leadership positions. Participated in Church public service programs, including feeding the homeless in Jefferson County
- 1984-2010 Social Anthropologist, *NOAA National Marine Fisheries Service, Washington, DC*  
• Led community studies and socio-economic impact assessments determining Federal and State marine fishery harvest allocations and regulations; served as a Federal hearing officer; developed national research program in support of marine fishery management
- 1977-1994 SENIOR SCIENTIST, *INSTITUTE OF COASTAL AND MARINE RESOURCES, EAST CAROLINA UNIVERSITY, GREENVILLE, NC*  
• Undertook grant-funded studies of coastal land-use planning and management for State of North Carolina, US Forest Service, and SARMC
- 1970-1977 Technical Advisor (Contractor) on matters of Marine Transportation, Sea-Use Planning; and Law of the Sea to various national and international agencies.
- 1950-1970 Served in British Merchant Navy, as apprentice and then navigating officer (mate)

## EDUCATION

- 1987 B.A. (Sociology), *NEW YORK UNIVERSITY, NEW YORK NY*
- 1974 Ph.D. (Sociology), *University of Durham, Durham, England*
- 1984 MPA, *The American University, Washington, DC*

AGENDA REQUEST FORM  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Jessica Carroll

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

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

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

Subject (*Wording to be placed on agenda*): Interviews and Appointment to the Jefferson County Board of Zoning Appeals for one unexpired term ending January 1, 2015.

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

June 15, 2014

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

Commissioners,

I have enclosed a copy of my resume for your consideration regarding the unexpired term within the Jefferson County Board of Zoning Appeals. I live within the Shepherdstown District and have been a resident of Jefferson County for the last 10 years.

I am currently serving on the Board of Zoning Appeals as an alternate and I would like to become an appointed member of the board. Since my appointment to the board as an alternate member I have attended and participated in every meeting that has been held.

I have been actively involved with the Planning and Zoning Staff on the drafting of the 2014 Comprehensive Plan. Although I am not a member of the Steering Committee I have been actively involved with the community meetings and follow up sessions. I have gained valuable insight into the operations of the County Commission and the Planning Commission over the last several years by attending meetings as well as making presentations to the members of the County Commission and the Planning Commission. During my 20 years in the military I was responsible for establishing procedures and guidelines for review boards and Quality Assurance best practices. While working with civilian contractors I was responsible for establishing and chairing review boards for software development as well as documentation.

The integrity and attention to detail that I have gained through my life experiences enables me to assist the Board of Zoning Appeals in providing unbiased and neutral representation while providing valuable technical insight. The technical knowledge and experience that I have gained will be an asset to the Board of Zoning Appeals and the citizens of Jefferson County.

Thank you for your time and consideration.

Sincerely,

Theodore L. Schiltz  
38 River Cliff Dr.  
Harpers Ferry, WV 25425  
304-870-4155

**NAME:** Ted Schiltz

**HOME ADDRESS:** 38 River Cliff Dr, Harpers Ferry, WV 25425

**HOME TELEPHONE NUMBER:** 304-870-4155

**E-MAIL ADDRESS:** tlschiltz1@comcast.net

**MAGISTERIAL DISTRICT:** Shepherdstown

**OCCUPATION:** Small Business Owner

**LENGTH OF RESIDENCY IN JEFFERSON COUNTY:** 10 yrs

**EDUCATION:** BS, Information Management Systems, University of Maryland, University College

**NAME OF BOARD, COMMITTEE OR COMMISSION APPLYING FOR:** Board of Zoning Appeals

**QUALIFICATIONS:**

I am currently serving on the Board of Zoning Appeals as an alternate member. I have attended every meeting since being appointed as alternate member.

I have extensive experience with documentation both on the writing side as well as the management side. This experience enables me understand the hierarchy of documentation and their dependency on each other. As Documentation Manager I was able to separate personal feelings and views and deal with the subject at hand and make decisions that were based on established procedures and regulations. This experience enables me to review the items in question and make decisions based on the evidence provided and associated regulations and ordinances.

While working as Software Configuration Manager for software development I was responsible for ensuring that all software under development was properly tested and documented prior to release. I chaired Configuration Review Boards where all software and documentation changes were reviewed to insure that the changes did not adversely affect the current software release, associated software packages and documentation. The Configuration Review Boards consisted of different government agencies as well as different contractor companies all working on the same contract. This required me to be able to plan and strategize with multiple levels of management. Decisions made at the Configuration Review Board were based on facts and approved documentation and procedures, not on the rank or status of the individual or company presenting the recommendation or change.

While I was assigned to Andrews AFB within the U.S. Navy as a Jet Engine Quality Assurance Representative I was responsible for ensuring that all maintenance was accomplished in accordance with the appropriate manuals and directives. I was responsible for ensuring the safety and welfare of pilots and crew of the aircraft being worked on. Knowing that the safety and welfare of other lives was dependent upon my decisions, I made sure that I accomplished all associated tasks and research prior to making decisions. Having this kind of responsibility gives me in-depth experience in dealing with management as well as peers and subordinates while making educated and professional decisions.

The extensive experience I have with working with personnel at all levels of management enables me to listen to and understand the material being presented without being distracted by who is presenting the material. I have the background and experience required to accomplish the research and maintain the attention to detail that is expected of a member of the Board of Zoning Appeals. Having done extensive research into the Jefferson County Zoning and Land Development Ordinance as well as the Subdivision and Land Development Regulations, I have the in-depth knowledge required to make educated decisions on the appeals being presented to the Board of Zoning Appeals. The lessons learned while in the military as well as the civilian work force have enabled me to make logical unbiased decisions without regard to personal affiliations and agendas.

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: **Tom Reilly, IT Consultant**

Department or Organization: Click here to enter text.

Estimation of amount of time needed for appointment: Click here to enter text.

Date Requested – 1<sup>st</sup> Choice: **June 19, 2014**

*If a specific date is needed, please provide reason for specific date:* Click here to enter text.

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

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

Please provide the County Commission with a description of your request or presentation, including any background information:  
Click here to enter text.

Is this a funding request? Y/N Click here to enter text.

If so, how much? \$Click here to enter text.

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Click here to enter text.

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

If not attached, explain: Click here to enter text.

Is equipment needed? Projector Y/N Click here to enter text. Internet/Wi Fi Y/N Click here to enter text.

Telephone for conference call Y/N Click here to enter text.

Contact information:

Email address: Click here to enter text. Phone Number: Click here to enter text.

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Roger Goodwin

Department or Organization: Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

*If a specific date is needed, please provide reason for specific date:* Click here to enter text.

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): Complete Bond Release Summit Point Automotive Research Center, LLC

Please provide the County Commission with a description of your request or presentation, including any background information:  
Complete release of construction bond security for Summit Point Automotive Research Center, LLC – Jefferson Circuit Expansion (File #S13-02) – Letter of Credit #323 with the Bank of Charles Town, Charles Town, WV.

Is this a funding request? Y/NO

If so, how much? \$Click here to enter text.

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I authorize a complete release of \$390,644.00 from the construction bond amount for Summit Point Automotive Research Center, LLC – Jefferson Circuit Expansion (File #S13-02).

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

Construction Bond Release Letter

Bond Release Request Report

Site Map

Is equipment needed?      Projector    Y/NO    Internet/Wi Fi    Y/NO    Telephone for conference call    Y/NO

Contact Information:

Email address: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org) Phone Number: 304-728-3257

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



## JEFFERSON COUNTY COMMISSION

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

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

Web: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

PRESIDENT

*Walt Pellish*

VICE PRESIDENT

*Jane Tabb*

June 19, 2014

COMMISSIONER

*Dale Manuel*

Mr. Arch A. Moore, III  
Executive Vice President

COMMISSIONER

*Patsy Noland*

Bank of Charles Town  
P. O. Box 906

COMMISSIONER

*Lyn Widmyer*

Charles Town, West Virginia 25414

RE: Irrevocable Letter of Credit #323 dated May 20, 2013 Construction Bond Surety for Summit Point Automotive Research Center, LLC – Jefferson Circuit Expansion (File #S13-02).

Dear Mr. Moore:

The Jefferson County Commission authorizes a complete release of the remaining \$390,644.00 from the construction bond for Summit Point Automotive Research Center, LLC – Jefferson Circuit Expansion (File #S13-02). This project is located on the south side of Route 13 (Summit Point Road) approximately 2000 feet east of its intersection with Route 2 (Hardesty Road). The work appears to be 100% complete for the maintenance building only.

In summary, you are hereby authorized to fully release the remaining amount for the above referenced Letter of Credit #323, originally issued in the amount of \$390,644.00. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

Walt Pellish, President  
Jefferson County Commission

WP:rfb

cc: Ms. Barbara Scott, President  
Summit Point Raceway  
201 Motorsport Park Circle  
Summit Point, WV 25446  
Department of Engineering

County Administrator  
*Debbie Keyser*

Deputy County Administrator  
*Sandy Slusher McDonald*

Email: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org)

**BOND REDUCTION or RELEASE REQUEST - REPORT**

Date Received: 06 / 10 / 2014 J.C.P.C. File No. 513 - 02

Consultant/Engineer/Firm Name: SPARC, LLC

Mailing Address: P.O. Box 190

City: SUMMIT POINT State: WV Zip: 25446

Contact Person: BARBARA SCOTT Phone: 304-725-8444

Project/Subdivision Name: JEFFERSON CIRCUIT EXPANSION

Section/Phase: \_\_\_\_\_ Lots: \_\_\_\_\_

Review Comments:

The bond ~~release~~ reduction is Approved as Submitted. \_\_\_\_\_ The bond release/reduction request is Denied.

\_\_\_\_\_ Add items/revise as shown per our comments on your attached bond release/reduction form & resubmit reduction/release request to our office for review and approval.

\_\_\_\_\_ Some site work has progressed beyond the required "milestone" site inspections that are to be performed by our office. As a result, you will need to schedule the inspections with our Land Development Inspector, and/or provide the certifications noted on the attached "Third-Party Certifications" checklist. Please collect all the required third-party certifications and submit them all at one time along with a copy of this report and the checklist.

\_\_\_\_\_ Bonding Policy & Unit Cost Figures attached for your use.

Comments: ALL WORK APPEARS COMPLETE, & IN COMPLIANCE WITH THE APPROVED SITE PLAN

RECOMMEND RELEASE OF BOND

Approved for:

BOND RELEASE

By [Signature] 06/10/2014

County Engineer Date

Original Bond Amt. \$ 339,690<sup>00</sup> + 15% Cont. \$ 5,953<sup>00</sup> = Total Original Bond Amt. \$ 390,644

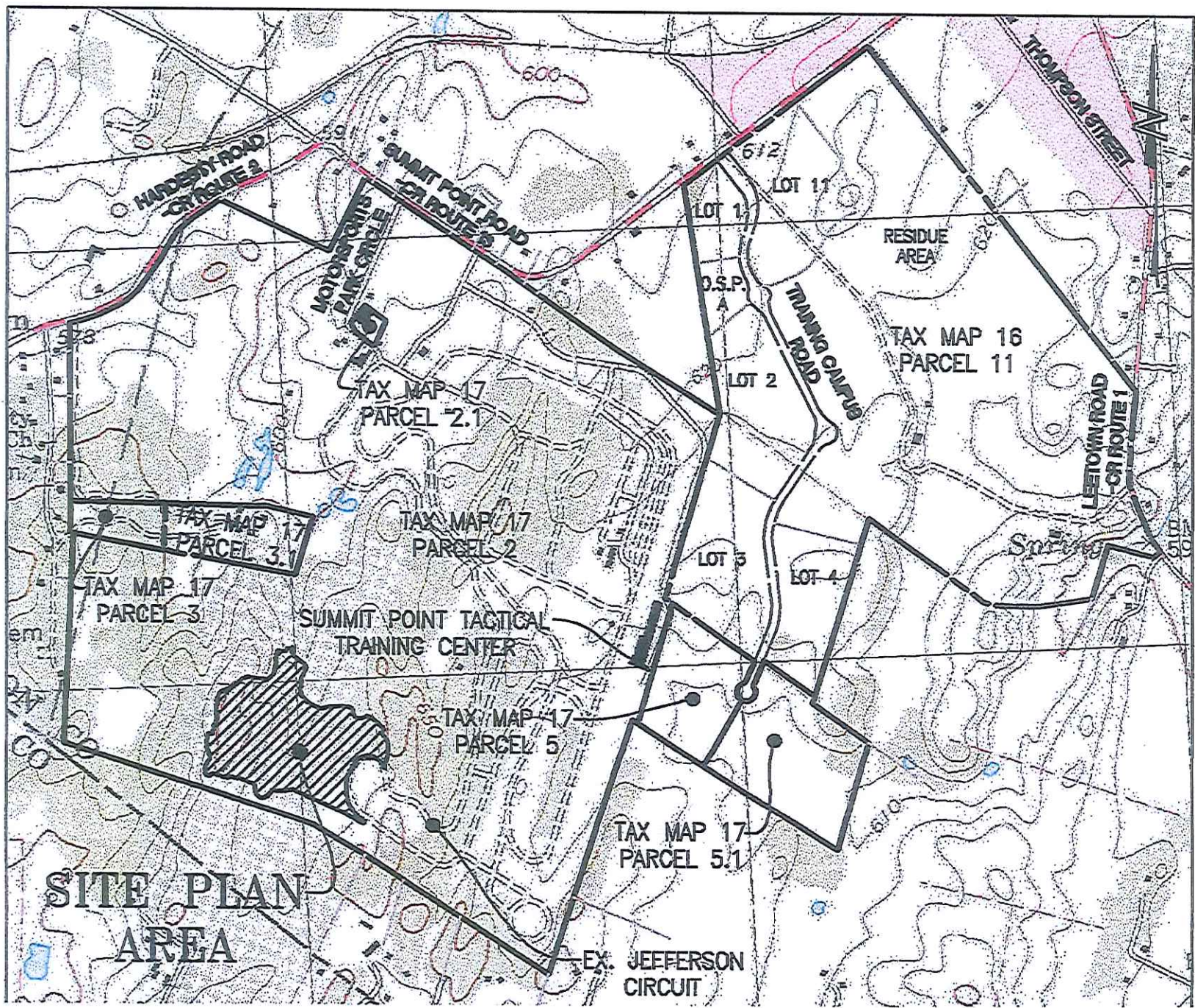
Total Current Bond Amount \$ 390,644.00

Cost of Work Remaining \$ \_\_\_\_\_ + Contingency Amount \$ \_\_\_\_\_

≡ Approved for Revised Bond Amount \$ \_\_\_\_\_

Reviewed By: JOSEPH W. KENT JK Title: L.D.I.

Signature: [Signature] Date: 06 / 10 / 2014



REVISIONS

1. 4/25/13 - COUNTY COMMENTS AND CLIENT REVISIONS

|         |        |
|---------|--------|
| SURVEY  | GORDON |
| DESIGN  | JPG    |
| DRAWN   | MAC    |
| CHECKED | KMS    |

CHITECTS  
 2013  
 ia 25414

AGENDA REQUEST FORM

[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Roger Goodwin

Department or Organization: Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

*If a specific date is needed, please provide reason for specific date:* Click here to enter text.

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): Complete Bond Release Hospice of the Panhandle, Inc.

Please provide the County Commission with a description of your request or presentation, including any background information: Complete release of construction bond security for Hospice of the Panhandle, Inc. (File #S10-05) – Letter of Credit #10010976610 with Susquehanna Bank, Martinsburg, WV.

Is this a funding request? Y/NO

If so, how much? \$Click here to enter text.

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I authorize a complete release of the remaining \$456,199.00 from the construction bond for Hospice of the Panhandle, Inc. (File #S10-05).

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

Construction Bond Release Letter

Bond Release Request Report

Site Map

Is equipment needed? Projector Y/NO Internet/Wi Fi Y/NO Telephone for conference call Y/NO

Contact information:

Email address: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org) Phone Number: 304-728-3257

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



## JEFFERSON COUNTY COMMISSION

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

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

Web: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

PRESIDENT

*Walt Pellish*

June 19, 2014

VICE PRESIDENT

*Jane Tabb*

Mr. Guy R. Avey

Vice President

COMMISSIONER

*Dale Manuel*

Susquehanna Bank

COMMISSIONER

*Patsy Noland*

301 West Burke Street

Martinsburg, West Virginia 25401

COMMISSIONER

*Lyn Widmyer*

RE: Irrevocable Letter of Credit #10010976610 dated August 2, 2012  
Construction Bond Surety for Hospice of the Panhandle, Inc. – Hospice of  
the Panhandle, Inc. (PC File #S10-05).

Dear Mr. Avey:

The Jefferson County Commission authorizes a complete release of the remaining \$456,199.00 from the construction bond amount for Hospice of the Panhandles, Inc. – Hospice of the Panhandle, Inc. This project is located off of Charles Town Road (Old Route 9) on the Jefferson/Berkeley County line. The work appears to be 100% complete.

In summary, you are hereby authorized to fully release the remaining amount for the above referenced Letter of Credit #10010976610 originally issued in the amount of \$1,967,735.00. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

Walt Pellish, President  
Jefferson County Commission

WP:rfb

cc: Mr. Robert Eckels, PC, Architect  
1927 Rock Cliff Drive  
Martinsburg, West Virginia 25401  
Department of Engineering

County Administrator  
*Debbie Keyser*

Deputy County Administrator  
*Sandy Slusher McDonald*

Email: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org)

**BOND REDUCTION or RELEASE REQUEST - REPORT**

Date Received: 06 / 04 / 2014 J.C.P.C. File No. 510 - 05

Consultant/Engineer/Firm Name: ROBERT ECKLES

Mailing Address: 1927 ROCK CLIFF DRIVE

City: MARTINSBURG State: WV Zip: 25901

Contact Person: ROBERT ECKLES Phone: 304-267-7595

Project/Subdivision Name: HOSPICE OF THE PANHANDLE

Section/Phase: \_\_\_\_\_ Lots: \_\_\_\_\_

Review Comments:

The bond release/reduction is Approved as Submitted. \_\_\_\_\_ The bond release/reduction request is Denied.

\_\_\_\_\_ Add items/revise as shown per our comments on your attached bond release/reduction form & resubmit reduction/release request to our office for review and approval.

\_\_\_\_\_ Some site work has progressed beyond the required "milestone" site inspections that are to be performed by our office. As a result, you will need to schedule the inspections with our Land Development Inspector, and/or provide the certifications noted on the attached "Third-Party Certifications" checklist. Please collect all the required third-party certifications and submit them all at one time along with a copy of this report and the checklist.

\_\_\_\_\_ Bonding Policy & Unit Cost Figures attached for your use.

Comments: ALL WORK APPEARS SUBSTANTIALLY COMPLETE

RECOMMEND RELEASE OF BOND

Approved for:

BOND RELEASE

By: [Signature] 06/11/2014

County Engineer Date

Original Bond Amt. \$ 1,711,023 + 15% Cont. \$ 256,661 = Total Original Bond Amt. \$ 1,967,735

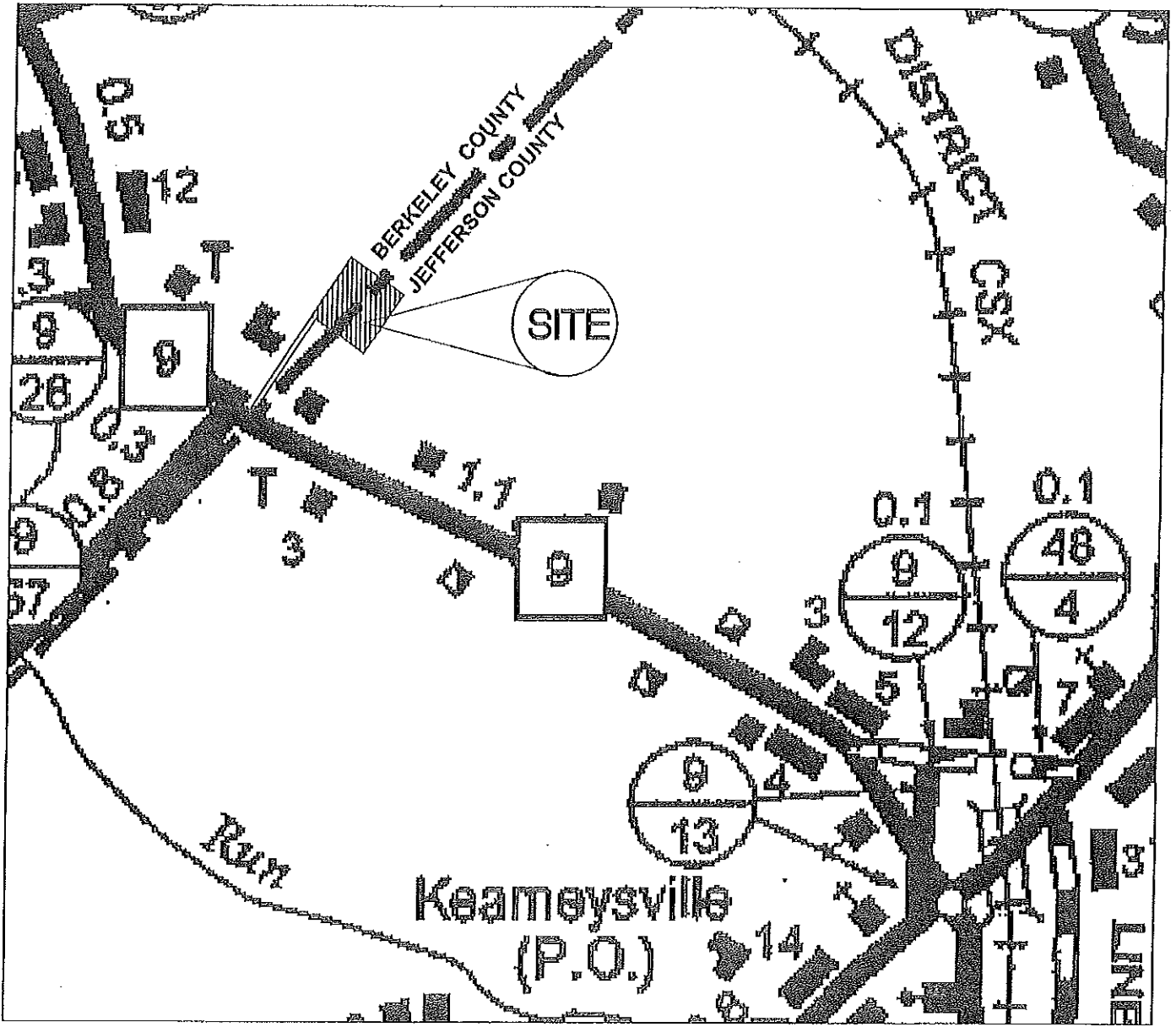
Total Current Bond Amount \$ 456,199.00

Cost of Work Remaining \$ 0.00 + Contingency Amount \$ 0.00

= Approved for Revised Bond Amount \$ 0.00

Reviewed By: JOSEPH W. KENT Title: L.D.I.

Signature: [Signature] Date: 06 / 11 / 2014



VICINITY MAP  
 SCALE: 1" = 2,000'

AGENDA REQUEST FORM  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Roger Goodwin

Department or Organization: Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

*If a specific date is needed, please provide reason for specific date:* Click here to enter text.

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): Partial Bond Release Leetown Baptist Church

Please provide the County Commission with a description of your request or presentation, including any background information:  
Partial release of construction bond security for Leetown Baptist Church – Leetown Baptist Church Addition (File #S09-04) – Cash in Escrow with the Bank of Charles Town, Charles Town, WV.

Is this a funding request? Y/NO  
If so, how much? \$Click here to enter text.

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I authorize a partial release of \$36,624.00 from the construction bond amount for Leetown Baptist Church – Leetown Baptist Church Addition (File #S09-04).

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

- Construction Bond Release Letter
- Bond Release Request Report
- Site Map

Is equipment needed? Projector Y/NO Internet/Wi Fi Y/NO Telephone for conference call Y/NO

Contact information:

Email address: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org) Phone Number: 304-728-3257

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



## JEFFERSON COUNTY COMMISSION

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

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

Web: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

PRESIDENT

*Walt Pellish*

June 19, 2014

VICE PRESIDENT

*Jane Tabb*

Mr. Joshua Householder

COMMISSIONER

*Dale Manuel*

Vice President

Bank of Charles Town

COMMISSIONER

*Patsy Noland*

P. O. Box 906

Charles Town, West Virginia 25414

COMMISSIONER

*Lyn Widmyer*

RE: Cash in Escrow dated July 11, 2011, Construction Bond Surety for Leetown Baptist Church – Leetown Baptist Church Addition (File #S09-04)

Dear Mr. Householder:

The Jefferson County Commission authorizes a partial release of \$36,624.00 from the construction bond amount for Leetown Baptist Church – Leetown Baptist Church Addition (File #S09-04). This project is located at 11511 Leetown Road. Work remaining includes but is not limited to the following:

1. Stormwater management embankment
2. Paving
3. Seeding and mulching
4. Landscaping
5. Bond contingency amount

In summary, you are hereby authorized to reduce the amount of the above referenced Cash in Escrow, originally issued in the amount of \$127,076.00 to \$90,452.00. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

Walt Pellish, President  
Jefferson County Commission

WP:rfb

cc: Mr. Bucky Chapman, Pastor  
Leetown Baptist Church  
11511 Leetown Road  
Kearneysville, WV 25430  
Department of Engineering

County Administrator  
*Debbie Keyser*

Deputy County Administrator  
*Sandy Shusher McDonald*

JEFFERSON COUNTY, WEST VIRGINIA  
 Engineering Department  
 116 East Washington Street, P.O. Box 716  
 Charles Town, West Virginia 25414

Phone: 304-728-3257  
 Fax: 304-728-3953

Email: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org)

**BOND REDUCTION or RELEASE REQUEST - REPORT**

Date Received: 06 / 06 / 2014

J.C.P.C. File No. 509 - 04

Consultant/Engineer/Firm Name: WILLIAM H. GORDON

Mailing Address: 301 N. MILPRED ST. SUITE 1

City: CHARLES TOWN State: WV Zip: 25414

Contact Person: JASON GENNAUT Phone: 304-725-8956

Project/Subdivision Name: LEE TOWN BAPTIST CHURCH

Section/Phase: \_\_\_\_\_ Lots: \_\_\_\_\_

Review Comments:

The bond release/reduction is Approved as Submitted. \_\_\_\_\_ The bond release/reduction request is Denied.

\_\_\_\_\_ Add items/revise as shown per our comments on your attached bond release/reduction form & resubmit reduction/release request to our office for review and approval.

\_\_\_\_\_ Some site work has progressed beyond the required "milestone" site inspections that are to be performed by our office. As a result, you will need to schedule the inspections with our Land Development Inspector, and/or provide the certifications noted on the attached "Third-Party Certifications" checklist. Please collect all the required third-party certifications and submit them all at one time along with a copy of this report and the checklist.

\_\_\_\_\_ Bonding Policy & Unit Cost Figures attached for your use.

Comments: NO FURTHER REDUCTIONS UNTIL ALL WORK IS 100% COMPLETE.

RECOMMEND BOND REDUCTION

**Approved for:**  
 BOND REDUCTION  
 By: [Signature] \_\_\_\_\_ 06/12/2014  
 County Engineer Date

Original Bond Amt. \$ 110,500.00 + 15% Cont. \$ 16,575.00 = Total Original Bond Amt. \$ 127,076.00

Total Current Bond Amount \$ 127,076.00

Cost of Work Remaining \$ 75,452.00 + Contingency Amount \$ 15,000.00

= Approved for Revised Bond Amount \$ 90,452.00

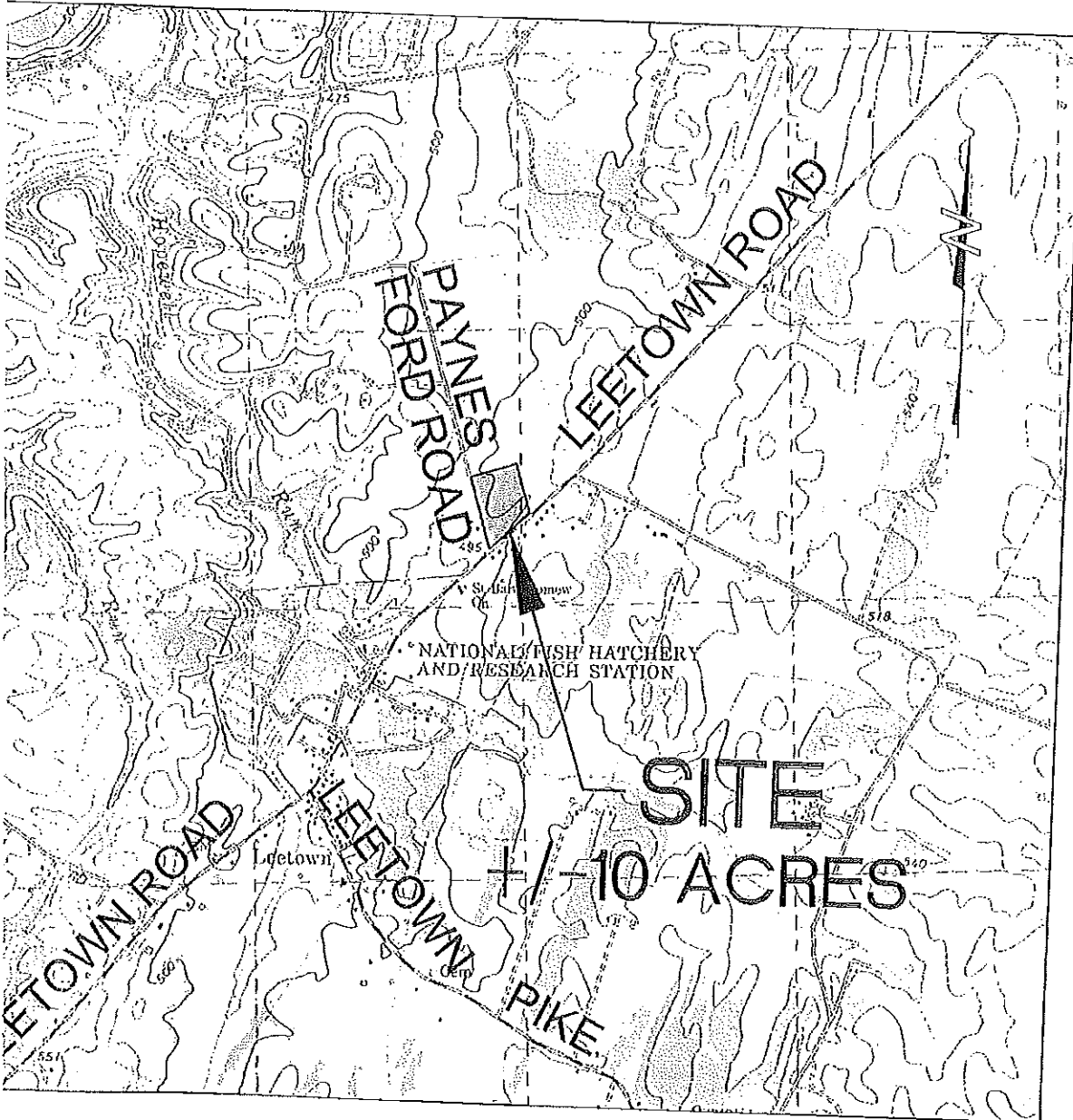
Reviewed By: JOSEPH W. KEAT [Signature] Title: L.O.I.

Signature: [Signature] Date: 06 / 12 / 2014

# VICINITY MAP



GRAPHICAL SCALE: 1" = 2000'



## REVISIONS

|          |                           |
|----------|---------------------------|
| 10/07/09 | JEFFERSON COUNTY COMMENTS |
| 12/24/09 | JEFFERSON COUNTY COMMENTS |
| 10/18/10 | JEFFERSON COUNTY COMMENTS |

SURVEY

WHGA

DESIGN

LZ

DRAWN

SPR

CHECKED

KMR

## LIST OF DRAWINGS:

| Sheet Number | Sheet Title                                    |
|--------------|------------------------------------------------|
| 01           | COVER SHEET                                    |
| 02           | NOTE SHEET                                     |
| 03           | SITE PLAN                                      |
| 04           | GRADING PLAN                                   |
| 05           | EROSION AND SEDIMENT CONTROLS                  |
| 06           | EROSION AND SEDIMENT CONTROL NOTES AND DETAILS |
| 07           | STORMWATER MANAGEMENT PLAN AND DETAILS         |
| 08           | LANDSCAPING PLAN                               |



LAND PLANNERS • LANDSCAPE ARCHITECTS  
 CURITY CONSULTING • GIS  
**Gordon Associates, Inc.**  
 Suite 1 Charles Town, West Virginia

AGENDA REQUEST FORM  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Roger Goodwin

Department or Organization: Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

*If a specific date is needed, please provide reason for specific date:* Click here to enter text.

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): Complete Bond Release Windmill Crossing Subdivision

Please provide the County Commission with a description of your request or presentation, including any background information: Complete release of construction bond security for New Vision Properties II, Inc. – Windmill Crossing Subdivision (File #03-01) – Letter of Credit #02-04-2 with United Bank, Shepherdstown, WV.

Is this a funding request? Y/NO

If so, how much? \$Click here to enter text.

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I authorize a complete release of the remaining \$369,470.00 from the construction bond amount for New Vision Properties II, Inc. – Windmill Crossing Subdivision (File #03-01).

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

Construction Bond Release Letter

Bond Release Request Report

Site Map

Is equipment needed? Projector Y/NO Internet/Wi Fi Y/NO Telephone for conference call Y/NO

Contact information:

Email address: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org) Phone Number: 304-728-3257

FOR COMMISSION STAFF USE ONLY -- FINANCIAL IMPACT/COMMENTS

Click here to enter text.



## JEFFERSON COUNTY COMMISSION

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

Web: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

PRESIDENT

*Walt Pellish*

VICE PRESIDENT

*Jane Tabb*

June 19, 2014

COMMISSIONER

*Dale Manuel*

Mr. Chris Colbert, Vice President  
United Bank

7867 Martinsburg Pike

COMMISSIONER

*Patsy Noland*

Shepherdstown, West Virginia 25443

COMMISSIONER

*Lyn Widmyer*

RE: Irrevocable Letter of Credit #02-04-2 dated February 24, 2005 Construction Bond  
Surety for New Vision Properties II, Inc. - Windmill Crossing Subdivision  
(PC File #03-01).

Dear Mr. Colbert:

The Jefferson County Commission authorizes a complete release of the remaining \$369,470.00 construction bond amount for New Vision Properties II, Inc. – Windmill Crossing Subdivision ((PC File #03-01). This project is located on the west side of Marlowe Road (Route 340/4) at its intersection with Somerset Boulevard (Route 340/6). The work appears to be 100% complete.

In summary, you are hereby authorized to fully release the remaining amount for the above reference Irrevocable Letter of Credit, originally issued in the amount of \$3,211,516.89. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

Walt Pellish, President  
Jefferson County Commission

WP:rfb

cc: Mr. Christopher Shultz  
Managing Member  
New Vision Properties II, Inc.  
767 E. Washington Street  
Charles Town, WV 25414  
Department of Engineering

County Administrator  
*Debbie Keyser*

Deputy County Administrator  
*Sandy Slusher McDonald*

**BOND REDUCTION or RELEASE REQUEST - REPORT**

Date Received: 06 / 11 / 2014 J.C.P.C. File No. 03 - 01

Consultant/Engineer/Firm Name: WILLIAM H. GORDON

Mailing Address: 301 N. MILDRED ST.

City: CHARLES TOWN State: WV Zip: 25414

Contact Person: Jason Gernant Phone: 304 + 725-8456

Project/Subdivision Name: WINDMILL CROSSING

Section/Phase: \_\_\_\_\_ Lots: \_\_\_\_\_

Review Comments:

The bond ~~release~~ reduction is Approved as Submitted. \_\_\_\_\_ The bond release/reduction request is Denied.

\_\_\_\_\_ Add items/revise as shown per our comments on your attached bond release/reduction form & resubmit reduction/release request to our office for review and approval.

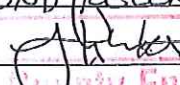
\_\_\_\_\_ Some site work has progressed beyond the required "milestone" site inspections that are to be performed by our office. As a result, you will need to schedule the inspections with our Land Development Inspector, and/or provide the certifications noted on the attached "Third-Party Certifications" checklist. Please collect all the required third-party certifications and submit them all at one time along with a copy of this report and the checklist.

\_\_\_\_\_ Bonding Policy & Unit Cost Figures attached for your use.

Comments: ALL WORK APPEARS TO BE COMPLETE, AND IN ACCORDANCE WITH THE APPROVED PLANS

AND/OR SUBSEQUENT REVISING REVISIONS.

RECOMMEND RELEASE OF BOND

Approved for:  
BOND RELEASE  
  
06/13/2014  
 County Engineer Date

Original Bond Amt. \$ 2, 829, 652 + 15% Cont. \$ 424, 447 = Total Original Bond Amt. \$ 3, 254, 099

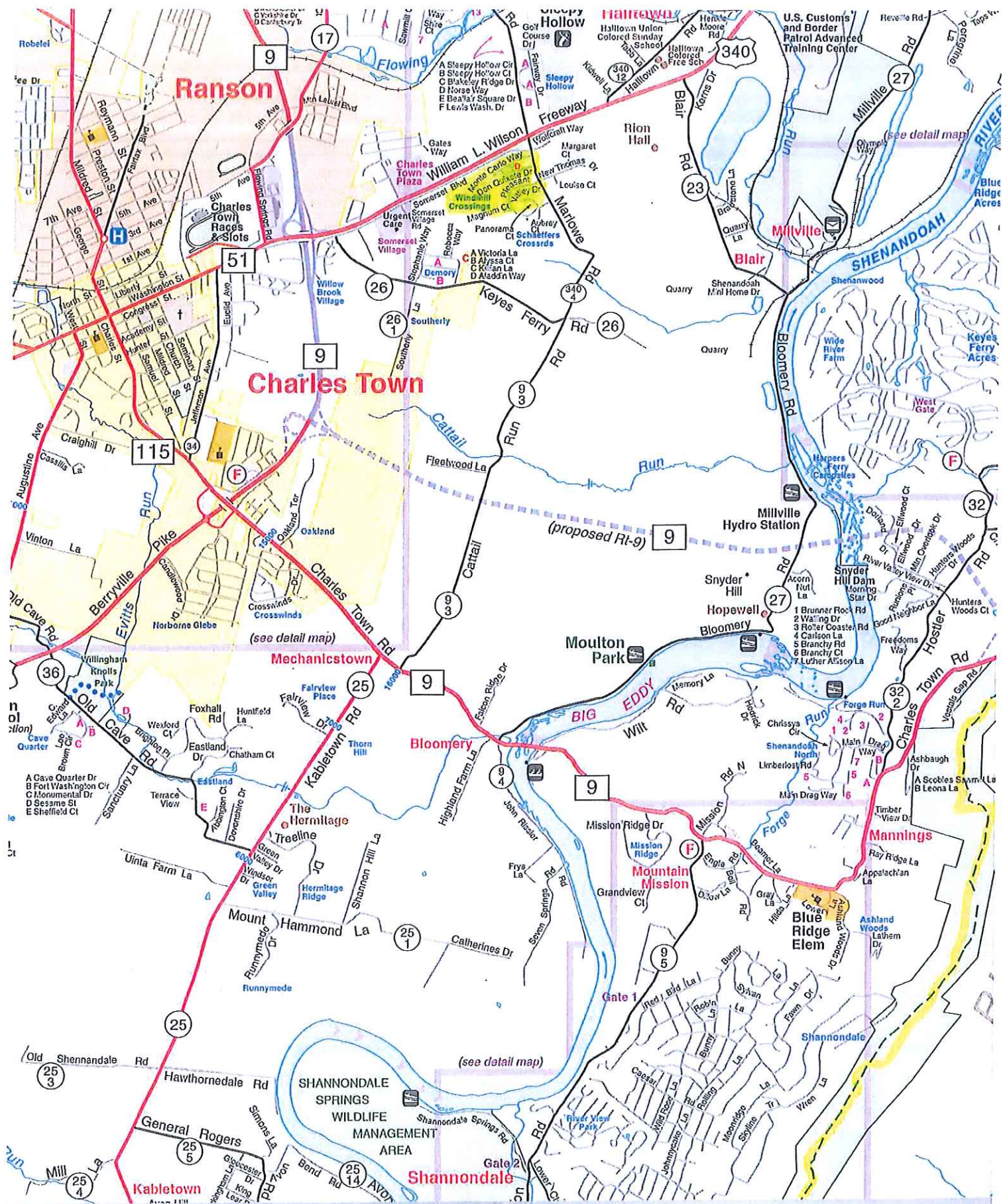
Total Current Bond Amount \$ 369, 470.00

Cost of Work Remaining \$ \_\_\_\_\_ + Contingency Amount \$ \_\_\_\_\_

= Approved for Revised Bond Amount \$ \_\_\_\_\_

Reviewed By: Joseph W. KENT Title: L.D.I.

Signature:  Date: 06 / 13 / 2014



**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Roger Goodwin

Department or Organization: Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

*If a specific date is needed, please provide reason for specific date:* Click here to enter text.

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): Partial release of the construction bond security for the Quail Ridge Subdivision, Section II, Phase III, Lots 129-159.

Please provide the County Commission with a description of your request or presentation, including any background information: Partial release of the construction bond security for Dan Ryan Builders, Inc. - Quail Ridge Subdivision, Section II, Phase III, Lots 129-159 (File #05-55) which is secured by Letter of Credit #3085605 with Bank of America, McLean, VA. The owner/developer has entered into a Tolling of Bonding Agreement with the County and would like to reduce the Letter of Credit down to \$10,000.00 as security for the Site Stability Bond.

Is this a funding request? Y/NO

If so, how much? \$Click here to enter text.

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I authorize a partial release of \$1,336,705.32 from Letter of Credit #3085605 with Bank of America which leaves a balance of \$10,000.00 which secures the Site Stability Bond for Dan Ryan Builders, Inc. - Quail Ridge Subdivision, Section II, Phase III, Lots 129-159 (File #05-55).

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

Bond Release Letter

Site Location Map

Is equipment needed? Projector Y/NO Internet/Wi Fi Y/NO Telephone for conference call Y/NO

Contact information:

Email address: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org) Phone Number: 304-728-3257

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS**

Click here to enter text.



## JEFFERSON COUNTY COMMISSION

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

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

Web: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

PRESIDENT

*Walt Pellish*

VICE PRESIDENT

*Jane Tabb*

COMMISSIONER

*Dale Manuel*

COMMISSIONER

*Patsy Noland*

COMMISSIONER

*Lyn Widmyer*

June 19, 2014

Ms. Talley Carlson-Manne

Bank of America, N.A.

8300 Greensboro Drive

Suite 300

McLean, Virginia 22102

RE: Irrevocable Letter of Credit #3085605 dated July 10, 2013 for Dan Ryan Builders, Inc. –

Quail Ridge Subdivision, Section II, Phase III, Lots 129-159 (File #05-55).

Dear Ms. Carlson-Manne:

The Jefferson County Commission authorizes a partial release of 1,336,705.32 from the construction bond agreement for Dan Ryan Builders, Inc. – Quail Ridge Subdivision, Section II, Phase III, Lots 129-159 (File #05-55), for a new site stability bond amount of \$10,000.00. This project is located on the east side of Short Road-Route 9/19 adjacent to the Berkeley County line. Dan Ryan Builders, Inc. – Quail Ridge Subdivision, Section II, Phase III, Lots 123-139 has entered into a Tolling of Bonding Agreement with Jefferson County.

In summary, you are hereby authorized to reduce the amount of the above referenced Irrevocable Letter of Credit, originally issued in the amount of \$1,346,705.32 to \$10,000.00 which will now serve as the site stability bond. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

Walt Pellish, President  
Jefferson County Commission

WP:rfb

cc: Mr. Matthew R. Powell  
Dan Ryan Builders, Inc.  
10212 Governor Lane Blvd., Suite 1006  
Williamsport, MD 21795  
Department of Engineering

County Administrator  
*Debbie Keyser*

Deputy County Administrator  
*Sandy Shusher McDonald*



**ALPHA**  
ASSOCIATES, INCORPORATED

535 WEST KING STREET  
HARRISBURG, WV 25401  
Phone: 204-254-0051  
Fax: 204-254-0707  
E-mail: alpha@alphahome.com  
www.alpha.com

OWNER:  
MURALL LIMITED PARTNERSHIP  
233 LOVE DRIVE  
SHEPHERDSTOWN, WV 25443  
(304) 870-7000

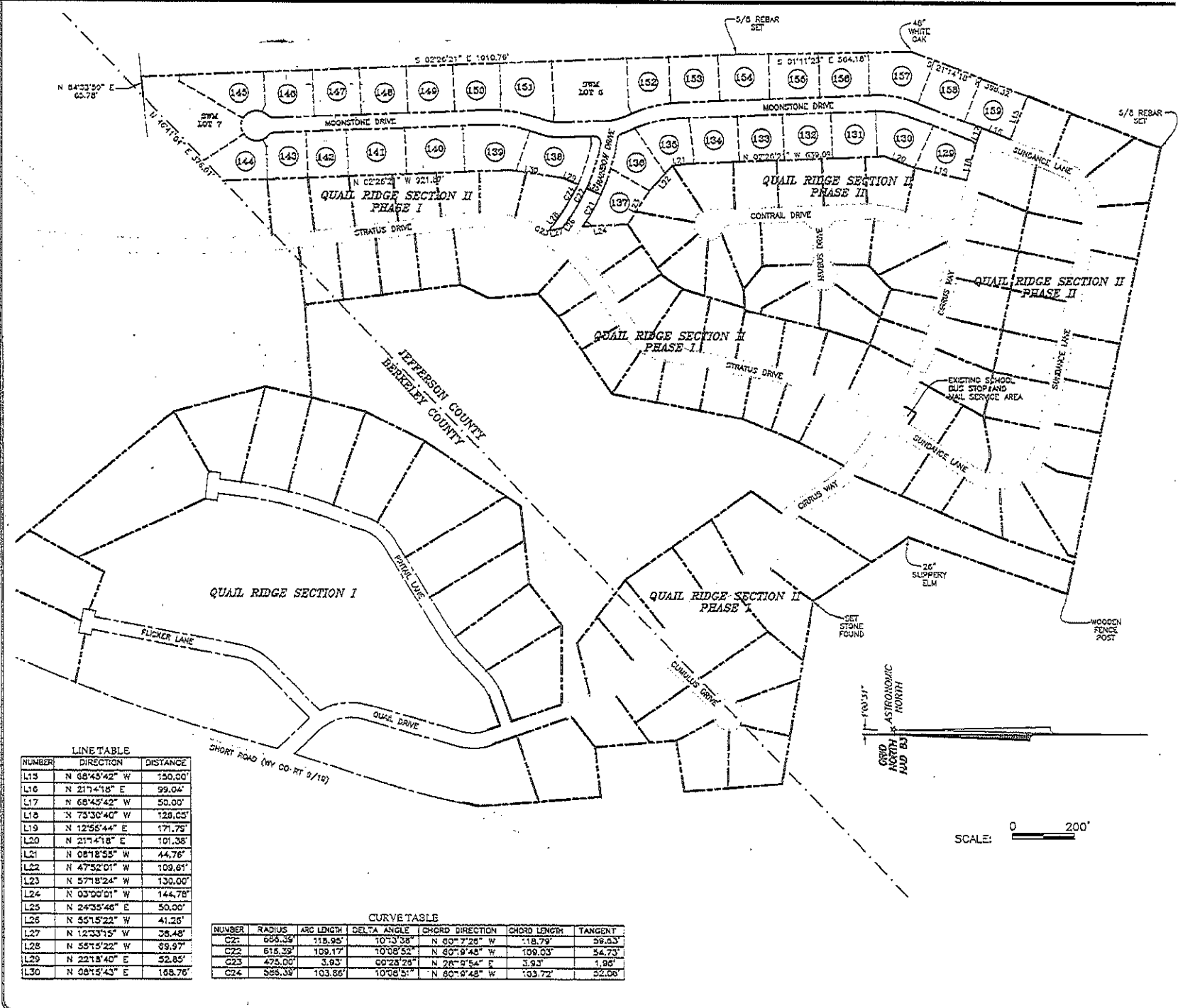
DEVELOPER:  
DAN RYAN BUILDERS  
80 THOMAS JOHNSON DRIVE  
FREDERICK, MD 21702  
(301) 690-0200

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| REVISIONS               |          |
|-------------------------|----------|
| ITEM                    | DATE     |
| NOTED MAIL SERVICE AREA | 11/01/06 |
|                         |          |
|                         |          |
|                         |          |

QUAIL RIDGE  
SECTION II PHASE III  
OVERALL LAYOUT  
MIDDLEWAY DISTRICT  
JEFFERSON COUNTY, WEST VIRGINIA  
TM 2 PARCEL 1 DB: 642 PG. 77

DR'N: DFS  
P.M.: RPP P.L.C.: RWK  
04:0120.00 04:0120.00  
DATE: September 2006  
SHEET NO.:



LINE TABLE

| NUMBER | DIRECTION     | DISTANCE |
|--------|---------------|----------|
| L15    | N 68°43'42" W | 150.00'  |
| L16    | N 217°4'18" E | 99.04'   |
| L17    | N 68°45'42" W | 50.00'   |
| L18    | N 75°30'40" W | 120.65'  |
| L19    | N 12°58'44" E | 171.75'  |
| L20    | N 217°4'18" E | 101.38'  |
| L21    | N 081°8'58" W | 44.76'   |
| L22    | N 47°52'01" W | 109.61'  |
| L23    | N 57°18'24" W | 130.00'  |
| L24    | N 03°00'01" W | 144.78'  |
| L25    | N 24°35'46" E | 50.00'   |
| L26    | N 55°15'22" W | 41.26'   |
| L27    | N 12°33'15" W | 38.48'   |
| L28    | N 55°15'22" W | 89.97'   |
| L29    | N 221°8'40" E | 52.85'   |
| L30    | N 081°5'43" E | 165.76'  |

CURVE TABLE

| NUMBER | RADIUS  | ARC LENGTH | DELTA ANGLE | CHORD DIRECTION | CHORD LENGTH | TANGENT |
|--------|---------|------------|-------------|-----------------|--------------|---------|
| C21    | 666.39' | 115.95'    | 10°13'38"   | N 80°7'26" W    | 18.79'       | 36.03'  |
| C22    | 618.39' | 109.17'    | 10°08'52"   | N 80°9'48" W    | 19.03'       | 34.73'  |
| C23    | 475.00' | 3.93'      | 00°28'28"   | N 28°9'54" E    | 3.93'        | 1.96'   |
| C24    | 588.39' | 103.86'    | 10°08'51"   | N 80°9'48" W    | 19.372'      | 32.00'  |

SCALE: 0 200'

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

### AGENDA REQUEST FORM

Name: Elizabeth McDonald, Board President

Department or Entity: Jefferson County Farmland Protection Board

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

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

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

If a specific date is needed, please provide reason for specific date: **To obtain the Commission's approval of the Farmland Protection Board's request for the beginning of the FY 15 funding cycle.**

Subject:

**Approval of the Farmland Protection Board's request to reclassify the Board's Administrator position from a 70 hour schedule to 80 hour schedule to properly reflect the Farm Land Protection Board workload.**

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

**The Farmland Protection Board's Administrator was hired in February 2011 at the Pay Grade IV Step D at 70 hours bi-weekly. The Administrator has in fact routinely worked at least 80 hours bi-weekly to accomplish the work of the Board. The Administrator's salary is paid from the Board's funds, not the County funds. The Board has adequate funds to pay its Administrator at this rate.**

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

**The motion requests the Jefferson County Commission to reclassify the Jefferson County Farmland Protection Board's Administrator position from 70 bi-weekly hours at Grade IV, Step D to 80 bi-weekly hours at Grade IV, Step D.**

Attachments:

## Bi-Weekly/Annual Salaries for Jefferson County Government

| Grade | Pay Rate | Percentage Increase | Bi-Weekly Hours | Step A    | Step B    | Step C     | Step D     | Step E     | Step F     | Step G     | Step H     |
|-------|----------|---------------------|-----------------|-----------|-----------|------------|------------|------------|------------|------------|------------|
| I     | 11.26    | 4.25%               | 70              | 20,500.00 | 21,371.25 | 22,279.53  | 23,226.41  | 24,213.53  | 25,242.61  | 26,315.42  | 27,433.82  |
|       |          |                     | 80              | 23,420.80 | 24,416.18 | 25,453.87  | 26,535.66  | 27,663.43  | 28,839.12  | 30,064.79  | 31,342.54  |
| II    | 14.08    | 3.75%               | 70              | 25,625.00 | 26,585.94 | 27,582.91  | 28,617.27  | 29,690.42  | 30,803.81  | 31,958.95  | 33,157.41  |
|       |          |                     | 80              | 29,286.46 | 30,384.70 | 31,524.13  | 32,706.28  | 33,932.77  | 35,205.25  | 36,525.44  | 37,895.15  |
| III   | 16.9     | 3.25%               | 70              | 30,750.00 | 31,749.38 | 32,781.23  | 33,846.62  | 34,946.63  | 36,082.40  | 37,255.08  | 38,465.87  |
|       |          |                     | 80              | 35,152.00 | 36,294.44 | 37,474.01  | 38,691.91  | 39,949.40  | 41,247.76  | 42,588.31  | 43,972.43  |
| IV    | 19.71    | 2.90%               | 70              | 35,875.00 | 36,915.38 | 37,985.92  | 39,087.51  | 40,221.05  | 41,387.46  | 42,587.70  | 43,822.74  |
|       |          |                     | 80              | 40,996.80 | 42,185.71 | 43,409.09  | 44,667.96  | 45,963.33  | 47,296.26  | 48,667.86  | 50,079.22  |
| V     | 28.16    | 2.50%               | 70              | 51,250.00 | 52,531.25 | 53,844.53  | 55,190.64  | 56,570.41  | 57,984.67  | 59,434.29  | 60,920.14  |
|       |          |                     | 80              | 58,572.80 | 60,037.12 | 61,538.05  | 63,076.50  | 64,653.41  | 66,269.75  | 67,926.49  | 69,624.65  |
| VI    | 36.6     | 2.25%               |                 | 66,625.00 | 68,124.06 | 69,656.85  | 71,224.13  | 72,826.68  | 74,465.28  | 76,140.75  | 77,853.91  |
| VII   | 42.24    | 2.25%               |                 | 76,875.00 | 78,604.69 | 80,373.29  | 82,181.69  | 84,030.78  | 85,921.47  | 87,854.71  | 89,831.44  |
| VIII  | 53.5     | 1.45%               |                 | 97,375.00 | 98,786.94 | 100,219.35 | 101,672.53 | 103,146.78 | 104,642.41 | 106,159.72 | 107,699.04 |

| Grade | Pay Rate | Percentage Increase | Bi-Weekly Hours | Step I     | Step J     | Step K     | Step L     | Step M     | Step N     | Step O     |
|-------|----------|---------------------|-----------------|------------|------------|------------|------------|------------|------------|------------|
| I     | 11.26    | 4.25%               | 70              | 28,599.76  | 29,815.25  | 31,082.40  | 32,403.40  | 33,780.54  | 35,216.22  | 36,712.91  |
|       |          |                     | 80              | 32,674.60  | 34,063.27  | 35,510.96  | 37,020.17  | 38,593.53  | 40,233.75  | 38,523.82  |
| II    | 14.08    | 3.75%               | 70              | 34,400.81  | 35,690.84  | 37,029.25  | 38,417.85  | 39,858.52  | 41,353.21  | 42,903.96  |
|       |          |                     | 80              | 39,316.22  | 40,790.58  | 42,320.22  | 43,907.23  | 45,553.75  | 47,262.02  | 45,489.69  |
| III   | 16.9     | 3.25%               | 70              | 39,716.01  | 41,006.78  | 42,339.50  | 43,715.53  | 45,136.29  | 46,603.22  | 48,117.82  |
|       |          |                     | 80              | 45,401.53  | 46,877.08  | 48,400.59  | 49,973.61  | 51,597.75  | 53,274.68  | 51,543.25  |
| IV    | 19.71    | 2.90%               | 70              | 45,093.60  | 46,401.31  | 47,746.95  | 49,131.61  | 50,556.43  | 52,022.57  | 53,531.22  |
|       |          |                     | 80              | 51,531.52  | 53,025.93  | 54,563.69  | 56,146.03  | 57,774.27  | 59,449.72  | 57,725.68  |
| V     | 28.16    | 2.50%               | 70              | 62,443.15  | 64,004.23  | 65,604.33  | 67,244.44  | 68,925.55  | 70,648.69  | 72,414.91  |
|       |          |                     | 80              | 71,365.27  | 73,149.40  | 74,978.14  | 76,852.59  | 78,773.90  | 80,743.25  | 78,724.67  |
| VI    | 36.6     | 2.25%               |                 | 79,605.62  | 81,396.75  | 83,228.18  | 85,100.81  | 87,015.58  | 88,973.43  | 90,975.33  |
| VII   | 42.24    | 2.25%               |                 | 91,852.64  | 93,919.33  | 96,032.51  | 98,193.24  | 100,402.59 | 102,661.65 | 104,971.54 |
| VIII  | 53.5     | 1.45%               |                 | 109,260.68 | 110,844.96 | 112,452.21 | 114,082.76 | 115,736.96 | 117,415.15 | 119,117.67 |

| Grade | Pay Rate | Percentage Increase | Bi-Weekly Hours | Step P     | Step Q     | Step R     | Step S     | Step T     |
|-------|----------|---------------------|-----------------|------------|------------|------------|------------|------------|
| I     | 11.26    | 4.25%               | 70              | 38,273.20  | 39,899.81  | 41,595.56  | 43,363.37  | 45,206.31  |
|       |          |                     | 80              | 40,161.08  | 41,867.93  | 43,647.31  | 45,502.33  | 47,436.17  |
| II    | 14.08    | 3.75%               | 70              | 44,512.86  | 46,182.09  | 47,913.92  | 49,710.69  | 51,574.84  |
|       |          |                     | 80              | 47,195.55  | 48,965.39  | 50,801.59  | 52,706.65  | 54,683.15  |
| III   | 16.9     | 3.25%               | 70              | 49,681.65  | 51,296.31  | 52,963.44  | 54,684.75  | 56,462.00  |
|       |          |                     | 80              | 53,218.41  | 54,948.00  | 56,733.81  | 58,577.66  | 60,481.44  |
| IV    | 19.71    | 2.90%               | 70              | 55,083.63  | 56,681.05  | 58,324.80  | 60,016.22  | 61,756.69  |
|       |          |                     | 80              | 59,399.73  | 61,122.32  | 62,894.86  | 64,718.82  | 66,595.66  |
| V     | 28.16    | 2.50%               | 70              | 74,225.28  | 76,080.91  | 77,982.94  | 79,932.51  | 81,930.82  |
|       |          |                     | 80              | 80,692.79  | 82,710.11  | 84,777.86  | 86,897.31  | 89,069.74  |
| VI    | 36.6     | 2.25%               |                 | 93,022.28  | 95,115.28  | 97,255.37  | 99,443.62  | 101,681.10 |
| VII   | 42.24    | 2.25%               |                 | 107,333.40 | 109,748.40 | 112,217.74 | 114,742.64 | 117,324.35 |
| VIII  | 53.5     | 1.45%               |                 | 120,844.88 | 122,597.13 | 124,374.79 | 126,178.22 | 128,007.80 |

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: **Steve Groh, Assistant Prosecuting Attorney**

Department or Organization: **Prosecuting Attorney's Office**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **June 19, 2014**

*If a specific date is needed, please provide reason for specific date:* Click here to enter text.

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): Update on litigation resolution – Possible Executive Session §6-9A-4

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

Is this a funding request? Y/N Click here to enter text.

If so, how much? \$Click here to enter text.

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

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

If not attached, explain: Click here to enter text.

Is equipment needed? Projector Y/N Click here to enter text. Internet/Wi Fi Y/N Click here to enter text.

Telephone for conference call Y/N Click here to enter text.

Contact information:

Email address: Click here to enter text. Phone Number: Click here to enter text.

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

AGENDA REQUEST FORM  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Dale Manuel

Department or Organization: County Commissioner

Estimation of amount of time needed for appointment: 20 minutes

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

If a specific date is needed, please provide reason for specific date: June 19, 2014

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

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

Please provide the County Commission with a description of your request or presentation, including any background information:  
Begin preparation to institute an impact fee for the proposed PSD sewer project. These funds are critical to the PSD's continuation of the project.

Is this a funding request? Y/N  
If so, how much? \$

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):  
Attach supporting documents for request, or request may be denied.  
If not attached, explain: Attached

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

Contact information:  
Email address:.

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

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

AGENDA REQUEST FORM  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Debbie Keyser

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: May 29, 2014

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

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

Subject (*Wording to be placed on agenda*): Approval of the Revised Boards and Commissions Policy

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I move approval of the revised Boards and Commissions policy, as presented.

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

|                |                                                             |           |        |
|----------------|-------------------------------------------------------------|-----------|--------|
|                | <b><i>Jefferson County Policies &amp; Procedures</i></b>    |           |        |
| Policy Name:   | Appointment to County Boards,<br>Committees and Commissions | Approved: |        |
| Policy Number: |                                                             | Author:   | Keyser |
| Associated:    | Form: Application for Boards and Commission; Ethics Form    |           |        |

**PURPOSE**

This directive sets forth the comprehensive process for items pertaining to appointments to the County’s boards and commissions including advertising for candidates, processing information to the Commission, interviewing of candidates, appointment timetables and oaths of office.

**POLICY**

The County Commission has the duty and right to appoint citizens to various boards and commissions. It is the stated desire and intent of the Commission to provide for an orderly appointment process to be followed by County staff and to encourage participation by interested citizens. All appointments and removals are made at the discretion of the County Commission.

**NOTIFICATION PROCESS**

1. Notice shall be given to the individual whose term is expiring one month prior to the date of the Commission meeting at which the appointment for the new term is to be listed on the agenda. If the individual would like to be reappointed they shall submit a letter expressing their interest to the Commission, no later than Monday noon for the upcoming Commission meeting at which the appointments will be made. The individual shall be encouraged to complete an application for boards, commissions and committees.
2. Notice shall be given to the Commission and placed in the Information Section of the Agenda Packet at least ten (10) days prior to the County Commission meeting at which the appointment is listed on the agenda.

**ADVERTISING PROCESS**

1. The Commission Staff shall advertise that applications are being accepted, at the appropriate times, a minimum of two weeks for expiring terms through the County’s website, email alerts, local government cable channel 17 and the newspaper(s) of record. Spirit of Jefferson.
2. Any citizen interested in being appointed or reappointed to a board, committee or commission should submit a completed Application Form (Attachment 1) to the County Commission Office, and attach any additional information as desired. Applicants are required to submit letters of interest and/ or applications to the County Commission Administrative Office no later than Monday noon for the upcoming Commission meeting at which the appointments will be made. **If an applicant submits their letter of interest past the deadline, but prior to the**

Commission meeting where the appointment is scheduled, 1.) The applicant's information will be posted on the County's email Alerts notification system at least two days prior to the Commission meeting, or 2.) the Commission will defer the appointment until the following Commission meeting. ~~Every effort will be made for the public to will~~ have at least 2 days of notice of the candidates for an appointment. In the event of urgent committee/board business and a lack of applicants, the Commission may choose to waive the two day requirement. ~~In the event~~if-an approved candidate is not eligible/approved, the incumbent committee member is asked to continue serving until a replacement candidate can be appointed. All Application Forms submitted will be date stamped received and shall be retained for a period of two (2) years in making mid-term appointments as vacancies occur.

3. The County Commission Staff shall send a letter and/or email to each board or commission member with an expiring term of office to determine if the member wants to be considered for reappointment.
4. The Commission Staff will notify applicants on Monday, prior to the Thursday of the date and times of interviews. All applicants are encouraged to attend the interviews, however it is not mandatory.

#### **UNEXPIRED APPOINTMENTS**

1. Occasionally, a position may be available when a member is unable to finish his/her term prior to the term ending. In such cases, the vacant position must be filled by an unexpired term appointment that will serve out the remainder of the individual that they are replacing for an unexpired term.
2. The Commission Staff shall advertise that applications are being accepted, at the appropriate times, two (2) weeks for expiring terms through the County's website, email alerts, local government cable channel 17 and the Spirit of Jefferson.

#### **ZONING BOARD OF APPEALS ALTERNATE POSITIONS**

Alternates: Alternate members shall have all powers and duties of a regular Board member when sitting on a case and shall continue to participate in the case until a final decisions reached. Alternate members shall serve by rotation based upon seniority of appointment to board.

#### **TRAINING FOR PLANNING COMMISSION**

Newly appointed members to the Jefferson County Planning Commission governed by state law must attend a training seminar/orientation provided by the Jefferson County Planning Department to familiarize themselves with the laws and procedures governing that commission. This training should be undertaken with two (2) months after the appointee has taken office.

#### **RESPONSIBILITY**

1. It shall be the County Commission Staff's responsibility to keep a current and accurate list of all members of the boards, committees and commissions with dates of appointment and term expiration.

2. It shall be the responsibility of the boards; committee or commission chair to ensure that the County Commission is properly informed of vacancies created due to resignations or other factors that may affect this policy and its procedures.

**Jefferson County Commission**  
**Application for Boards, Committees or Commissions**

Please type or print information

Name: \_\_\_\_\_

Home Telephone Number: \_\_\_\_\_

Work Address: \_\_\_\_\_

Work Phone Number: \_\_\_\_\_

Mobile Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Party Affiliation: *(Building Commission and Health Department applicants)*

\_\_\_\_\_

Occupation: \_\_\_\_\_

Education: High School \_\_\_\_\_

College \_\_\_\_\_

Trade/Business School \_\_\_\_\_

Are you a United States citizen?                      Yes \_\_\_                      No\_\_\_

Are you a West Virginia resident?                      Yes \_\_\_                      No\_\_\_

Are you a resident of Jefferson County?                      Yes \_\_\_                      No\_\_\_

Are you able to produce verification of residency?                      Yes \_\_\_                      No\_\_\_

(Proof of paying personal property tax, voter registration, etc.)

Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Magisterial District: \_\_\_\_\_

List Qualifications for this Position and/or include a resume and cover letter that expresses your interest in serving:

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Organization Memberships and Positions Held : \_\_\_\_\_

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Have you even been convicted of any felonies? If yes, please list.

| Date: | Offense: |
|-------|----------|
|       |          |
|       |          |
|       |          |

Statement: \_\_\_\_\_

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I hereby certify that the facts set forth in the above are true and complete to the best of my knowledge and authorize the Jefferson County Commission to verify their accuracy and to obtain reference information. I hereby release Jefferson County Commission from any/all liability of whatever kind and nature which, at any time, could result from obtaining and having an appointment decision based on such information.

I understand that falsified statements of any kind or omissions of facts called for on this application shall be considered sufficient basis for removal.

I understand that I will fully adhere to the policies, rules and regulations of this appointment, including reading, adhering and signing the County's Ethics Statement and adhering to Robert's Rules as provided in a packet to me when obtaining my Oath of Office or on the County's website. I understand I may also attend a free annual Board Training and Ethics Training meeting established by the Jefferson County Commission.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*This application is good for and will be retained for two (2) years in accordance with the Administrative Policies and Procedures Policy. In order to be considered for appointment, a new application must be submitted.*

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Debbie Keyser

Department or Organization: County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

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

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

Subject (*Wording to be placed on agenda*): The Commission has requested for Staff to process the fire company monies for FY14-15 in lieu of JCESA, based upon the current criteria established with JCESA. Attached are the documents proposed in order to make the appropriate payments.

Please provide the County Commission with a description of your request or presentation, including any background information:  
I move to approve the attached contracts and direct staff to make payment as indicated in the contracts.

Is this a funding request? Y/N Yes, but approved and budgeted by the County Commission  
If so, how much? \$

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):  
Attach supporting documents for request, or request may be denied.  
If not attached, explain: Attached

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

Contact information:  
Email address:.

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

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# Fire Company Agreement

July 1, 2014 – June 30, 2015

This agreement made this 30<sup>th</sup> day of June, 2014 by and between The County Commission of Jefferson County, West Virginia, a Public Corporation, party of the first part; Jefferson County Emergency Services Agency, party of the second part; and the Citizens Fire Company, a Corporation of Charles Town, Jefferson County, West Virginia, part of the third part;

WHEREAS the party of the first part is the governing body of Jefferson County, West Virginia, and as such is entrusted with the handling and administration of public funds and also is charged with promoting public safety and general welfare in said county, and; whereas the party of the second part is the agent of the Jefferson County Commission charged with managing fire company funds;

WHEREAS the party of the third part is a legally incorporated volunteer association and is unable to levy taxes on the general public, but exists for the purpose of protecting the lives and property of the general public in said county, and;

WHEREAS said party of the third part is the only body which can perform the unique services offered by a fire company, and it is the desire of said party of the first part to help said party of the third part in the performance of its services;

NOW THEREFORE THIS AGREEMENT WITNESSETH that for and in consideration of the sum of \$10,000:

\_\_\_\_\_ upon signature of this contract

\_\_\_\_\_ September 15, 2014 when County cash flow is sufficient

to be paid by said party of the second part to the said party of the third part; said party of the third part hereby agrees that during the Fiscal Year 2015 (July 1, 2014 through June 30, 2015), it shall perform in Jefferson County the following services; general fire fighting, life saving, county-wide communications, traffic control and similar services necessary in fire fighting. All services shall be performed in accordance with WV State Code. Said \$10,000 shall be paid as indicated above for the fiscal year 2015.

IN WITNESS WHEREOF, the said party of the second part has executed this agreement by causing its President to sign hereto its corporate name being duly authorized by its membership and the said party of the first part has executed this agreement by causing its President to sign its name in accordance with the authority granted by said County Commission by order entered the 30<sup>th</sup> day of June, 2014.

The County Commission of Jefferson County, West Virginia

By: \_\_\_\_\_

Jefferson County Emergency Services Agency

By: \_\_\_\_\_

**Citizens Fire Company**

By: \_\_\_\_\_

## JCESA and Volunteer Fire Department Agreement

Attached is a copy of the contract which was signed between the Jefferson County Emergency Services Agency and your Volunteer Fire Department. This contract is hereby incorporated by reference as indicated on the signed agreement. Therefore, please provide Jefferson County Commission with the following information:

Financial Account Information

Tax Returns

Budgets

Audits

Operational Policies

Membership

Vehicles

Quality Assurance

Department Data

Standard Operating Guidelines

Upon receipt of proper documentation, the remainder of your fire services fee of \$43,375 will be paid on September 15, 2014 or when proper documentation is provided if later than September 15, 2014.

Questions regarding payment should be addressed to Debbie Keyser at 304-728-3281 or Sandy McDonald at 304-728-3284.



## JEFFERSON COUNTY EMERGENCY SERVICES AGENCY

419 Sixteenth Avenue  
Ranson, WV 25438  
E-mail – [jcesa@jcesa.org](mailto:jcesa@jcesa.org)  
Telephone – 304-728-3287  
Fax – 304-728-6221

The combined agreement is between the Jefferson County Emergency Services Agency (JCESA) and the Volunteer Fire Departments/Companies of Jefferson County that provide EMS / Fire Services to the citizens and guests of Jefferson County and neighboring jurisdictions according to their mutual aid agreements of record. It is understood that all entities will provide their services according to the standards for such services as defined by state code and other agencies having jurisdiction.

These funds designated by the Jefferson County Commission for the department / companies will be distributed equally on a quarterly basis up to \$85,000.00. Available funds exceeding that amount will be placed in a cumulative account for the departments / companies and distributed similar as the present county capital improvement program by the JCESA.

### Combined Agreement

The volunteer companies/departments of Jefferson County are funded through a combination of sources. These funds are generated through fund raising activities and direct donations from the public as well as funding from government entities such as the Jefferson County Commission. Regardless of the origin of these funds it is incumbent upon the companies/departments and the Emergency Services Agency to keep the public trust by following accepted accounting practices and policies of fiscal management.

These criteria or standards for receiving such funds and following acceptable fiscal management will be established for County fire companies/departments to receive funds. Any company/department has the right not to participate in this program, but in doing so forfeits the right to receive county funding.

The Jefferson County Emergency Services Agency is designated by the Jefferson County Commission as their representative and overseer of the Fire and EMS services in Jefferson County with the County Commission retaining all rights and responsibilities as defined by State Code.

This updated document combines the previous funding and fiscal agreements ratified by the County volunteer companies/departments.

#### **Section I: Fiscal Management**

**Financial Accounts:** All accounts must require a minimum of two (2) signatures in order to conduct business. These signatures' must never be two persons from the same immediate family. Immediate family is defined in State Code §6B-1-3(f) as with respect to an individual, means a spouse with whom the individual is living as husband and wife and any dependent child or children, dependent grandchild or grandchildren and dependent parent or parents.

A separate account will be established for the funds received from the Jefferson County Emergency Services Agency on behalf of the Jefferson County Commission. These funds are included in the totals of the Form 990 IRS report and the West Virginia Secretary of State.

**Tax Returns:** Copies of a company's current Federal return (Form 990) will be required by the County Commission to be maintained on file by the Emergency Services Agency.

*Revised 10/1/2013*

## JEFFERSON COUNTY EMERGENCY SERVICES AGENCY

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**Budgets:** The company will develop a yearly budget and shall submit a copy to the JCESA for their record.

**Audits:** Audits will be conducted annually by each company. These audits at a minimum will consist of an in-house committee appointed by the company leadership. Likewise all audits required by the appropriate State agencies will be completed per their direction. No person with check signature privileges shall be a member of the in-house audit committee. These audits or summaries will be submitted to the Emergency Services Agency to be maintained on file.

In the event that discrepancies are found within the company / department accounts, it shall be the responsibility of that company / department to notify the proper agency(s) for a thorough investigation and action.

The Emergency Services Agency acting as an agent of the County Commission may also request an accounting equal to the amount of funding provided by the County Commission. This practice is in line with the requirements of the State of West Virginia as it pertains to funding received from them.

All documents are to be submitted to the Director of the Emergency Services Agency or his or her designee.

### **Section II: Funding Agreement**

**Operational Policies:** The importance and necessity for all county fire companies/departments to adhere to the standardized operational policies cannot be understated. These policies are developed through a common committee in order to facilitate emergency operations with safety for all being the primary concern. With the importance placed on these policies it is imperative that all companies/departments adhere to them deviating only when in the best interest of the emergency situation and safety. Any flagrant disregard or willful action not to follow these policies may result in a partial withholding of county funding.

**Membership:** Submit an active membership roster annually of your company's membership to include officers followed by quarterly exception reports. This list is to include the certifications of all members and their expiration dates and numbers where appropriate. Examples are Firefighter I or II, Officer levels, CPR, ACLS, PEPP, etc.

The County Medical Director will have access to the list of members who possess EMS certification. Since all EMS personnel operate under the Medical Director's license, the Director retains the right to add or remove names as he or she may see fit. Any alteration in the EMS roster of a company will require the cooperation of the respective company and its official squad representative.

**Vehicles:** A list of company owned vehicles will be submitted to the Agency annually. This list is to be accompanied with documentation showing that each unit meets the standards of the State Fire Marshall's Office and or the West Virginia Office of Emergency Medical Services.

**Quality Assurance:** All appropriate companies will participate in the EMS quality assurance program on a monthly basis.

**Department Data:** All county volunteer fire companies shall comply with entering call and volunteer data into EMS Charts. With this each company will need to allow the Agency access a computer in order to update software and download data. This information will be used to create a database of statistics to be used in justifications with the County and potential grants. This data will be defined in the Agency Data Specification Document to be agreed upon by all by all entities.

**Standard Operating Guidelines:** It is to be agreed that each company will subscribe to and follow all Guidelines as established by a joint committee of the Jefferson County Fire & Rescue Association and the Emergency Services Agency.

JEFFERSON COUNTY EMERGENCY SERVICES AGENCY

All documents are to be submitted to the Director of the Emergency Services Agency or his or her designee.

Friendship Fire Company

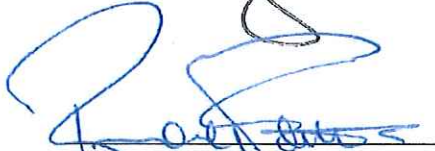
CHRISTOPHER S. HUDSON  
Print

  
Signature

11/6/13  
Date

Citizens Fire Company

RONALD L. FLETCHER  
Print

  
Signature

4/3/14  
Date

Shepherdstown Fire Department

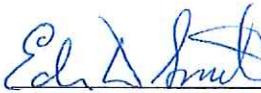
P. Connor Simpson  
Print

  
Signature

2/27/14  
Date

Independent Fire Company


Edwin D Smith  
Print

  
Signature

12-12-2013  
Date

Blue Ridge Mountain Fire Company

Earl G Coughlin  
Print

  
Signature

11-5-2013  
Date

Middleway Fire Company

Michael Mond  
Print

  
Signature

12/2/13  
Date

Bakerton Fire Company


Tracy Smith  
Print

  
Signature

11/20/13  
Date

Emergency Services Agency

Alan Williams  
Print

  
Signature

4/3/14  
Date

AGENDA REQUEST FORM  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



5-29-14  
Public  
Hearing

Decision 6-19-14

Name: County Commissioners

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: April 17

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

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

Subject (Wording to be placed on agenda): Ordinance to dissolve and reconstruct the Jefferson County Emergency Services Agency Board.

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

**NOTICE OF PUBLIC HEARING  
COUNTY COMMISSION OF JEFFERSON COUNTY**

The County Commission of Jefferson County will hold a public hearing on **Thursday, May 29, 2014 at 7:00 p.m.** in the County Commission meeting room located at the Old Charles Town Library, 200 East Washington Street, Charles Town, WV 25414.

At this meeting, there will be public input on the Jefferson County Emergency Services Ordinance.

Anyone wishing to provide written or oral comment may do so at this meeting or send comments to [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org)

You can view the Ordinance at: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

No decisions will be made at this meeting.

By Order of the County Commission of Jefferson County  
Walt Pellish  
President

**DRAFT**

**AN ORDINANCE TO DISSOLVE AND RECONSTITUTE**  
**THE JEFFERSON COUNTY**  
**EMERGENCY SERVICES AGENCY**

WHEREAS, by Ordinance dated September 7, 1995 the Jefferson County Commission created the Jefferson County Emergency Ambulance Service Authority pursuant to Chapter Seven, Article Fifteen, Section One, et. seq. of the Code of West Virginia, as amended, which statute is also known as the “Emergency Ambulance Service Act of 1975”; and

WHEREAS, on March 27, 2008 the Commission adopted a technical correction amendment conforming the name of the agency to the Jefferson County Ambulance Authority (JCAA) to conform the name of the agency with common convention and usage; and

WHEREAS, this agency has operated successfully and continuously over the intervening years; and

WHEREAS, the Commission recognizes the need to augment the paid JCAA ambulance service with paid fire service to meet the current and future needs of the citizens of Jefferson County; and

WHEREAS, the West Virginia legislature has recognized those needs by adopting Senate Bill 224 during the 2008 legislative session authorizing the Commission to create a joint emergency services agency providing both ambulance and fire services;

WHEREAS, in 2008 the Jefferson County Commission created a joint Emergency Services Agency but did not enact an Ambulance Fee nor a Fire Fee as permitted by West Virginia Code, but funded both services out of general revenue of the County;

WHEREAS, in 2014, the Jefferson County budget cannot continue to support the Agency from general revenue;

WHEREAS, at this time budget considerations require the consideration of an Ambulance Fee upon users of emergency ambulance services;

WHEREAS, at this time, citizens are circulating a petition to authorized imposition of a Fire Fee;

WHEREAS the current Emergency Services Agency Board composition is cumbersome and less suitable to the changed economic conditions and needs to be reconstituted to handle the future needs of Jefferson County, especially in light of the potential need to handle separate ambulance and fire fees;

NOW THEREFORE, be it enacted and ordained by the Jefferson County Commission as follows:

**Section 1. Dissolution of the current Jefferson County Emergency Services Agency and Creation of a new Jefferson County Emergency Services Agency**

- 1) The current Jefferson County Emergency Services Agency (created in 2008) and its Board shall be dissolved and shall cease to exist and operate as of the date of creation of the successor Agency and the appointment of a new Board. Existing debt obligations, assets and property owned by the current Emergency Services Agency shall be transferred to the new Agency. All employees currently employed by the current Emergency Services Agency will become employees of the new Agency and shall receive the same or comparable salary and benefits until such time as the Board deems a modification in employment, salary, benefits, or job classification is warranted.
- 2) Effective upon the dissolution of the prior Agency and Board, Pursuant to S.B. 224, Ch. 234, Acts, Reg. Sess. (W.Va. 2008), the new Jefferson County Emergency Services Agency (hereinafter referred to as “the Agency”), a public corporation, is hereby created and reconstituted. The Agency shall be a joint emergency services agency authorized to provide ambulance services, fire protection services, and emergency medical services in the incorporated and unincorporated areas of Jefferson County.

**Section 2. Powers**

- 1) The Agency shall possess all the powers, rights and responsibilities conferred by the State of West Virginia upon emergency ambulance service authorities, county fire associations and county fire boards that are not otherwise inconsistent with state law or this ordinance, including, but not limited to:
  - (a) The management and control of the operations, business and affairs of the Agency, including hiring and firing employees of the Agency;
  - (b) Preparing Budgets and financial statements as required in Section 7 herein;
  - (c) Spending and distributing funds within its budget as the Agency determines best to provide for most effective and efficient provision of emergency ambulance and fire protection services to businesses and residents of Jefferson County, West Virginia.
  - (d) The Agency shall consult with existing fire departments, with the Jefferson County E911 Center, with the West Virginia Office of Emergency Medical Services and with other appropriate Agencies and Officials to establish regulations for the orderly dispatch of all

emergency ambulance and fire protections services in Jefferson County. In the event of a dispute between responders, the Agency shall control the dispatch and response;

- (e) In the event an Ambulance Fee and/or a Fire Fee is imposed by the County Commission, the County Commission shall have the sole authority to set the rate of said fee(s). The Agency shall submit any and all information required by the County Commission for that body to periodically review the appropriate level of said fee(s) to cover the reasonable and actual costs of the provision of the emergency services for which said fees are instituted.
  - (f) In the event an Ambulance Fee and/or a Fire Fee is/are imposed by the County Commission, the Agency may send out periodic billing for any fees imposed, including late payment notices and notices of the imposition of late fees. However, the Agency may not institute collection actions but shall refer delinquent accounts to the County Commission which retains sole discretion and authority to institute collection actions in the Courts of this State.
- 2) To the extent a conflict exists between the powers, rights and responsibilities conferred by the State of West Virginia upon emergency ambulance service authorities and those conferred upon county fire associations and county fire boards, the Agency shall be deemed to possess the broader of the two powers.

### **Section 3. Joint Emergency Services Board**

- 1) The prior Jefferson County Emergency Services Board being abolished as set forth in Section 1, there is hereby created a new Joint Emergency Services Board which has full lawful authority to oversee, manage and control the Jefferson County Emergency Services Agency.
- 2) The new Joint Emergency Services Board (the "Board") shall consist of six members appointed by the County Commission who are citizens of the United States, registered voters in and official residents of Jefferson County constituted as follows:
  - a) One member of the Jefferson County Commission (who shall only be eligible to serve on the Board so long as they remain a member of the County Commission);
  - b) One representative of the emergency medical services community in Jefferson County;

- c) One representative of the fire protection services community in Jefferson County;
- d) Three citizen members of the board;
- e) No citizen member of the Board may provide fire service or emergency ambulance service in Jefferson County. Nor may any member of the Board have any immediate family member who provides fire service or emergency ambulance service in Jefferson County.
- f) No member of the Board, nor their immediate family member, shall have any interest in any firm, partnership, corporation association engaged in the business of providing ambulance or fire services, nor in the manufacture, sale or lease of ambulance or fire equipment of facilities.
- g) Four members of the Board constitute a Quorum;
- h) After appointment, each member shall take an oath of office before they may serve.
- i) The initial members will serve staggered terms. Two of citizen members' initial terms shall expire on June 30<sup>th</sup>, 2015. The third citizen member's initial term shall expire on June 30<sup>th</sup>, 2016. The initial term of the County Commissioner shall expire on June 30<sup>th</sup>, 2016. The initial terms of the appointee from the emergency medical services community and of the appointee from the fire protection services community shall expire on June 30<sup>th</sup>, 2017.
- j) After the expiration of the initial staggered terms in item "i" above, every position on the Board shall have a three-year term.
- k) Notwithstanding the limitation on length and number of successive terms, Board Members whose terms have expired shall continue to serve until their successors have been appointed and sworn in.
- l) In the event of a vacancy on the Board, the County Commission shall appoint a replacement member to serve for the amount of time remaining in the now-vacant term. The replacement shall be from the same category of member as the person being replaced.
- m) The Board shall serve without compensation, but may, with prior approval of the Board, be reimbursed for all reasonable and necessary expenses actually incurred in the discharge of their duties. The members shall submit a written verified request for reimbursement at least quarterly and at least five days before a regularly scheduled meeting. Any expense not submitted within 180 days of being incurred may not be reimbursed.

- n) Annually the Board shall elect one of its appointed members as chairman and another as vice chairman, and shall appoint a secretary and treasurer (or a secretary-treasurer).
- o) Board members are limited to two consecutive three year terms.

**Section 4. Bylaws and Standards of Operation**

- 1) The Bylaws for governance of the Agency and the Agency's Standards of Operation shall be submitted to, and approved by, the Jefferson County Commission.
- 2) The County Commission shall retain continuing jurisdiction with respect to amendment and adoption of such Bylaws and Standards, and the Agency shall otherwise remain subject to the authority of the County Commission.
- 3) The Board and Agency shall comply with the requirements of the West Virginia Ethics Act and the WV Open Meetings Act and shall attend training on the same within 90 days of their appointment.

**Section 5. Borrowing Money**

Neither the Agency nor its Board may borrow money, pledge assets as security, issue and sell revenue bonds or otherwise encumber assets or income of the Agency without the advanced formal approval of the County Commission. Any funding or fund raising, other than by donation or grants, shall require the advanced approval of the County Commission.

**Section 6. Limitations**

The Agency shall in all respects allowed by law remain subject to the jurisdiction and authority of the Jefferson County Commission.

**Section 7. Fiscal Year and Required Accounts**

- (a) The fiscal year for the Agency shall commence on July 1.
- (b) On or before September 1, 2014 and each year thereafter, the Board shall provide to the County Commission an audited financial statement of the Agency showing income and expenditures from the past fiscal year, including the actual costs associated with providing emergency services

broken down by type of service provided, agency which provided said services, fund collected from every source and all other income and outlets of the Agency. The report shall be published as a Class 1 legal advertisement in a newspaper with circulation in Jefferson County.

- (c) The Agency shall make a quarterly written report to the County Commission containing an itemized statement of the receipts and expenditures of the Agency.
- (d) On or before January 15<sup>th</sup>, 2015, and each year thereafter, the Board shall provide to the County Commission a formal written budget request for the Agency for the fiscal year beginning July 1, of said year. In preparing the formal budget the Board shall conduct a Public Hearing with notice with a Class 1 legal advertisement of meeting in a newspaper with circulation in Jefferson County.
- (e) In the event that an Emergency Ambulance Fee is instituted, the Board shall keep the funds from said fee segregated from the general funds of the Agency. Said funds shall only be used to pay the reasonable and necessary expenses actually incurred to provide emergency ambulance service to the residents of Jefferson County and to cover the reasonable and actual operation of the Agency required to provide said services. The Agency, as part of the annual financial statement and annual budget request shall show a separate accounting of income and expenditure of associated with said fee.
- (f) In the event that an Emergency Fire Fee is instituted the Board shall keep the funds from said fee segregated from the general funds of the Agency. Said funds shall only be used to pay the reasonable and necessary expenses actually incurred to provide emergency fire service to the residents of Jefferson County and to cover the reasonable and actual operation of the Agency required to provide said services. The Agency, as part of the annual financial statement and budget request, shall show a separate accounting of income and expenditure of associated with said fee.
- (g) The Board shall only allocate funds to emergency ambulance service and fire protection providers based on their ability to serve demonstrated public need for emergency ambulance and fire protection services and based upon to the actual and reasonable cost of providing said services.
- (h) To properly account for the expenditure of public funds and to most effectively target public funding the Agency shall fully account for expenditures and revenue generated by public expenditures.
- (i) The Agency may bill and collect the actual and reasonable costs of ambulance services the Agency provides directly to members of the public.

For residents and businesses of Jefferson County that have paid the applicable Ambulance Fee, the Agency may only collect to the extent that insurance, private or public, will reimburse providers of such services, e.g., the Agency shall bill and collect for ambulance services provided to a patient treated and transported to a hospital to the extent such patient has insurance coverage, public or private.

- (j) The Agency may bill and collect the actual and reasonable costs of fire protection services the Agency provides directly to members of the public. For residents and businesses of Jefferson County that have paid the applicable Fire Fee, the Agency may only collect to the extent that insurance, private or public, will reimburse providers of such services, e.g., in the event of an emergency fire call, the Agency shall bill and collect for the cost of such fire protection services but only to the extent provided has insurance coverage. In any event, the charge for fire protection services shall not exceed \$500 or the amount covered by insurance whichever is less.
- (k) The Agency shall require a written financial accounting from every person, agency, association, corporation or business which provides emergency ambulance services or fire protection services (a "recipient") which receives assets, money, resources or services of any kind, including but not limited to provision of paramedics, EMTs or other personnel, (all considered "funds") from the Agency. Said accounting shall be provided periodically, as the Agency shall direct, and shall be a verified written financial statement of the recipient's total operations including an accounting for the use of all funds provided to the recipient by the Agency.
- (l) The Agency shall require every recipient to provide periodically, as the Agency shall direct, a verified written account to the Agency for any revenue received by recipient attributable in whole or in part to funds provided by the Agency.
- (m) When a recipient provides emergency ambulance or fire protection services in whole or in part with funds provided by the Agency and collects a fee, or otherwise receives revenue for said services, the Agency shall determine the actual portion of said revenues attributable to the funds provided by the Agency. The Agency shall recover that portion of the revenue attributable to funds provided by the Agency as a fee upon said recipients, as users of ambulance and/or fire protection services, and shall charge the recipient provider of emergency services a fee accordingly. In recovering any such revenue, in addition to other collection methods, funds shall be shall be deducted from current or future funds the Agency would otherwise provide to said service provider.

- (n) If a recipient fails to provide any verified written account as directed by the Agency, the Agency shall stop funding allocations to the recipient until the recipient provides the required accounts.
- (o) Any purchase of or contract for supplies, equipment and materials for the Agency or for the construction, or improvement of, facilities of the Agency which exceeds the sum of \$10,000.00 (Ten Thousand Dollars) shall be based upon competitive sealed bids obtained by public notice published as a Class II legal advertisement within Jefferson County as required by WV Code §7-15-16 or as otherwise required by law.

**Section 8. Severability and Construction**

- 1) The provisions of this ordinance shall be liberally construed to effectively carry on its purposes in the interest of promoting and protecting the public health, safety and welfare.
- 2) If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining provisions of this Ordinance nor impair or nullify the remainder of this Ordinance, which shall continue in full force and effect.

NOW THEREFORE, THIS ORDINANCE IS ENACTED AND ORDAINED BY THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA.

Given under my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

Walt Pellish, President

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **June 19, 2014**

*If a specific date is needed, please provide reason for specific date:* Click here to enter text.

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): **Decision on proposed Emergency 911 Land Line Fee**

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

Is this a funding request? Y/N Click here to enter text.

If so, how much? \$Click here to enter text.

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

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

If not attached, explain: Click here to enter text.

Is equipment needed? Projector Y/N Click here to enter text. Internet/Wi Fi Y/N Click here to enter text.

Telephone for conference call Y/N Click here to enter text.

Contact information:

Email address: Click here to enter text. Phone Number: Click here to enter text.

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

**NOTICE OF PUBLIC HEARING  
PROPOSED INCREASE  
EMERGENCY 911 LAND LINE FEE**

The County Commission of Jefferson County will hold a public hearing on Wednesday, June 11, 2014, in the County Commission Meeting Room located in the Old Charles Town Library, 200 East Washington Street, Charles Town, West Virginia beginning at 7:00 p.m.

The purpose of the meeting will be to hear public comment on the proposed increase in the Emergency 911 Wireline Fee (land line only) from the current fee of \$2.90 monthly to the proposed new monthly fee of \$5.00. The public is invited to provide written or oral comment at this hearing.

Written comments can be emailed to [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org)

All comments will be accepted until June 18<sup>th</sup>, 2014 at 5:00 p.m.

You may view the Ordinance at [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

A decision will be made at the June 19<sup>th</sup>, 2014 County Commission Regular Meeting.

**By Order of The County  
Commission of Jefferson County  
Walt Pellish, President**

# **E911 Information**

**Jefferson County Commission  
Jefferson County, West Virginia**

**May 1, 2014**

**Proposed Amended Ordinance for Jefferson County, WV to raise the E911  
landline fee from \$2.90 to \$5.00**

An ordinance of Jefferson County providing for an amendment to the original proposal for an enhanced emergency telephone system for holding of a public meeting and for placement of an advertisement notifying the public of such meeting and of the location at which a copy of proposal may be examined.

WHEREAS, section three-cc, article one, chapter seven {7-1-3-cc} of the West Virginia code grants the authority to county commissions to establish an enhanced emergency telephone system and impose a fee of the capital, installation and maintenance costs thereof;

WHEREAS, 24-6-6 of the West Virginia Code states the emergency telephone system plan may be amended after notice of the proposed amendments is given and a public meeting is held.

Now therefore be it ordained by the County Commission of Jefferson County, West Virginia pursuant to and in accordance with 24-6-6 of the West Virginia Code, the following:

Jefferson County proposes to amend wireline rates from the current rate of \$2.90 per line to \$5.00 per line effective June 12, 2014.

That a copy of the proposal attached hereto be made available for examination by the public at the Jefferson County Courthouse, Charles Town Town Hall, and Shepherdstown Town Hall;

That a public meeting be scheduled to be held at the Jefferson County Library, an annex of the Jefferson County Courthouse on June 11, 2014 at 7:00 p.m. in order to receive comments from other public officials and interested persons;

That at least thirty days but not more than sixty days before such meeting an advertisement be placed by the County Commission Staff in the Spirit newspaper of general circulation in such county, notifying the public the date, time, place and purpose of such meeting and of the location at which a copy of such proposed may be examined.

#### Section 1 – Definitions

As used in this plan, unless the context clearly requires a different meaning:

- (a) **“Answering point”** means a facility to which enhanced emergency telephone system calls for a county are initially routed for response, and where county personnel respond to specific requests for emergency service by directly dispatching the appropriate emergency service provider, relaying a message to the appropriate provider or transferring the call to the appropriate provider.
- (b) **“County Commission”** means the County Commission of Jefferson County, West Virginia.
- (c) **“County”** means Jefferson County, West Virginia.
- (d) **“Emergency service provider”** means any emergency services organization or public safety unit.
- (e) **“Enhanced emergency telephone system”** means a telephone system which automatically connects the person dialing the primary emergency number to the county answering point and in which the telephone network system automatically provides the personnel receiving the call, immediately on answering the call, information on the location and the telephone number from

which the call is being made, and upon direction from the personnel receiving the call routes or dispatches such call be telephone, radio or any other appropriate means of communication to emergency service providers that serve the location from which the call is made.

- (f) **"Local exchange service line"** means the same as defined in the contract(s) attached to this final plan as Appendix A.
- (g) **"Telephone company"** means a public utility, which is engaged in the provision of telephone service.
- (h) **"Wireless Communications"** Commercial mobile radio service (CMRS) providers or means cellular licensees, broadband personal communications services (PCS) licensees and specialized mobile radio (SMR) providers, as those terms are defined by the Federal Communications Commission, which offer real-time, two-way switched voice service that is interconnected with the public switched network, and includes resellers of any commercial mobile radio service.

#### **Section 2 – Territory Included in System**

- (a) All territory in Jefferson County, including every municipal corporation in the county, which is served by telephone company central office equipment that will permit an enhanced emergency telephone system to be established, is to be included in the system.
- (b) The municipal corporations included in the system shall include, but not necessarily be limited to, the following:
  - 1) **City of Charles Town**
  - 2) **Corporation of Bolivar**
  - 3) **Corporation of Harpers Ferry**
  - 4) **Corporation of Ranson**
  - 5) **Corporation of Shepherdstown**

#### **Section 3 – County Answering Point(s)**

- (a) The county answering point shall be operated constantly and shall provide full service, including access for the hearing impaired, 24-hours per day.
- (b) There will be a Primary County Answering Point located at 28 Industrial Blvd, Kearneysville (Bardane), Jefferson County, West Virginia.
- (c) A Secondary County Answering Point shall be Berkeley County Emergency Communications, which will serve as a back-up to the Primary Answering Point in case of failure.
- (d) The County Answering Point shall provide services for the entire County of Jefferson.
- (e) The answering point(s) will be required to respond to calls as follows:
  - 1. By directly dispatching an emergency service provider; or
  - 2. By relaying a message to the appropriate emergency service provider.
- (f) The county answering point shall be connected to the telephone company's telephone network by dedicated trunks.

**Section 4 – Emergency Service Providers; Resolution of Disputes; Handling of Misdirected Calls; Publicly Accessible Telephone Numbers; Enhanced 9-1-1 Communications Advisory Board**

- (a) Every emergency service provider that provides emergency service within the territory of the county will be required to participate in the enhanced emergency telephone system.
- (b) The emergency service providers referred to in subsection (a), above, shall be the following:

**Jefferson County Office of Homeland Security and Emergency Management**

**Jefferson County Sheriff's Department**

**West Virginia State Police – Charles Town Detachment**

**Friendship Volunteer Fire Company (Fire & EMS)**

**Citizens Volunteer Fire Company – Charles Town (Fire & EMS)**

**Shepherdstown Volunteer Fire Department (Fire & EMS)**

**Independent Volunteer Fire Company – Charles Town (Fire & EMS)**

**Blue Ridge Mountain Volunteer Fire Company (Fire & EMS)**

**Middleway Volunteer Fire Department (Fire & EMS)**

**Bakerton Fire Department (Fire)**

**Jefferson County Emergency Services Agency (EMS)**

**West Virginia Dept. of Natural Resources – Law Enforcement**

**West Virginia Division of Forestry**

**West Virginia Department of Environmental Protection**

**National Park Service – Harpers Ferry – Law Enforcement**

**Charles Town Police Department**

**Harpers Ferry Police Department**

**Ranson Police Department**

**Shepherdstown Police Department**

**Shepherd University Police Department**

- (c) In the event of a dispute between the County and one or more emergency service providers, such dispute, upon application to the Public Service Commission of West Virginia by any party to the dispute, may be resolved by order of the Public Service Commission of West Virginia.
- (d) In the event a call is incorrectly dispatched to an emergency service provider, the provider receiving the call shall immediately notify the county answering point dispatcher via radio requesting the appropriate jurisdiction be alerted to respond to the call. The emergency service provider initially alerted will then proceed as directed.
- (e) Each emergency service provider participating in the enhanced emergency telephone system shall maintain a publicly accessible 7-digit telephone number, which shall be appropriately listed in appropriate telephone directories in addition to any telephone numbers provided in the system.
- (f) Below is a list of the membership of the Enhanced 9-1-1 Advisory Board.
  - 1. **Member of the County Commission**
  - 2. **Member of the County Sheriff's Department**
  - 3. **Member of the West Virginia State Police**

4. **Member of County Fire & Rescue Association – Emergency Medical Services Representative**
5. **Member of County Fire & Rescue Association – Fire Representative**
6. **Member of County Law Enforcement Committee – Municipality Representative**
- 7.
8. **Director of County Enhanced 9-1-1 Center**

The initial terms of the following memberships shall be one (1) year:

1. Member of the County Sheriff's Department
2. Member of the County Commission

The initial terms of the following memberships shall be two (2) years:

1. Member of the West Virginia State Police
2. Member of the County Fire & Rescue Association – Fire Representative

The Director of the Enhanced 9-1-1 system shall serve as ex-officio of the Advisory Board at all times.

Except as noted above for the initial terms of certain memberships and for the Director of Communications, all Advisory Board members shall be appointed by the County Commission to serve for three-year terms or for the balance of the terms of memberships vacated in midterm. The initial terms of all Advisory Board members began on October 1<sup>st</sup>, 1997.

#### Section 5 – Projection of Revenue

|                                      | <u>Current</u> | <u>Projected</u> |
|--------------------------------------|----------------|------------------|
| 911 Monthly Fee                      | \$2.90         | \$5.00           |
| Monthly Frontier collected/Std. Line | \$41,620.80    | \$71,760.00      |
| Monthly Frontier collected/Centrex   | \$5,672.40     | \$9,780.00       |
| Total Monthly Frontier Fee Collected | \$47,293.20    | \$81,540.00      |
| Minus Frontier 3% admin              | \$1,418.80     | \$2,446.20       |
| Frontier Wireline Fees per Month     | \$45,874.40    | \$79,093.80      |
| Frontier Wireline Fees Per Year      | \$550,492.85   | \$949,125.60     |
| Vonage Fees per Year                 | \$39,150.00    | \$67,500.00      |
| Comcast Fees per Year                | \$46,875.60    | \$80,820.00      |
| All other Fees per Year              | \$13,258.80    | \$22,860.00      |

|                              |              |                |
|------------------------------|--------------|----------------|
| Total Wireline Fees per Year | \$649,777.25 | \$1,120,305.60 |
|------------------------------|--------------|----------------|

**Section 6 – Imposition of Fee; Adoption of Billing Contract; Establishment of Separate Enhanced 9-1-1 Fund; Payment of Costs Not Recovered Through Fee**

- (a) Pursuant to 7-1-3b of the West Virginia Code a county commission may impose a fee, and may modify that fee, upon consumers of local exchange service within the county for an emergency telephone system. A fee increase of \$2.10 to \$5.00 per wireline (standard and centrex) is proposed to maintain the emergency telephone system. Such fee is proposed to become effective beginning on June 12, 2014.
- (b) The County Commission of Jefferson County adopts and ratifies the contract attached hereto as "Appendix A" for the billing of the enhanced emergency telephone system fee by Frontier Communications of West Virginia.
- (c) All fees remitted under the contract referred to in subsection (b), above, are proposed to be deposited in a separate Revenue line "911 Fees"
- (d) The costs associated with establishing, equipping, furnishing, operating or maintaining the county answering point(s,) above and beyond what the revenue generates by the fee, shall be paid as follows:
  - 1. Jefferson County General Fund

**Section 7 – Telephone Company**

- (a) Upon adoption of this plan, the terms and conditions of the telecommunications service and facilities provided by the telephone company will be governed by the applicable tariffs on file with and approved by the Public Service Commission of West Virginia, the rules, regulations and orders of the Public Service Commission of West Virginia and the laws of the State of West Virginia.
- (b) The telephone company that will provide the services and facilities identified in subsection (a), is as follows:

***Frontier Communications***

**Section 8 – Tariffs, Rules and Regulations, and Laws**

The final plan for the County enhanced emergency telephone system will be supplemented and superseded by the applicable tariffs on file with and approved by the Public Service Commission of West Virginia, the rules, regulations and orders of the Public Service Commission of West Virginia, and the laws of the State of West Virginia. Such tariffs, rules, regulations, orders and laws will be deemed incorporated in the final plan as if fully set out therein.

**Section 9 – Filing of Plan with the Public Service Commission**

Upon completion and adoption of the final plan for the County enhanced emergency telephone system, the County Commission will send a signed copy of such plan to the Public Service Commission of West Virginia.

Given under my hand this \_\_\_\_ day of June, 2014.

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WALT PELLISH, PRESIDENT  
COUNTY COMMISSION OF JEFFERSON COUNTY  
WEST VIRGINIA

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Debbie Keyser

Department or Organization: Commission

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

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

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

Subject (*Wording to be placed on agenda*): Discussion/Action regarding request for petition from West Virginia County for pending electric increase. Update from Debbie and/or Dale Manuel from First Energy.

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

Is this a funding request? Y/N No

If so, how much? \$

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

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

If not attached, explain: Attached

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

|                                                           |
|-----------------------------------------------------------|
| FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS |
|                                                           |

# MONONGALIA COUNTY COMMISSION

243 HIGH STREET, ROOM 202  
COURTHOUSE  
MORGANTOWN, WEST VIRGINIA 26505

L.W. "Bill" Bartolo, Commissioner  
Eldon A. Callen, Commissioner  
Tom Bloom, Commissioner

Telephone: 304 291-7257



May 30, 2014

The Jefferson County Commission  
Jefferson County Courthouse  
100 E. Washington Street, P. O. Box 250  
Charles Town, West Virginia 25414

Dear Commissioners:

The Monongalia County Commission is requesting your county take an active role in protesting the proposed rate increase brought forth by the Monongahela Power Company and the Potomac Edison Company. This increase of 15.85% would adversely affect 525,000 customers in northern, central, eastern and northwestern portions of West Virginia.

At this time most citizens and governments are already stressed to find additional funding to continue to operate. Any approval of an increase would create additional stress on citizens who pay the expenses of cities, state and local governments through taxes which would likely go up. So in fact, they will be hit twice. Higher prices to recover additional expenses at the retail stores would be passed on to the consumer.

We should not be expected to fund the request that the power companies need to purchase a power plant that will never meet new regulations of the EPA. It is well known that coal fired power plants are being shut down for failure to meet EPA regulations.

In order to gain additional support, we are asking that you contact the officials of the municipalities located within your county as well as your delegates and senators. There is strength in numbers.

Enclosed is a petition for you to distribute throughout your county and pass on to others. Feel free to make as many copies as necessary.

On behalf of the residents we represent, thank you for your support of this issue.

For the Commission,

A handwritten signature in cursive script that reads "Diane DeMedici".

Diane F. DeMedici  
County Administrator  
Monongalia County Commission

Enclosure



AGENDA REQUEST FORM  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Debbie Keyser

Department or Organization: County Commission Office

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

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

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

Subject (*Wording to be placed on agenda*): Commission to review and edit RFP for IT.

Please provide the County Commission with a description of your request or presentation, including any background information:  
Review and edit RFP for IT. Either bring your edits to the Commission meeting on 7-17-2014 or send your edits via email to County Administrator. Staff will show your edits, along with your initials in document for the Commission package to be discussed on 7-17-2014.

Is this a funding request? Y/N No. IT budgeted for FY2015.  
If so, how much? \$

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):  
Attach supporting documents for request, or request may be denied.  
If not attached, explain: Attached

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

Contact information:  
Email address:.

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

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|--|

**Request for Proposal**  
**Information Technology Support Services**

## Request for Proposal

### Information Technology Support Services

**\*\*\* DRAFT \*\*\***

Proposals will be received by the County of Jefferson for information Technology Support Services. Interested vendors should submit one original and 4 copies of their proposal response in an envelope marked as follows:

#### **IT Support Services**

Debbie Keyser, County Administrator

Jefferson County Commission

124 E. Washington Street

Charles Town, WV 25414

Or send electronically to: [dkeyser@jeffersoncountywv.org](mailto:dkeyser@jeffersoncountywv.org)

Formal proposals must be received by Friday, June 27<sup>th</sup> at 5:00 p.m. Bids will be opened and read on Monday, June 30<sup>th</sup> at 4:00 p.m.

Vendors are required to provide as much detail as possible in this proposal, regarding scope of services, approach to protecting and securing the technology used by the County, and their capability and experience. The County will utilize evaluation and selection criteria, based on the County's standard proposal process, to determine an acceptable vendor. The County reserves the right to reject any or all proposals or to accept any proposal considered most advantageous.

Copies of the RFP (Request for Proposal) are available electronically by contacting Jefferson County Administrator, Debbie Keyser. Please direct all inquiries to Debbie Keyser at 304-728-3281 or [dkeyser@jeffersoncountywv.org](mailto:dkeyser@jeffersoncountywv.org).

Prepared by:

Jefferson County Commission Staff

May, 2014

# RFP – IT Support Services for Jefferson County, WV

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## Introduction

The County of Jefferson is requesting proposals from qualified, professional technology vendors for Information Technology (IT) Support Services. The qualified vendor would provide necessary technical services, which would enable the County to:

Protect and secure its technology.

Ensure the efficient operation of its data processing networks and related computer systems in its defined user community.

Enhance its quality of IT support service for departments for Commission Staff and Elected Officials.

Minimize spending and maximize ROI (Return On Investment), within the defined budget constraints, for investment in technology.

## Services Required

This section summarizes the services to be provided to Jefferson County in this RFP. Based upon your knowledge and previous “current summary”, the County expects the vendor proposal to define, in detail, the approach to be used to ensure a functional, effective and efficient IT Department. Distinction of time and material costs for these efforts are important to billing the County and future budget considerations.

- A. Initial Assessment – Review of the inventory, assessment of the system architecture and equipment for efficiency, life expectancy, capacity, speed, and current processes, and make recommendations for improving routine support criteria and eliminating emergency maintenance issues.
- B. Desktop Application Support – Performance of basic support functions, including the installation of PC's, laptops, PDA's as required by the County, printers, peripherals, and office software, diagnosis and correction of desktop application problems, configuring of PC's and laptops for standard applications, identification and correction of user hardware problems, with advanced troubleshooting as needed, maintenance of an updated inventory of all related computer related hardware, to make available to County Commissioners or County Staff upon request, and continuation of a Help Desk and associated procedures.
- C. Server and Workstation Administrative Services – Management of networks and computer systems, including complex applications, databases, messaging, servers and associated hardware, software, communications, and operating systems, necessary for performance, security, reliability, and recoverability of the systems.

Scheduled preventive maintenance for equipment in the areas of coverage is properly and promptly performed, maintenance of records for all Help Desk tickets for both on-site visits and telephone support, development of operations and quality assurance for back-up plans and procedures are being followed.

Configuration management including changes, upgrades, patches, etc. is maintained, management of user logins and password security is documented; and support of software

## RFP – IT Support Services for Jefferson County, WV

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products relating to servers and workstations, timely response to repair and maintenance work for the user.

- D. Network Administration Services – Maintenance and support of network equipment, including switches, firewalls, routers and other security devices is included.

Installation and maintenance of printers, scanners, network devices, analysis, routine configuration changes, and installation of patches and upgrades; minor cabling if needed, alert notifications in case of failure of equipment.

Proactive monitoring of network equipment, including performance indicators to report on threshold limitations; network performance and capacity management services; continuous troubleshooting are required.

Maintenance of network documentation for daily, weekly and monthly services is required.

- E. Email, Security, and Backup Efforts – Maintenance of County email accounts using the County domain, adding, changing, and/or deleting County employee accounts as required; maintenance of virus detection programs on the County servers and user computers and laptops; performance of periodic security audits, including notification of suspected breaches of security to the County designed person is required.

Configuration of County systems to enable remote access in a secure environment, with provisions for remote access administration, as required by the County designee is required.

Requirements for data back-up policy, with procedures in place to handle daily, weekly, and monthly backup of the computer, data and information, email, and program(s) to restore systems and data if servers and/or computers go down, are required.

- F. AS400 – Must have level of expertise to assist vendor with troubleshooting issues of AS400 including both hardware and software issues.
- G. Planning – Engineering, planning and design services for major system enhancements and/or upgrades to existing systems; recommendations for future purchasing and technology needs, when required or necessary.

Installation of new equipment, software, and transfer existing data when acquired, will be needed.

- H. Vendor Management – Oversight, strategic planning and vision for the 30+ IT vendors used within the different offices of the County departments.
- I. Strategic Planning, Vision and Budgeting – Work with the County Administrator, Deputy County Administrator, and Finance Director to develop strategic planning for the entire County IT infrastructure, understand our budgeting process, and assist in the development of appropriate policies and procedures for the entire IT arena.

## RFP – IT Support Services for Jefferson County, WV

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- J. Reports and Presentations – The vendor shall submit service reports on a quarterly basis, summarizing service and accomplishments/issues. The vendor must be available to meet with the County Administrator, Deputy County Administrator and Finance Director as needed, and make presentations to the County Commissioners on a quarterly basis on a Thursday morning.
- K. Not Included – The contract to be awarded will NOT allow the County to purchase from the selected vendor; computer equipment, hardware devices, cabling, licenses, software, or any other purchases other than the services provided within the scope of the RFP. The scope of this contract does not include computer equipment and networks not owned by the County.
- L. Areas of service will be defined by the County Administrator as Critical, Level 1 and Level 2. Critical issues such as telephone and internet disruption impacting employee productivity or our ability to serve the public will require a response time of 30 minutes or less from the vendor as needed either via remotely or on campus. Level 1 impacting our ability to serve the public or employee productivity will require a 2 hour response time as needed either via remotely or on campus. Level 2 would be items which do not impact serving the public or employee productivity and will be based on a mutually agreeable service call time.

### **Submission Requirements**

The County is requesting the proposal submitted address the subjects with focused, concise specificity. We are looking for content, organized effort, solution-oriented IT function with the appropriate costs. The goal is a secure, smooth operating, efficient process, and effective informational technology systems.

Each proposal shall provide the following:

#### About You:

1. Company name, address, telephone number and website.
2. Name, title email address and phone number of your contact person who is authorized to represent your firm.
3. Federal and State taxpayer ID for your firm.
4. A copy of your current West Virginia business license.
5. A brief statement of your understanding of the services to be performed.
6. The letter must be signed by a corporate officer or person authorized to bind the vendor to the proposal and cost schedule.
7. A statement indicating your proposal cost schedule will be valid and binding for 90 days following the proposal due date, and will become part of the contract negotiated with the County.

## RFP – IT Support Services for Jefferson County, WV

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8. Provide a short profile of your firm regarding length of time in business, length of time providing proposed services, number of clients, number of clients in the public sector; location of office to service the account; number of employees; technological support, programming, consulting, sales and administrative support.
9. Description of the approach your firm will use in providing the services and how the firm is positioned to provide the services requested, with a history of experience on providing similar services.
10. Name of staff resources, with identification of principals and key personnel who are available to provide services, experience and expertise of staff; role and responsibilities of each staff member to be associated with our account.
11. Name, title, address and phone numbers of at least 3 references for clients, whom similar services have been provided, including information referencing the actual services performed, number of users, and length of tenure.
12. Explanation of any contract termination for default or other incident in the past five years. Termination or default is defined as notice to stop services for non-performance or poor performance, and issue was either litigated or not litigated. If default occurred, list name, address and telephone number of the party. If no termination occurred for default, please state so.
13. Provide why your firm is pursuing this contract and how it is uniquely qualified to perform the multitude of services required.

### **Your Proposal:**

14. Define how you will approach our account and thoroughly manage the services required to effectively and efficiently run our IT Department based on the information provided to you within this RFP.
  - a. Please submit a fixed fee service contract for a twelve month period (July-June), with an option to renew for the second and third years (twelve months each), with the option for the County to terminate services for unsatisfactory performance either through a management decision or the Evaluation Survey results. Each twelve month period must be shown separately. A payment schedule should also be included (i.e. monthly, quarterly, etc.).
    - i. a fee schedule containing the vendor hourly rates for all services.
    - ii. a description of how services will be billed.
    - iii. a description of additional charges, i.e. out-of-pocket expenses for travel, etc.
  - b. Please list specifically any services which would not be covered in the proposal price. The vendor shall indicate the impact, if any, of changes in the County's IT infrastructure (number of servers, PC's, etc.) on the fixed fee. Identify the following for those services not under the fixed fee.
15. Please submit a draft contract for our review.

## RFP – IT Support Services for Jefferson County, WV

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16. Please indicate the amount of liability coverage you have and provide a copy of your insurance certificate.
17. Please indicate scope of services beyond the RFP that the firm provides which may be of interest to the County.

### **Evaluation Committee**

A selection committee will review each vendor's qualifications. From this review, an evaluation and selection process will be completed using the following criteria as a benchmark for making a recommendation.

--Approach and Methodology

--Experience of the Firm

--Project Staffing and Experience

--Satisfaction of Clients/End Users

--Culture fit; Ease of doing business

--Pricing

This RFP creates no obligation on the part of the County to award the contract to the lowest bidder.

The selection committee will make their recommendation and justification to the County Commissioners at a County Commission Meeting. The Selection Committee shall be the County Administrator, Deputy County Administrator, Finance Director, one Elected Official (Sheriff), Two Department Managers, and one IT Squad member as an IT committee resource (Tori Myers).

The County reserves the right to reject any or all proposals for failure to meet the requirements contained herein, to waive any technicalities, and to select the proposal which, in the County's sole judgment, best meets the vision and objectives of the County. The RFP creates no obligation on the part of the County to be awarded a contract or to compensate the Bidder for any costs incurred during proposal presentation, response, submission, presentation or oral interviews. The County reserves the right to award a contract based on proposals received without further discussion or negotiation. Vendors should not rely upon the opportunity to alter their qualifications during any discussions.

The County further reserves the right to make such investigation as it deems necessary to determine the capability of the vendors to furnish required services and vendors shall furnish all such information for the purpose as the County may request.

Vendors must specifically identify any portions of their submittals, deemed to contain confidential and proprietary information or trade secrets. The vendors may be required to justify why the Commissioners should not, upon written request from the public, disclose such materials.

All requests from the vendor for additional information must be made in writing (includes email) and this information provided will be made available to all vendors at the discretion of the County.

A survey will be completed annually by a significant number of County employees/end users in reference to the performance of our IT vendors. A sample survey is attached for informational purposes.

# RFP – IT Support Services for Jefferson County, WV

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## Internal End User Survey – IT Vendor Evaluation

Please take a moment to fill out the attached survey. This survey will enable the RFP IT Committee to have insight into the overall level of customer service provided to the County by our current IT vendors. This survey is to be completed annually. Keep in mind, Accurate Systems currently reflects Tom Reilly only, as the two IT resources are our employees and are NOT reflected in this evaluation survey. All surveys should be returned to the County Commission Office for tallying. A total score will be shown for each vendor along with written comments, with all participant names withheld.

**Scoring: 5= Superior; 4=Good; 3=Average; 2=Poor; 1=Unsatisfactory; 0=No Knowledge**

| Vendor:                                                                                                                   | 0 | 1 | 2 | 3 | 4 | 5 |
|---------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---|---|
| How would you rate the response time to your requests by the current vendor and his/her staff?                            |   |   |   |   |   |   |
| Are you treated respectfully and appropriately by the current vendor and his/her staff?                                   |   |   |   |   |   |   |
| How would you rate the professionalism of the current vendor and his/her employees?                                       |   |   |   |   |   |   |
| How would you rate the vendor's ability to provide understandable, simple explanations of your IT issues and resolutions? |   |   |   |   |   |   |
| How would you rate the overall IT knowledge of the vendor and his/her staff?                                              |   |   |   |   |   |   |
| How would you rate the reasonableness of the fees/charges you pay for this vendor?                                        |   |   |   |   |   |   |
| Overall, what would be your rating of the vendor's overall service and value to the County?                               |   |   |   |   |   |   |

Additional Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

(Signature – Optional)

\_\_\_\_\_

Date

AGENDA REQUEST FORM  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Jeff Polczynski

Department or Organization: **Jefferson County Emergency Communications**

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: **June 19, 2014**

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

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

Subject (*Wording to be placed on agenda*): **Potential Funding of a part-time position within the Communications Department**

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

Is this a funding request? **Y**/N - Yes  
If so, how much? \$ 16,118.00  
Provide exact financial impact/request:

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I move to approve the funding of a part-time administrative assistant position within the Jefferson County Emergency Communications Department.

Attach supporting documents for request, or request may be denied.  
If not attached, explain:

Is equipment needed?      Projector    **Y**/N      Internet/Wi Fi    **Y**/N.      Telephone for conference call    **Y**/N

Contact information:  
Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

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

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Tim Stanton

Department or Organization: County Commission Office

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

*If a specific date is needed, please provide reason for specific date:* Need for new fiscal year

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

Subject (*Wording to be placed on agenda*): Approve WV Corp Insurance Renewal Changes

Please provide the County Commission with a description of your request or presentation, including any background information:  
Approve staff recommendations for WVCorp. Insurance Policy for FY2015

Is this a funding request? Y/N No. Budgeted expense.

If so, how much? \$

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

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

If not attached, explain: Attached

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

Contact information:

Email address:.

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

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

AGENDA REQUEST FORM  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Tim Stanton

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

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

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

Subject (*Wording to be placed on agenda*): Finance Summary and Approval of Internal Budget Revision #19

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

Director of Finance Summary  
June 19, 2014

As of June 13, 2014 the cash balance in the General Fund is \$3,052,972 and Capital Outlay is \$4,751,867. The cash balance in the General Fund is consistent with cash flow projections.

The following budget transfer is requested to be approved:

Internal Budget Revision #19 – To fund impact fee study

Also attached for your review is a FY14 budget update with data as of June 13, 2014. It is estimated that as of the close of business on June 30<sup>th</sup> that our budget will reflect a surplus budget of \$106,711.

However in accordance with modified accrual accounting additional revenue would need recorded as well as expenditures. It is estimated that \$375,000 of salary accruals would need to be recorded as a result it is not expected that the final financial reports will show a surplus budget.

Respectfully Submitted



Tim A. Stanton



FY14 Revenue and Expenditure Projections  
 Compiled June 13, 2014

|                               | FY14 budget       | June<br>as of 6/13/14 | Variance<br><br>(unfavorable) | % Rec'd/Exp | Projection<br>6/30/2014 | Possible<br>Savings |
|-------------------------------|-------------------|-----------------------|-------------------------------|-------------|-------------------------|---------------------|
| <b>Revenue</b>                |                   |                       |                               |             |                         |                     |
| Fund Balance Roll Forward     | 3,114,613         |                       |                               |             |                         |                     |
| Taxes                         | 11,737,159        | 11,429,415            | (307,744)                     | 97.38       | 11,557,159              | (180,000)           |
| Tax Penalties                 | 306,500           | 279,290               | (27,210)                      | 91.12       | 291,433                 | (15,067)            |
| Property Transfer             | 1,204,108         | 1,227,350             | 23,242                        | 101.93      | 1,232,208               | 28,100              |
| Gas/oil                       | 20,000            | 5,294                 | (14,706)                      | 26.47       | 38,000                  | 18,000              |
| Horse Racing                  | 15,676            | 13,028                | (2,648)                       | 83.11       | 13,594                  | (2,082)             |
| Wine Liquor                   | 28,074            | 28,477                | 403                           | 101.44      | 29,715                  | 1,641               |
| Hotel Occupancy               | 556,447           | 442,480               | (113,967)                     | 79.52       | 477,480                 | (78,967)            |
| Decal fees                    | 70                | 58                    | (12)                          | 82.86       | 61                      | (9)                 |
| Bldg Permits                  | 164,000           | 54,208                | (109,792)                     | 33.05       | 164,000                 | -                   |
| Misc Permits                  | 112               | 110                   | (2)                           | 98.21       | 115                     | 3                   |
| Grants                        | 146,196           | 170,288               | 24,092                        | 116.48      | 170,288                 | 24,092              |
| Payment in lieu of taxes      | 9,949             | 9,949                 | -                             | 100.00      | 9,949                   | -                   |
| Sheriff Service Process       | 18,000            | 14,450                | (3,550)                       | 80.28       | 15,078                  | (2,922)             |
| Sheriff Earnings              | 29,593            | 23,355                | (6,238)                       | 78.92       | 24,370                  | (5,223)             |
| Clerk Earnings                | 220,431           | 181,989               | (38,442)                      | 82.56       | 189,902                 | (30,529)            |
| Circuit Clerk Earnings        | 72,754            | 59,740                | (13,014)                      | 82.11       | 62,337                  | (10,417)            |
| Prosecuting Earnings          | 638               | 1,091                 | 453                           | 171.00      | 1,138                   | 500                 |
| Accident reports              | 3,765             | 3,260                 | (505)                         | 86.59       | 3,402                   | (363)               |
| Map Sales                     | 4,809             | 3,788                 | (1,021)                       | 78.77       | 3,953                   | (856)               |
| Rent                          | 46,500            | 43,612                | (2,888)                       | 93.79       | 45,508                  | (992)               |
| 911 Fees                      | 1,140,451         | 1,322,564             | 182,113                       | 115.97      | 1,371,364               | 230,913             |
| Franchise Agreements          | 396,641           | 401,110               | 4,469                         | 101.13      | 401,110                 | 4,469               |
| IRP fees                      | 10,744            | 7,947                 | (2,797)                       | 73.97       | 8,293                   | (2,451)             |
| Jail fees                     | 100,594           | 85,651                | (14,943)                      | 85.15       | 85,651                  | (14,943)            |
| Interest                      | 17,052            | 14,644                | (2,408)                       | 85.88       | 15,281                  | (1,771)             |
| Misc revenue                  | 38                | 193                   | 155                           | 507.89      | 201                     | 163                 |
| Sheriff Commission            | 11,915            | 11,738                | (177)                         | 98.51       | 12,248                  | 333                 |
| Table Games                   | 1,163,539         | 939,171               | (224,368)                     | 80.72       | 1,024,550               | (138,989)           |
| Video Lottery                 | 3,303,301         | 3,093,159             | (210,142)                     | 93.64       | 3,374,355               | 71,054              |
| Reimbursements                | 363,026           | 362,334               | (692)                         | 99.81       | 378,088                 | 15,062              |
| Trans from other funds        | -                 | 1,764                 | 1,764                         | #DIV/0!     | 1,764                   | 1,764               |
| Concealed Weapons             | -                 | 1,625                 | 1,625                         | #DIV/0!     | 1,696                   | 1,696               |
| General School Reimbursements | 291,000           | 238,920               | (52,080)                      | 82.10       | 249,308                 | (41,692)            |
| Trns Assessor Val fund        | 495,858           | -                     | (495,858)                     | -           | 495,858                 | -                   |
| <b>Total Revenue</b>          | <b>24,993,553</b> | <b>20,472,052</b>     | <b>(1,406,888)</b>            |             | <b>21,749,457</b>       | <b>(129,483)</b>    |
| <b>Expenditures</b>           |                   |                       |                               |             |                         |                     |
| Salaries                      | 10,017,282        | 9,369,406             | 647,876                       | 93.53       | 9,744,182               | 273,100             |
| FICA                          | 741,087           | 690,735               | 50,352                        | 93.21       | 718,364                 | 22,723              |
| Health Insurance              | 2,064,691         | 2,054,387             | 10,304                        | 99.50       | 2,054,387               | 10,304              |
| Retirement                    | 1,318,170         | 1,254,067             | 64,103                        | 95.14       | 1,304,230               | 13,940              |
| Telephone                     | 378,425           | 327,382               | 51,043                        | 86.51       | 341,616                 | 36,809              |
| Printing                      | 31,425            | 16,225                | 15,200                        | 51.63       | 16,930                  | 14,495              |
| Utilities                     | 293,200           | 307,298               | (14,098)                      | 104.81      | 320,659                 | (27,459)            |
| Travel                        | 72,579            | 48,305                | 24,274                        | 66.56       | 50,405                  | 22,174              |
| Bldg Repairs                  | 125,000           | 35,394                | 89,606                        | 28.32       | 36,933                  | 88,067              |
| Equip Repairs                 | 194,718           | 100,724               | 93,994                        | 51.73       | 105,103                 | 89,615              |
| Auto Repairs                  | 8,000             | 4,626                 | 3,374                         | 57.83       | 4,827                   | 3,173               |
| Postage                       | 122,970           | 92,144                | 30,826                        | 74.93       | 96,150                  | 26,820              |

FY14 Revenue and Expenditure Projections  
 Compiled June 13, 2014

|                                 | FY14 budget       | June<br>as of 6/13/14 | Variance<br><br>(unfavorable) | % Rec'd/Exp | Projection<br>6/30/2014 | Possible<br>Savings |
|---------------------------------|-------------------|-----------------------|-------------------------------|-------------|-------------------------|---------------------|
| Equipment Rent                  | 142,900           | 141,330               | 1,570                         | 98.90       | 147,475                 | (4,575)             |
| Ads/Legal Publications          | 53,970            | 29,972                | 23,998                        | 55.53       | 31,275                  | 22,695              |
| Training                        | 72,859            | 36,965                | 35,894                        | 50.73       | 38,572                  | 34,287              |
| Dues                            | 96,310            | 64,157                | 32,153                        | 66.62       | 66,946                  | 29,364              |
| Professional Services           | 439,744           | 365,228               | 74,516                        | 83.05       | 381,107                 | 58,637              |
| Audit Costs                     | 35,000            | 17,100                | 17,900                        | 48.86       | 35,000                  | -                   |
| Bonds/Workers Comp              | 436,212           | 360,947               | 75,265                        | 82.75       | 360,947                 | 75,265              |
| Sheriff Court Costs             | 1,000             | -                     | 1,000                         | -           | -                       | 1,000               |
| Contracted Services             | 462,253           | 323,241               | 139,012                       | 69.93       | 337,295                 | 124,958             |
| Bank Charges                    | 500               | 376                   | 124                           | 75.20       | 392                     | 108                 |
| Retired Insurance Prem          | 85,000            | 81,240                | 3,760                         | 95.58       | 84,772                  | 228                 |
| Materials/supplies              | 479,194           | 309,689               | 169,505                       | 64.63       | 323,154                 | 156,040             |
| Record Books                    | 9,500             | 2,557                 | 6,943                         | 26.92       | 2,668                   | 6,832               |
| Vehilce Fuel                    | 231,000           | 217,902               | 13,098                        | 94.33       | 227,376                 | 3,624               |
| Jail Costs                      | 1,200,000         | 1,092,156             | 107,844                       | 91.01       | 1,192,156               | 7,844               |
| Uniforms                        | 70,200            | 42,496                | 27,704                        | 60.54       | 44,344                  | 25,856              |
| State Computer                  | 47,997            | 50,603                | (2,606)                       | 105.43      | 50,603                  | (2,606)             |
| Computer Software               | 9,250             | 2,475                 | 6,775                         | 26.76       | 2,583                   | 6,667               |
| Computer Hardware               | 146,697           | 36,962                | 109,735                       | 25.20       | 146,697                 | -                   |
| Tech Support                    | 20,000            | 13,856                | 6,144                         | 69.28       | 20,000                  | -                   |
| Tech Fees & Lic                 | 97,260            | 17,202                | 80,058                        | 17.69       | 97,260                  | -                   |
| Capital Outlay                  | 29,300            | 29,580                | (280)                         | 100.96      | 29,580                  | (280)               |
| Transfer to other funds         | 47,000            | 6,250                 | 40,750                        | 13.30       | 47,000                  | -                   |
| Contributions to other entities | 3,212,460         | 3,060,533             | 151,927                       | 95.27       | 3,161,756               | 50,704              |
| Contingency                     | 2,200,400         | -                     | -                             | -           | -                       | -                   |
| <b>Total Expenditures</b>       | <b>24,993,553</b> | <b>20,603,510</b>     | <b>2,189,643</b>              |             | <b>21,622,746</b>       | <b>1,170,407</b>    |
| Natural Gas Study not Funded    |                   |                       |                               |             |                         | (20,000)            |
| Net Variances                   |                   |                       |                               |             |                         | 1,020,924           |
| Budget Deficit                  |                   |                       |                               |             |                         | (914,213)           |
| Surplus (as of June 30th)       |                   |                       |                               |             |                         | 106,711             |
| Post Close Salary Accruals      |                   |                       |                               |             |                         | (375,000)           |
| Post Close Estimated Deficit    |                   |                       |                               |             |                         | (268,289)           |

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Debbie Keyser

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: **June 19, 2014**

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

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

Subject (*Wording to be placed on agenda*): **County Administrator Reports**

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

- Code of Ethics Letter
- Review of approved Jefferson County Emergency Service Fee Ordinance
- Review of approved Sexual Harassment Policy
- Review of approved Issue Resolution Policy

Is this a funding request? **Y/N**

If so, how much? **\$**

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

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## JEFFERSON COUNTY COMMISSION

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

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

**Web:** [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

PRESIDENT

*Walt Pellish*

VICE PRESIDENT

*Jane Tabb*

COMMISSIONER

*Dale Manuel*

COMMISSIONER

*Patsy Noland*

COMMISSIONER

*Lyn Widmyer*

June 3, 2014

Dear Board Member or Committee Member,

On May 29, 2014 during a regular meeting of the Jefferson County Commission, the Jefferson County Commission voted unanimously to send all current members of County appointed boards, commissions, and committees the attached Code of Ethics. **Please sign and return this document to the County Commission office by June 30, 2014.** Failure to do so may result in termination of appointment??????

The County Commission is most appreciative of residents who give up their time to serve on boards and commissions. The intent of the Code of Ethics is to assure that all those who serve are aware of what standards govern conduct of public business.

It is also important to note that along with your obligation to attend meetings (as defined by the by-laws of your organization), there are also West Virginia Ethics Rules you need to follow, as defined by the West Virginia Open Governmental Proceedings Act by the Ethics Commission's State Code §6-9A-1 – 12, and your Oath of Office to support the Constitution of the United States. Returning your Ethics form also denotes you understand this obligation and will take responsibility to review the training package at [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org). Failure to read and understand your obligation does not absolve you from your legal responsibilities.

If you have questions regarding the attached Ethics statement or your responsibilities regarding the Open Governmental Proceedings Act, you should contact a member of the Jefferson County Commission staff at 1-304-728-3284 and ask for me, Sandy McDonald or Debbie Keyser.

Sincerely,

Jessica Carroll  
Executive Assistant  
Jefferson County Commission  
304-728-3284

County Administrator  
*Debbie Keyser*

Deputy County Administrator  
*Sandy Slusher McDonald*

# JEFFERSON COUNTY EMERGENCY AMBULANCE SERVICE FEE ORDINANCE

## SECTION 1 – LEGISLATIVE AUTHORITY

This Ordinance concerns the imposition and collection of an ~~an special~~ emergency ambulance service fee and is adopted under the authority of Chapter 7, Article 15, Section 17, of the Code of West Virginia, as amended.

## SECTION 2 – PURPOSE

This Ordinance is enacted by the Jefferson County Commission for the purpose of providing career ~~Fire Fighter~~/Paramedics and ~~Fire Fighter~~/EMTs ~~funds~~ to maintain an adequate emergency ambulance system within the geographic boundaries of Jefferson County, West Virginia. An adequate emergency ambulance system is necessary to promote the health and welfare of the citizens of Jefferson County. Emergency ambulance service is a public purpose and a responsibility of government for which public money may be spent.

## SECTION 3 – DEFINITIONS

**ACCESSORY STRUCTURE.** Any separate structure associated with a residential unit such as a garage, storage shed, workshop or otherwise located on the same parcel shall be included as part of the residential unit and not subject to a separate fee so long as it is not actually used as a separate addressable residential or commercial unit. If a dispute arises with regard to whether or not a structure qualifies as accessory structure not subject to a separate fee, the burden is upon the owner to demonstrate that the structure is not a commercial or residential unit.

**Comment [CS1]:** Clarification needed: Should property be charged with two bills. Example: a \$40 residential plus a \$85 commercial bill. In the same building, or separate structures if on the same property receive the higher bill of \$85.

**AGRICULTURAL BUILDING –** Means structures which directly contribute to the operation of a farm and shall include any processing plant, milking parlor, farm equipment storage building, barn, silo, grain storage building, swinery, and temporary quarters furnished to farm employees without rent to assist in performance of employment duties as part of the terms of their employment. Agricultural buildings shall be exempt from any fee assessed under this Ordinance. However, the agricultural exemption does not apply to any ordinary residential unit located on a farm, such units shall be subject to the standard residential unit fee. In addition, any structure which conducts a retail commercial enterprise open to the general public, including but not limited to a distillery, butcher shop, winery, bed and breakfast, or retail nursery, shall be subject to the standard commercial unit fee even if located on a farm. The warehousing, processing, drying, storage, distribution and marketing of agricultural products for the wholesale marketplace when those activities are conducted in conjunction with, but are secondary to, husbandry or production conducted on the farm shall be exempt from the fee. If a dispute arises with regard to whether or not a structure qualifies as an exempt agricultural building, the burden is upon the owner to demonstrate that the structure contributes to the operation of a farm and is not a commercial or residential unit.

**Comment [SG2]:** Fees must be uniformly enforced. A temporary lodging such as a room in a barn used during birthing season or provided only during harvest is distinguishable but there is no basis to believe an ordinary tenant house where a worker permanently resided would generate less ambulance calls than any other residence.

**Comment [CS3]:** Clarification needed: Does this mean this person receives two bills? \$40 residential and \$85 commercial

COMMERCIAL UNIT – Means commercial business, industrial activity or non-residential activity conducted for a profit (except those defined as an “Agricultural Unit” herein) including, but not limited to, any store, filling station, hotel, motel, industrial facility, warehouse, ~~flee-flea~~ market, amusement park, camp ground, institutional living arrangement with centralized services such as nursing homes, assisted living or similar arrangement, a bed and breakfast, an entertainment venue, a club, bar or restaurants. In the case of commercial activity that occurs outdoors such as a flea market, camp ground or amusement park, such business shall be assessed a fee as a commercial unit unless a permanent structure associated with the use is already subject to a commercial fee at the same location. In the case of a commercial complex with more than one structure, such as a shopping center or business complex, each separate addressable structure shall be deemed a separate commercial unit and assessed a separate fee.

**Comment [CS4]:** To maintain consistency and accuracy would like to bill the owner of parcel not each unit separately.

EMERGENCY AMBULANCE SERVICE FEE – Means the fee imposed by the Jefferson County Commission through this Ordinance and collected from the users of emergency ambulance service within Jefferson County.

EMERGENCY AMBULANCE SYSTEM – Any emergency ambulance service provided pursuant to this ordinance.

HOMESTEAD EXEMPTION: shall mean an owner-occupied residential unit used exclusively for residential purposes and occupied by the owner or one of the owners who is a citizen of this state and who is sixty-five years of age or older or is permanently and totally disabled as that term may be defined by the Legislature, and which granted by, and recognized in the records of, the Assessor of Jefferson County as exempt from a portion of the ad valorem property taxation of Jefferson County as prescribed by general law. The burden shall be upon the owner claiming the exemption to present proof of same at the time the fee is paid. If sufficient proof is not provided, the owner shall pay the normal fee.

OWNER – Means the person, firm or corporation listed in the Jefferson County land records and/or records ~~of the records~~ of the Assessor of Jefferson County as the owner of the unit as of July 1<sup>st</sup> of a given year.

RESIDENTIAL UNIT – Means any habitable structure intended for residential use, whether occupied or unoccupied, including, but not limited to, single-family homes, duplexes, vacation and secondary homes, mobile homes, apartments, condominiums and rental units. In the case of a structure which contains multiple independent addressable dwelling units, such as duplexes and apartments, each addressable unit shall be deemed to be a separate residential unit. If a portion of a residential unit is used to conduct any commercial activity which requires a business license from the State of West Virginia but said portion of the unit is not a separate addressable unit, the unit shall be subject to the higher commercial unit fee and not the residential unit fee. If the commercial activity occurs in a separate addressable unit, then each separate unit, commercial and residential, shall be subject to a separate applicable fee.

**Comment [CS5]:** To keep consistency: Would like to send one bill to the owner covering each rental unit as occupancy changes often.

~~SPECIAL EMERGENCY AMBULANCE SERVICE FEE~~ – Means the fee imposed by the Jefferson County Commission through this Ordinance and collected from the users of emergency ambulance service within Jefferson County.

USER – Means any person, firm or corporation to whom emergency ambulance transport service is made available.

#### SECTION 4 – RATES

The ~~Special~~ Emergency Ambulance Service Fee imposed under this Ordinance shall be for emergency ambulance service provided for a Jefferson County Fiscal Year July 1 to June 30.

The ~~Special~~ Emergency Ambulance Service Fee established by this Ordinance shall be **forty dollars (\$40.00) per residential unit** per Fiscal Year.

The ~~Special~~ Emergency Ambulance Service Fee for Commercial Units shall be **eighty-five dollars (\$85.00) per commercial unit** per Fiscal Year.

All those residents who have been granted a property tax Homestead Exemption by the Assessor in the ~~prior~~ tax year ~~prior to July 1, 2014~~ as reflected on tax bill, and each year thereafter, shall pay a discounted fee equal to fifty percent (50%) of the annual ~~special~~ emergency ambulance ~~fee~~ on the fee on their personal residence.

The Fee imposed under this ordinance shall be the responsibility of the record owner of the unit as of July 1<sup>st</sup>, each year. The Fee assessed and levied under the provisions of the ordinance shall be a personal obligation of the owner of the unit. The Fee shall be due and payable July 1<sup>st</sup> of each year for taxable units owned as of July 1<sup>st</sup> for services to be rendered in the fiscal year. On or before, July 1<sup>st</sup> of each year, a bill shall be mailed to the owner's mailing address on record with the Assessor of Jefferson County. An owner of more than one unit subject to this ordinance, may receive a single consolidated billing statement for the various units.

~~Any~~ For each service year, accounts fee due in a given service year which is paid received on or after October 1 through December 31 ~~the fee shall increase by \$10. For accounts~~ Any fee due paid received on or after January 1 ~~through March 31 of a given~~ the service year, the fee shall increase by an additional \$20 whichever is greater. If an owner of more than one unit received a consolidated bill, each separate unit subject to this ordinance that is not paid by the dates set forth above shall be subject to a separate fee increase.

**Comment [SG6]:** I understand why this has been included but I am not sure it could withstand a legal challenge. The fee is based upon generation of emergency ambulance calls and homestead homes likely generate as many calls as any other home. I did not take it out because I think it make policy sense to reduce the burden on some individuals such as seniors and farmers.

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**Comment [SG7]:** Makes it easier to calculate and give incentive to pay on time. It goes up more at later dates because we have to generate a collection letter and take further steps.

**Comment [CS8]:** This comment may not be needed. For clarification: example. \$40 fee, with first late fee changes to \$50, then to \$70 with second late fee.

Fees delinquent on or after the First day of April the year after they became due and payable shall be ~~forwarded to reviewed by~~ the County Commission. The County Commission, in its sole discretion, may collect unpaid fees through civil action filed in a court of competent jurisdiction. Such suit need not be brought in the same fiscal year the fee was billed. In any suit for collection of delinquent fees, the Commission is authorized to recover its reasonable costs of collection, including court costs, attorney's fees service costs and statutory interest.

If any person believes he or she was erroneously charged an emergency service fee, the County Commission shall provide, upon the person's request, an exoneration form. The form shall be completed and returned to the County Commission no later than September 30 of the Fiscal Year for which the fee applies. The County Commission staff shall, within a reasonable time, investigate any request for exoneration. The County Commission shall, at its next regular meeting after completion of the investigation, consider each written request for exoneration and staff's recommendation regarding the exoneration request. If good cause for exoneration is found by the County Commission, the Commission shall exonerate or modify the imposed charges, and shall notify the person in writing of its actions. If the Commission does not exonerate or modify as requested by the applicant, the person requesting exoneration may appeal to the Circuit Court of Jefferson County. The appeal must be filed within 30 days of the Commission decision upon the exoneration.

#### SECTION 5 – RATE CHANGES

The service of ambulance protection shall be continued, maintained, and improved by the Jefferson County Emergency Services Agency at the charge and expense of the owners of all residential and commercial units within the county. The fee is to help establish, maintain and improve emergency ambulance services but payment of the fee does not entitle anyone to free emergency ambulance service. Users of emergency ambulance services are responsible for any charges and costs imposed by such service providers. The fees shall be imposed, assessed and collected as set forth in this Ordinance. In the event the JCESA determines change in the fee imposed by this ordinance is necessary, it shall, by resolution, request the County Commission consider approving the recommended a change. The JCESA shall submit copies of its current budget, the future budget developed under Section 7 and any other documentation supporting the proposed a change in the fee. The County Commission retains sole discretion in approving, denying or modifying any fee change. Procedures set ~~for forth~~ in Article 15, Chapter 7, Section 17 of the Code of West Virginia for the initial levy of such a fee shall be followed by the County Commission in the event an increase is sought.

**Comment [SG9]:** Sounds more appropriate to provide for "changes" rather than predetermine that "Increases" are the only option . . . even though that is the direction anticipated. . .

**Comment [CS10]:** Should a comment be added to show that this fee is to cover JCESA annual operating costs. Therefore this does not negate the payment required for each use of ambulance services.

#### SECTION 6 – EFFECTIVE DATE

This Ordinance shall become effective June 30, 2014. The fee assessed and levied by this ordinance shall be for services to be rendered from July 1, 2014 to June 30, 2015, and each fiscal year thereafter.

#### SECTION 7 – USE AND MANAGEMENT OF FEE PROCEEDS

The proceeds from the imposition and collection of the ~~Special~~ Emergency Ambulance Service Fee shall be deposited in a special fund for the benefit of the JCESA held by the Treasurer of Jefferson County and shall be used only to pay reasonable and necessary expenses actually incurred, including personnel, training, supplies and equipment used in providing emergency ambulance service to ~~residents of people in~~ Jefferson County. The proceeds may be used to pay for, in whole or in part, the establishment, maintenance and operation of the Jefferson County Emergency Services Agency. Proceeds not expended in a

**Comment [SG11]:** WV Code 7-15-17 provides that the fee may only be used "providing emergency ambulance services to residents of the county." We cannot allow the funds to provide for "others" who are not residents of Jefferson county.

given Fiscal Year will be maintained in the special fund and may be used in subsequent Fiscal Years as necessary.

#### **SECTION 8 – BUDGET DEVELOPMENT**

The Jefferson County Emergency Services Agency shall hold an annual public hearing for the purpose of receiving written or oral public comments pertaining to the operations of the JCESA within Jefferson County. This public hearing shall be advertised as a Class II legal advertisement in local newspapers within the County.

The required public hearing shall be held no later than the regular December Board of Directors meeting in order to provide JCESA sufficient time to consider any improvements or changes in services and to account for said changes when submitting the annual budget request to the Jefferson County Commission.

As required by the ~~JCEAS~~ JCESA Ordinance, JCESA shall prepare a financial statement and budget detailing the upcoming Fiscal Year projections for the special emergency ambulance fund. The Board of Directors shall make recommendations to the County Commission regarding the need to change or maintain the rates charged for the upcoming year.

#### **SECTION 9 – DATA USED FOR ASSESSMENT OF FEES**

Upon completion of the annual budget for the Fund, County Commission shall request the ~~Assessor~~ State Tax Department to provide it with a list of all residential units, commercial units, and commercial square footage within the meaning of this Ordinance within the county to be utilized as the data base for billing the ~~Special~~ Emergency Ambulance Service Fee commencing the following July 1. In addition, GIS shall provide a list of addressable units within each category to assist in the identification and classification of commercial and residential units within the county. Each residential and commercial unit shall have an account established in the name of the owner of that unit and a bill in the amount of the fee shall be delivered to that unit by US Postal Service on or after July 1 of the Fiscal Year. The Assessor ~~and the Tax Office~~ will further provide monthly updates to County Commission so that the database can be maintained on a current basis.

#### **SECTION 10 – COLLECTION OF DELINQUENT ACCOUNTS**

In mid-January, letters shall be sent to all unpaid accounts as a status reminder including a notice of late fees and charges and a notice that delinquent accounts will be submitted for collection after March 31<sup>st</sup>. On or about April 1, all delinquent accounts at that point shall be submitted for collection by either internal or external agencies.

#### **SECTION 11 – INITIAL USE OF FUNDS AND POSITIONS**

Funds will ~~initially~~ be allocated to train, hire and equip ~~Fire Fighter~~ Paramedics and ~~Fire Fighter~~ EMTs assigned based on response time to maximize limited resources. Furthermore, as effective public safety often requires complementary fire protection and emergency ambulance services, any Paramedics and EMT funded by this fee shall be cross-trained to provide fire protection services.

**SECTION 12 - AMENDMENTS AND SEVERABILITY**

This Ordinance may, from time to time, be amended by a majority of the members of the County Commission as they deem it necessary and appropriate.

If a court of competent jurisdiction declares any provision of this Ordinance to be void, invalid or ineffective in whole or in part, the effect of such decisions shall be limited to those provisions which are expressly declared to be void, invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully enforceable and effective.

This Ordinance shall become effective upon June 30, 2014.

NOW THEREFORE, THIS ORDINANCE IS ENACTED AND ORDAINED BY THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA.

Given under my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Walt Pellish, President

# JEFFERSON COUNTY

## EMERGENCY AMBULANCE SERVICE FEE ORDINANCE

### SECTION 1 – LEGISLATIVE AUTHORITY

This Ordinance concerns the imposition and collection of an emergency ambulance service fee and is adopted under the authority of Chapter 7, Article 15, Section 17, of the Code of West Virginia, as amended.

### SECTION 2 – PURPOSE

This Ordinance is enacted by the Jefferson County Commission for the purpose of providing career Paramedics and EMTs funds to maintain an adequate emergency ambulance system within the geographic boundaries of Jefferson County, West Virginia. An adequate emergency ambulance system is necessary to promote the health and welfare of the citizens of Jefferson County. Emergency ambulance service is a public purpose and a responsibility of government for which public money may be spent.

### SECTION 3 – DEFINITIONS

**ACCESSORY STRUCTURE.** Any separate structure associated with a residential unit such as a garage, storage shed, workshop or otherwise located on the same parcel shall be included as part of the residential unit and not subject to a separate fee so long as it is not actually used as a separate addressable residential or commercial unit. If a dispute arises with regard to whether or not a structure qualifies as accessory structure not subject to a separate fee, the burden is upon the owner to demonstrate that the structure is not a commercial or residential unit.

**AGRICULTURAL BUILDING –** Means structures which directly contribute to the operation of a farm and shall include any processing plant, milking parlor, farm equipment storage building, barn, silo, grain storage building, swinery, and temporary quarters furnished to farm employees without rent to assist in performance of employment duties as part of the terms of their employment. Agricultural buildings shall be exempt from any fee assessed under this Ordinance. However, the agricultural exemption does not apply to any ordinary residential unit located on a farm, such units shall be subject to the standard residential unit fee. In addition, any structure which conducts a retail commercial enterprise open to the general public, including but not limited to a distillery, butcher shop, winery, bed and breakfast, or retail nursery, shall be subject to the standard commercial unit fee even if located on a farm. The warehousing, processing, drying, storage, distribution and marketing of agricultural products for the wholesale marketplace when those activities are conducted in conjunction with, but are secondary to, husbandry or production conducted on the farm shall be exempt from the fee. If a dispute arises with regard to whether or not a structure qualifies as an exempt agricultural building, the burden is upon the owner to demonstrate that the structure contributes to the operation of a farm and is not a commercial or residential unit.

COMMERCIAL UNIT – Means commercial business, industrial activity or non-residential activity conducted for a profit (except those defined as an “Agricultural Unit” herein) including, but not limited to, any store, filling station, hotel, motel, industrial facility, warehouse, flea market, amusement park, camp ground, institutional living arrangement with centralized services such as nursing homes, assisted living or similar arrangement, a bed and breakfast, an entertainment venue, a club, bar or restaurants. In the case of commercial activity that occurs outdoors such as a flea market, camp ground or amusement park, such business shall be assessed a fee as a commercial unit unless a permanent structure associated with the use is already subject to a commercial fee at the same location. In the case of a commercial complex with more than one structure, such as a shopping center or business complex, each separate addressable structure shall be deemed a separate commercial unit and assessed a separate fee.

EMERGENCY AMBULANCE SERVICE FEE – Means the fee imposed by the Jefferson County Commission through this Ordinance and collected from the users of emergency ambulance service within Jefferson County.

EMERGENCY AMBULANCE SYSTEM – Any emergency ambulance service provided pursuant to this ordinance.

HOMESTEAD EXEMPTION: shall mean an owner-occupied residential unit used exclusively for residential purposes and occupied by the owner or one of the owners who is a citizen of this state and who is sixty-five years of age or older or is permanently and totally disabled as that term may be defined by the Legislature, and which granted by, and recognized in the records of, the Assessor of Jefferson County as exempt from a portion of the ad valorem property taxation of Jefferson County as prescribed by general law. The burden shall be upon the owner claiming the exemption to present proof of same at the time the fee is paid. If sufficient proof is not provided, the owner shall pay the normal fee.

OWNER – Means the person, firm or corporation listed in the Jefferson County land records and/or records of the Assessor of Jefferson County as the owner of the unit as of July 1<sup>st</sup> of a given year.

RESIDENTIAL UNIT – Means any habitable structure intended for residential use, whether occupied or unoccupied, including, but not limited to, single-family homes, duplexes, vacation and secondary homes, mobile homes, apartments, condominiums and rental units. In the case of a structure which contains multiple independent addressable dwelling units, such as duplexes and apartments, each addressable unit shall be deemed to be a separate residential unit. If a portion of a residential unit is used to conduct any commercial activity which requires a business license from the State of West Virginia but said portion of the unit is not a separate addressable unit, the unit shall be subject to the higher commercial unit fee and not the residential unit fee. If the commercial activity occurs in a separate addressable unit, then each separate unit, commercial and residential, shall be subject to a separate applicable fee.

USER – Means any person, firm or corporation to whom emergency ambulance transport service is made available.

#### **SECTION 4 – RATES**

The Emergency Ambulance Service Fee imposed under this Ordinance shall be for emergency ambulance service provided for a Jefferson County Fiscal Year July 1 to June 30.

The Emergency Ambulance Service Fee established by this Ordinance shall be **forty dollars (\$40.00) per residential unit** per Fiscal Year.

The Emergency Ambulance Service Fee for Commercial Units shall be **eighty-five dollars (\$85.00)** per commercial unit per Fiscal Year.

All those residents who have been granted a property tax Homestead Exemption by the Assessor in the prior tax year as reflected on tax bill, and each year thereafter, shall pay a discounted fee equal to fifty percent (50%) of the annual emergency ambulance fee on the fee on their personal residence.

The Fee imposed under this ordinance shall be the responsibility of the record owner of the unit as of July 1<sup>st</sup>, each year. The Fee assessed and levied under the provisions of the ordinance shall be a personal obligation of the owner of the unit. The Fee shall be due and payable July 1<sup>st</sup> of each year for taxable units owned as of July 1<sup>st</sup> for services to be rendered in the fiscal year. On or before, July 1<sup>st</sup> of each year, a bill shall be mailed to the owner's mailing address on record with the Assessor of Jefferson County. An owner of more than one unit subject to this ordinance, may receive a single consolidated billing statement for the various units.

Any fee due in a given service year which is received October 1 through December 31 shall increase by \$10. Any fee due received after January 1 of the service year shall increase by an additional \$20. If an owner of more than one unit received a consolidated bill, each separate unit subject to this ordinance that is not paid by the dates set forth above shall be subject to a separate fee increase.

Fees delinquent on or after the First day of April the year after they became due and payable shall be reviewed by the County Commission. The County Commission, in its sole discretion, may collect unpaid fees through civil action filed in a court of competent jurisdiction. Such suit need not be brought in the same fiscal year the fee was billed. In any suit for collection of delinquent fees, the Commission is authorized to recover its reasonable costs of collection, including court costs, attorney's fees service costs and statutory interest.

If any person believes he or she was erroneously charged an emergency service fee, the County Commission shall provide, upon the person's request, an exoneration form. The form shall be completed and returned to the County Commission no later than September 30 of the Fiscal Year for which the fee applies. The County Commission staff shall, within a

reasonable time, investigate any request for exoneration. The County Commission shall, at its next regular meeting after completion of the investigation, consider each written request for exoneration and staff's recommendation regarding the exoneration request. If good cause for exoneration is found by the County Commission, the Commission shall exonerate or modify the imposed charges, and shall notify the person in writing of its actions. If the Commission does not exonerate or modify as requested by the applicant, the person requesting exoneration may appeal to the Circuit Court of Jefferson County. The appeal must be filed within 30 days of the Commission decision upon the exoneration.

#### **SECTION 5 – RATE CHANGES**

The service of ambulance protection shall be continued, maintained, and improved by the Jefferson County Emergency Services Agency at the charge and expense of the owners of all residential and commercial units within the county. The fee is to help establish, maintain and improve emergency ambulance services but payment of the fee does not entitle anyone to free emergency ambulance service. Users of emergency ambulance services are responsible for any charges and costs imposed by such service providers. The fees shall be imposed, assessed and collected as set forth in this Ordinance. In the event the JCESA determines change in the fee imposed by this ordinance is necessary, it shall, by resolution, request the County Commission consider approving the recommended a change. The JCESA shall submit copies of its current budget, the future budget developed under Section 7 and any other documentation supporting the proposed a change in the fee. The County Commission retains sole discretion in approving, denying or modifying any fee change. Procedures set forth in Article 15, Chapter 7, Section 17 of the Code of West Virginia for the initial levy of such a fee shall be followed by the County Commission in the event an increase is sought.

#### **SECTION 6 – EFFECTIVE DATE**

This Ordinance shall become effective June 30, 2014. The fee assessed and levied by this ordinance shall be for services to be rendered from July 1, 2014 to June 30, 2015, and each fiscal year thereafter.

#### **SECTION 7 – USE AND MANAGEMENT OF FEE PROCEEDS**

The proceeds from the imposition and collection of the Emergency Ambulance Service Fee shall be deposited in a special fund for the benefit of the JCESA held by the Treasurer of Jefferson County and shall be used only to pay reasonable and necessary expenses actually incurred, including personnel, training, supplies and equipment used in providing emergency ambulance service to people in Jefferson County. The proceeds may be used to pay for, in whole or in part, the establishment, maintenance and operation of the Jefferson County Emergency Services Agency. Proceeds not expended in a given Fiscal Year will be maintained in the special fund and may be used in subsequent Fiscal Years as necessary.

#### **SECTION 8 – BUDGET DEVELOPMENT**

The Jefferson County Emergency Services Agency shall hold an annual public hearing for the purpose of receiving written or oral public comments pertaining to the operations of the

JCESA within Jefferson County. This public hearing shall be advertised as a Class II legal advertisement in local newspapers within the County.

The required public hearing shall be held no later than the regular December Board of Directors meeting in order to provide JCESA sufficient time to consider any improvements or changes in services and to account for said changes when submitting the annual budget request to the Jefferson County Commission.

As required by the JCESA Ordinance, JCESA shall prepare a financial statement and budget detailing the upcoming Fiscal Year projections for the special emergency ambulance fund. The Board of Directors shall make recommendations to the County Commission regarding the need to change or maintain the rates charged for the upcoming year.

### **SECTION 9 – DATA USED FOR ASSESSMENT OF FEES**

Upon completion of the annual budget for the Fund, County Commission shall request the State Tax Department to provide it with a list of all residential units, commercial units, and commercial square footage within the meaning of this Ordinance within the county to be utilized as the data base for billing the Emergency Ambulance Service Fee commencing the following July 1. In addition, GIS shall provide a list of addressable units within each category to assist in the identification and classification of commercial and residential units within the county. Each residential and commercial unit shall have an account established in the name of the owner of that unit and a bill in the amount of the fee shall be delivered to that unit by US Postal Service on or after July 1 of the Fiscal Year. The Assessor and the Tax Office will further provide monthly updates to County Commission so that the database can be maintained on a current basis.

### **SECTION 10 – COLLECTION OF DELINQUENT ACCOUNTS**

In mid-January, letters shall be sent to all unpaid accounts as a status reminder including a notice of late fees and charges and a notice that delinquent accounts will be submitted for collection after March 31<sup>st</sup>. On or about April 1, all delinquent accounts at that point shall be submitted for collection by either internal or external agencies.

### **SECTION 11 – USE OF FUNDS AND POSITIONS**

Funds will be allocated to train, hire and equip Paramedics and EMTs assigned based on response time to maximize limited resources. Furthermore, as effective public safety often requires complementary fire protection and emergency ambulance services, any Paramedics and EMT funded by this fee shall be cross-trained to provide fire protection services.

### **SECTION 12 – AMENDMENTS AND SEVERABILITY**

This Ordinance may, from time to time, be amended by a majority of the members of the County Commission as they deem it necessary and appropriate.

If a court of competent jurisdiction declares any provision of this Ordinance to be void, invalid or ineffective in whole or in part, the effect of such decisions shall be limited to those

provisions which are expressly declared to be void, invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully enforceable and effective.

This Ordinance shall become effective upon June 30, 2014.

NOW THEREFORE, THIS ORDINANCE IS ENACTED AND ORDAINED BY THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA.

Given under my hand and seal this \_\_\_ day of \_\_\_\_\_, 20\_\_.

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Walt Pellish, President

| <i>Jefferson County Policies &amp; Procedures</i> |                                                                                                                                    |           |            |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|
| Policy Name:                                      | SEXUAL HARRASSMENT                                                                                                                 | Approved: | 01/06/2012 |
| Policy Number:                                    |                                                                                                                                    | Author:   | TTB        |
| Associated:                                       | APPROPRIATE INTERFACE WITH COUNTY COMMISSIONERS, COUNTY EMPLOYEES, AND VOLUNTEERS POLICY, ISSUE RESOLUTION, ISSUE RESOLUTION FORM. |           |            |

## **SEXUAL HARRASSMENT**

### **POLICY**

The Jefferson County Commission prohibits sexual harassment in the workplace, whether committed by supervisory or non-supervisory personnel, elected officials, or third parties.

### **PROVISIONS**

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination on the basis of race, sex, religion, or national origin. Sexual Harassment is included among those prohibitions.

Specifically, no supervisor shall insinuate or threaten, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee's employment, wages, advancement, assigned duties, shifts, or other condition of employment or career development.

Other sexually harassing conduct in the workplace that may create an offensive work environment, whether it be in the form of physical or verbal harassment, regardless of whether committed by supervisory or non-supervisory personnel, or persons not employed by the county is prohibited .

Prohibited conduct included but is not limited to:

- Repeated offensive or unwelcome sexual flirtations, advances, propositions, continued or repeated verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body;
- Sexually degrading words used to describe an individual;
- The display in the workplace of sexually suggestive objects or pictures;
- Harassment based on sexual preference;
- Retaliation for sexual harassment complaints such as disciplining, changing work assignments of, providing inaccurate work information to, or refusing to cooperate or discuss work related matters with any employee because that employee has complained about or resisted harassment, discrimination or retaliation;
- Intentionally pressuring, denying, lying about, or otherwise covering up or attempting to cover up improper conduct;
- Creating and/or spreading rumors of a sexual nature;
- Physical assaults of a sexual nature such as;

1. Rape, sexual battery, molestation or attempts to commit these assaults; and

| <i>Jefferson County Policies &amp; Procedures</i> |                                                                                                                                    |           |            |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|
| Policy Name:                                      | SEXUAL HARRASSMENT                                                                                                                 | Approved: | 01/06/2012 |
| Policy Number:                                    |                                                                                                                                    | Author:   | TTB        |
| Associated:                                       | APPROPRIATE INTERFACE WITH COUNTY COMMISSIONERS, COUNTY EMPLOYEES, AND VOLUNTEERS POLICY, ISSUE RESOLUTION, ISSUE RESOLUTION FORM. |           |            |

2. Intentional physical contact which is sexual in nature such as touching, pinching, patting, grabbing, brushing against another employee's body or touching another employee's body.

Sexual harassment in the workplace by any employee will result in disciplinary action up to and including dismissal and may lead to personal, legal, financial liability.

- Persons involved in a confidential investigation shall cooperate and provide true and complete information.
- Employees who fail to cooperate with county investigations of sexual harassment or retaliation shall be subject to disciplinary action up to and including dismissal.
- Supervisors who allow harassing or offensive language or behavior within their work unit, or who fail to respond promptly to a complaint of sexual harassment, shall be subject to disciplinary action up to and including dismissal.

Employees are **expected** to contact their immediate supervisor, their Elected Official/Department Head, or the County Administrator if they are confronted with sexual harassment or observe any prohibited form of harassment.

- The County will maintain both a male and female contact person for complainants to use for review of an incident or concern.
- Such internal concerns will be investigated promptly (within 3 business days), and corrective action will be taken where allegations are verified.
- No employee will suffer retaliation or intimidation as a result of using the internal review team.

## PROCEDURES

### General

It is the responsibility of each supervisor to ensure the county work environment is free from sexual harassment.

Any complainant wishing to have a review of an alleged incident must express their concern in writing, or make an oral presentation to their supervisor, to the elected official/department head, or the county administrator.

A complainant need not be limited to someone who was the target of harassment or retaliation. Anyone who has observed sexual harassment or retaliation must report it to their immediate supervisor.

| <i>Jefferson County Policies &amp; Procedures</i> |                                                                                                                                    |           |            |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|
| Policy Name:                                      | SEXUAL HARRASSMENT                                                                                                                 | Approved: | 01/06/2012 |
| Policy Number:                                    |                                                                                                                                    | Author:   | TTB        |
| Associated:                                       | APPROPRIATE INTERFACE WITH COUNTY COMMISSIONERS, COUNTY EMPLOYEES, AND VOLUNTEERS POLICY, ISSUE RESOLUTION, ISSUE RESOLUTION FORM. |           |            |

Upon hearing of a complaint, the supervisor must report this information to the county administrator immediately. The supervisor may be asked to help in the investigation of the complainant, if appropriate.

### **Process**

The complainant should first discuss the incident or concern with the supervisor of the department or area from which the alleged concern originates, if feasible.

The investigation will generally be as follows:

1. The investigator, appointed by the County Administrator will create a confidential and separate file.
2. The investigator will review relevant county policies and procedures.
3. The investigator will interview the complainant and document the interview.
4. The investigator will interview the alleged perpetrator and will document the interview.
5. The investigator will interview witnesses for corroboration.
6. The investigator will prepare a report stating the nature of the complaint, information gathered, and recommendations for corrective action.
7. Dissemination of information or findings will be determined on a need-to-know basis to ensure appropriate confidentiality.
8. The investigator will review the report with the Civil Division who, together with the investigator, will separately advise the alleged victim and the alleged perpetrator of the results of the investigation.
9. The elected official/county administrator will take appropriate action recommended by the investigator and counsel.

### **Documentation**

General information regarding Sexual Harassment will be available from the county administrator.

The elected official/county administrator will maintain all written records of incidents in separate, confidential, locked files.

Written material regarding any sexual harassment incident or concern will not be made part of an employee's personnel file.

General information regarding any disciplinary actions taken resulting from a confirmed sexual harassment investigation will be in the employee's personnel file.

|                                                          |                  |           |  |
|----------------------------------------------------------|------------------|-----------|--|
| <b><i>Jefferson County Policies &amp; Procedures</i></b> |                  |           |  |
| Policy Name:                                             | Issue Resolution | Approved: |  |
| Policy Number:                                           | 205              | Author:   |  |
| Associated:                                              |                  |           |  |

## **ISSUE RESOLUTION**

### **POLICY**

The Jefferson County Commission will provide an issue resolution procedure for all employees when misunderstandings occur regarding working conditions, application of discipline, or interpretation of County policies and procedures.

### **PROVISIONS**

It shall be the responsibility of all levels of Jefferson County Commission management to give the employee a completely fair and open hearing relative to the issue without prejudice.

In addition to the County procedure, Civil Service employees have the right of appeal for personnel actions under Civil Service regulations. Questions relating to the issue resolution procedure should be directed to the County Administrator or designee.

### **PROCEDURES**

#### **Issue Resolution Process**

The employee shall first discuss the problem or complaint with his/her immediate supervisor. If the matter is not resolved to the employee's satisfaction, the employee shall have the right to submit a complaint in writing. The Issue Resolution Procedure may proceed, if necessary, through the following steps:

#### **Step 1:**

1. The employee shall discuss the complaint with his/her immediate supervisor within five (5) working days of the occurrence of the event.
2. The supervisor shall give the employee a written decision on the issue within five (5) working days of the meeting.

#### **Step 2:**

1. If the employee is not satisfied with the answer at Step I, he/she may move the complaint to the Department Head within five (5) working days.
2. The Department Head shall meet with the employee within five

(5) working days of receipt of the Complaint and shall reply in writing to the employee within five (5) working days of the meeting.

**Step 3:**

1. If the employee is not satisfied with the disposition of the complaint at Step 2, he/she may move the complaint to the County Administrator (or designee) within five (5) working days of the Department Head's decision.
2. The County Administrator (or its designee) shall meet with the employee within *five* (5) working days of receipt of the complaint and shall respond in writing to the employee within ten (10) working days of the meeting.

**Step 4:**

1. If the employee is not satisfied with the disposition of the complaint at Step 3, he/she may move the complaint to the County Commission within five (5) working days of the Administrator's decision.
2. The County Commission shall meet with the employee within *five* (5) working days of receipt of the complaint and shall respond in writing to the employee within ten (10) working days of the meeting.
3. The decision of the County Commission shall be final.

The **Issue Resolution Form** shall be used to initiate the complaint. The employee shall complete the form by completing the information requested and presenting the form to his/her immediate supervisor. The information contained on the form shall not be altered during the issue resolution procedure.

A separate copy of the **Issue Resolution and Employee Answer Form** is executed for each reply to the employee's complaint. A separate copy of this form is completed by the employee in referring the complaint to the next higher step in the issue resolution procedure or in terminating the complaint.

Since the purpose of this form is to keep appropriate personnel apprised of the current status of the complaint, only one half of the form is completed and distribution is made immediately.

Copies of completed forms shall be *given* immediately to all appropriate persons involved in the issue resolution procedure and to the Human Resources Office.

The County Administrator or designee is responsible for providing copies of all completed issue resolution forms to the County Commission or its designee when complaints are referred to that *level*.

The County Administrator or designee is responsible for administering the uniform processing of issue resolution forms with Jefferson County Commission.

**JEFFERSON COUNTY**

**Issue Resolution Form**

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Any employee having a problem regarding his/her employment must discuss the problem with their immediate supervisor. If the problem is not resolved to the employee's satisfaction, the employee may then submit their complaint in writing.

Employees presenting complaints must be specific and state exactly what occurred to cause the complaint. For example, what rule or regulation was unjustly applied, how, when, by whom and to whom. Complaints that are not specific or are incomplete will be returned for further information.

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**Employee Information:**

Name \_\_\_\_\_ Class Title \_\_\_\_\_ Department \_\_\_\_\_

Date(s), Time, and Location

Date Occurred \_\_\_\_\_ Time \_\_\_\_\_ Location \_\_\_\_\_ Date Presented \_\_\_\_\_

**Statement of Employee's Complaint :**

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**Settlement Desired:**

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Employees' Signature \_\_\_\_\_ Received By \_\_\_\_\_

Date \_\_\_\_\_

JEFFERSON COUNTY

Issue Resolution – Reply Form

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**Complaint Reply:**

No. \_\_\_\_\_ Step \_\_\_\_\_

Employee \_\_\_\_\_ Class Title \_\_\_\_\_ Dept. \_\_\_\_\_

Reply to Employee Complaint: \_\_\_\_\_

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Signature \_\_\_\_\_ Received by \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

Date \_\_\_\_\_

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**Employee Answer**

No. \_\_\_\_\_ Step \_\_\_\_\_

Employee \_\_\_\_\_ Class Title \_\_\_\_\_ Dept. \_\_\_\_\_

\_\_\_\_\_ I am satisfied with the answer to my complaint.

\_\_\_\_\_ I am not satisfied with the answer and wish to have it referred to the next step.

Additional Comment \_\_\_\_\_

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Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_

Received By \_\_\_\_\_ Date \_\_\_\_\_

**AGENDA REQUEST FORM**

[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: **Jennifer Brockman**

Department or Organization: **Planning and Zoning**

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

Date Requested – 1<sup>st</sup> Choice: **June 19, 2014 1:30 pm**

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

Date Requested – 2<sup>nd</sup> Choice: N/A

Subject (*Wording to be placed on agenda*): **Resolution in Recognition of Service on the Envision Jefferson 2035 Steering Committee**

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

On October 25, 2012, the Jefferson County Commission formed the 13-member (later expanded to 15-member) Envision Jefferson 2035 Steering Committee to take a leadership role related to the Envision Jefferson 2035 Comprehensive Plan (the 2014 Comprehensive Plan). The Steering Committee consisted of three at-large representatives and two representatives from each magisterial district and was tasked to work with County staff and the public in the creation of the 2014 Comprehensive Plan Update, more commonly known as Envision Jefferson 2035. Over the last 18 months, the Steering Committee has worked diligently toward this effort leading to the creation of the draft Envision Jefferson 2035 Comprehensive Plan. There was an extensive public outreach process, consisting of three rounds of public workshops and two separate rounds of open houses held throughout the County. In addition, the public was invited to provide their input related to potential goals, objectives, and plan recommendations via two online surveys and through a survey distributed to county residents attending the 2013 Jefferson County Fair. Based on this input and working closely with staff, the Steering Committee, through a consensus process that took into account a multitude of viewpoints, created a series of goals, objectives, and recommendations that would help guide planning and development decisions in Jefferson County over the next 20 years.

The Steering Committee held its last formal meeting on May 20, 2014 and on June 10, 2014 transmitted their draft Plan to the Planning Commission and County Commission for the next steps related to the formal public hearing and approval process. While most of the members of the Steering Committee intend to stay involved through the public hearing process and adoption of the Plan, at this point their more formal role in the development of the Plan draft is complete. It is, therefore, appropriate for the County Commission to recognize their extensive and dedicated effort in the development of the next comprehensive plan which will guide the growth and development of the county over the next 10 years.

Is this a funding request? Y/N NO

If so, how much? \$N/A

Provide exact financial impact/request: N/A.

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

**I move to approve the Resolutions in Recognition of Service on the Envision Jefferson 2035 Steering Committee for each Steering Committee member.**

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

If not attached, explain: N/A.

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

Contact information:

Email address: [planning@jeffersoncountywv.org](mailto:planning@jeffersoncountywv.org) Phone Number: 304-728-3228

Attachments:

**AGENDA REQUEST FORM**

[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: **Jennifer Brockman**

Department or Organization: **Planning and Zoning**

Estimation of amount of time needed for appointment: **30 minutes**

Date Requested – 1<sup>st</sup> Choice: **June 19, 2014** following the 1:30 resolution presentation  
*If a specific date is needed, please provide reason for specific date:*

Date Requested – 2<sup>nd</sup> Choice: N/A

Subject (*Wording to be placed on agenda*): **Overview and Summary of the Draft Envision Jefferson 2035 Comprehensive Plan (the 2014 Comprehensive Plan) transmitted by the Envision Jefferson 2035 Steering Committee**

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

Since their appointment on October 25, 2012, the Envision Jefferson 2035 Steering Committee has worked in a leadership role, with considerable public input, and in collaboration with the Planning and Zoning staff, toward the development of their recommended draft Envision Jefferson 2035 Comprehensive Plan (the 2014 Comprehensive Plan). On June 10, 2014, the Steering Committee transmitted their draft Plan to the Planning Commission at their regularly scheduled meeting for the next steps related to the formal public hearing and approval process. While the Planning Commission will be holding their required Public Hearing and incorporating relevant comments that they receive prior to forwarding it to the County Commission, the Steering Committee requested that the County Commission receive their final draft and be briefed on its contents so that the Commission is aware of the Steering Committee's recommendations. The County Commission received a draft of the Envision Jefferson 2035 Plan on June 12, 2014 and staff will be providing an overview of the process and contents as well as a broad outline of the various components and key elements and recommendations for the County Commission at this meeting.

Is this a funding request? Y/N NO

If so, how much? \$N/A

Provide exact financial impact/request: N/A.

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

**N/A**

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

If not attached, explain: N/A.

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

Contact information:

Email address: [planning@jeffersoncountywv.org](mailto:planning@jeffersoncountywv.org) Phone Number: 304-728-3228

Attachments:

**Envision Jefferson 2035 Plan (2014 Comprehensive Plan) Transmittal Memo dated June 10, 2014 from the Steering Committee to the Planning Commission and the County Commission**



# Jefferson County, West Virginia

## Departments of Planning and Zoning

116 East Washington Street, 2<sup>nd</sup> Floor  
Charles Town, WV 25414

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

Phone: (304) 728-3228

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

Fax: (304) 728-8126

### MEMORANDUM

**TO: Planning Commission and County Commission**  
**FROM: Envision Jefferson 2035 Steering Committee**  
**DATE: June 10, 2014 REVISED**  
**RE: Envision Jefferson 2035 Plan (2014 Comprehensive Plan) Transmittal Memo**

\*\*\*\*\*

In the fall of 2012, the Jefferson County Commission appointed a 13 (later expanded to 15) member Steering Committee, consisting of three at-large representatives and two representatives from each magisterial district to work with County staff and the public in the creation of the 2014 Comprehensive Plan Update, more commonly known as Envision Jefferson 2035.

Over the last 18 months, the Steering Committee has worked closely with County Staff in the creation of the Envision Jefferson 2035 Comprehensive Plan. There was an extensive public outreach process, consisting of three rounds of public workshops and two separate rounds of open houses held throughout the County. In addition, the public was invited to provide their input related to potential goals, objectives, and plan recommendations via two online surveys and through a survey distributed to county residents attending the 2013 Jefferson County Fair.

Based on this input and working closely with staff, the Steering Committee, through a consensus process that took into account a multitude of viewpoints, created a series of goals, objectives, and recommendations that would help guide planning and development decisions in Jefferson County over the next 20 years. In addition, the Envision Jefferson 2035 planning process resulted in the County's first Future Land Use Map that provides a visual depiction of areas where future development should be focused on over the next two decades. More specifically, the Envision Jefferson 2035 Comprehensive Plan calls for focusing development and community investment within the existing municipalities, villages, and Urban Growth Boundaries, as well as within several identified Preferred Growth Areas. The Plan also identifies a variety of recommendations to improve the County's rural economy, the overall economic development of the County, transportation network, and parks and recreational facilities.

This memo is the transmittal of the Envision Jefferson 2035 Comprehensive Plan to the Planning Commission and the County Commission for your information and review. With this memo, both the Planning Commission and County Commission are receiving the draft as prepared and recommended by the Steering Committee (to be distributed to the Planning Commission on 06/10/14 and to the County Commission on 06/11/14). In accordance with West Virginia State Code Chapter 8A, Article 3, the Planning Commission is required to hold a

Public Hearing to allow citizen input (requiring 30 days' notice) and then vote to make a recommendation to the County Commission regarding the draft Plan. The Planning Commission's recommendation, based on public input received at the Public Hearing, will be forwarded to the County Commission as a red-lined version of this draft.

The Planning Commission intends to forward their recommendation to the County Commission in early September. Per State Code, the County Commission is required to hold a workshop with the Planning Commission to review the recommendations at the first meeting after the Plan is received (tentatively set for 09/25/14). The County Commission is also required to hold a Public Hearing (requiring 15 days' notice) to receive additional public input (tentatively set for 10/23/14). The County Commission is required to take action to either, adopt, reject or amend the Comprehensive Plan within 90 days of receiving the Plan. Rejection or amendment requires referring the Plan back to the Planning Commission with a written statement of the reasons for the action. As the last Plan was adopted in 2004, the goal is to approve this Plan in 2014 to meet the required state law time frame.

We look forward to assisting you in the review and recommendation process, particularly at the workshop that will be held on June 24 to fully brief the Planning Commission on the recommendations of the Plan. Members of the Steering Committee are also available to answer any questions that you may have about the creation of the Envision Jefferson 2035 Comprehensive Plan and any of the recommendations contained within the document. Thank you for allowing us the opportunity to envision a better Jefferson County.

Sincerely,

The Envision Jefferson 2035 Steering Committee

### **Envision Jefferson 2035 Steering Committee Members**

| <b>Name</b>              | <b>Magisterial District</b> |
|--------------------------|-----------------------------|
| Suzanne Malesic          | Charles Town                |
| Mark Dyck (at-large)     | Charles Town                |
| Dave Mills               | Charles Town                |
| James Gibson (at-large)  | Harpers Ferry               |
| Ellen May                | Harpers Ferry               |
| Barbara Humes            | Harpers Ferry               |
| Warren Mickey            | Kabletown                   |
| Peter Dougherty          | Kabletown                   |
| Peter Fricke             | Middleway                   |
| Pam Parziale             | Middleway                   |
| Janis Schiltz (at-large) | Shepherdstown               |
| William McLeod           | Shepherdstown               |
| Wade D. Louthan          | Kabletown                   |

#### **Non-participating Appointments:**

|               |               |
|---------------|---------------|
| Russell Roper | Kabletown     |
| Daniel Hayes  | Shepherdstown |
| Kathy Knight  | Harpers Ferry |

## ENVISION JEFFERSON 2035 RECOMMENDATIONS TIMELINE

| Tentative Dates                          | Tasks                                                                                                                                                                                                                                                        | Responsibility                         |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| <b>June 2014 –<br/>December 2014</b>     | <b>Phase 6: 2014 Plan Workshops and Public Hearings by PC and CC and Adoption</b>                                                                                                                                                                            | <b>PC/CC/<br/>Staff/legal</b>          |
| 06/10/14                                 | Draft delivered to PC at their regular meeting – <u>20 minute overview presentation</u> and scheduling request for workshop to be held 06/24/14 with Steering Committee and Public Hearing to be held on 07/22/14 (30 days' notice in local paper required?) | Staff and PC                           |
| 06/24/14<br>(special PC mtg)             | PC Workshop – walk through of Envision Jefferson 2035 Plan recommendations – Steering Committee may attend to answer PC question and hear discussion                                                                                                         | Staff and PC,<br>Steering<br>Committee |
| 07/22/14<br>(special PC mtg)             | PC Public Hearing (open for written comments through 08/01/12)                                                                                                                                                                                               | Staff and PC                           |
| 08/12/14                                 | PC review of comments received                                                                                                                                                                                                                               |                                        |
| 08/26/14 (tentative)<br>(special PC mtg) | PC Vote/Recommendation                                                                                                                                                                                                                                       |                                        |
| 09/04/14 or<br>09/11/14                  | Recommendation forwarded to CC for scheduling of Workshop and Public Hearing (requires 15 days' notice)                                                                                                                                                      |                                        |
| 09/25/14                                 | County Commission Workshop                                                                                                                                                                                                                                   |                                        |
| 10/23/14                                 | County Commission Public Hearing                                                                                                                                                                                                                             |                                        |
| 11/13/14                                 | County Commission review of public comments received and final input                                                                                                                                                                                         |                                        |
| <b>12/11/14</b>                          | <b>CC Vote on 2014 Comprehensive Plan</b>                                                                                                                                                                                                                    | <b>CC</b>                              |

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

### AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Planning and Zoning

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

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

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

Subject: **Recommendation from the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for two parcels owned by Hoy Shingleton, Trustee for Pearl Perkins, Beneficiary; and Eric and Stacy Lindberg; designated as Tax District: Middleway (07), Map: 1, Parcels: 1.2 (16.62 acres, with 12.67 acres in Jefferson County) and 1.1 (7 acres), located on the north side of Route 115 (Old Route 9/Charles Town Road), along the Berkeley/Jefferson County line for the purpose of setting a public hearing to be held by the County Commission**

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

On June 10, 2014, the Jefferson County Planning Commission held a Public Hearing for the purpose of receiving public input regarding a landowner-initiated petition to amend the County Zoning Map for two parcels owned by Hoy Shingleton, Trustee for Pearl Perkins, Beneficiary; and Eric and Stacy Lindberg. The properties are designated as Tax District: Middleway (07), Map: 1, Parcels: 1.2 (16.62 acres, with 12.67 acres in Jefferson County) and 1.1 (7 acres), located on the north side of Route 115 (Old Route 9/Charles Town Road), along the Berkeley/Jefferson County line. The rezoning request is for a change from the Rural zoning classification to the Residential-Light Industrial-Commercial zoning classification. Pursuant to state law, WV Code 8A-7-9(c), the County Commission must receive the advice of the Planning Commission regarding whether such a request is consistent with the County's adopted Comprehensive Plan.

To this end, the Planning Commission held a Public Hearing, reviewed the applicants' application, the staff's report on the consistency with the 2004 Comprehensive Plan, received public input, and made a determination regarding consistency with the Comprehensive Plan. Based on a review of the 2004 Comprehensive Plan and consideration of the facts and opinions presented, the Planning Commission moved to forward the petition to the County Commission with a finding that the application was consistent with the Comprehensive Plan. This motion passed with a vote of 7-0. The application and staff report will be provided to the County Commission for the packet related to the date of the Public Hearing.

In accordance with Section 12.2(C) of the Jefferson County Zoning Ordinance, subsequent to the recommendation received from the Planning Commission, all recommended map amendments require a Public Hearing before the County Commission prior to a final determination.

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

**I move to schedule a Public Hearing on the Proposed Zoning Map Amendment for the two parcels owned by Hoy Shingleton, Trustee for Pearl Perkins, Beneficiary; and Eric and Stacy Lindberg; designated as Tax District: Middleway (07), Map: 1, Parcels: 1.2 (16.62 acres, with 12.67 acres in**

Jefferson County) and 1.1 (7 acres), located on the north side of Route 115 (Old Route 9/Charles Town Road), along the Berkeley/Jefferson County line, on ( \_\_\_\_\_, 2014) at \_\_\_\_\_ pm.

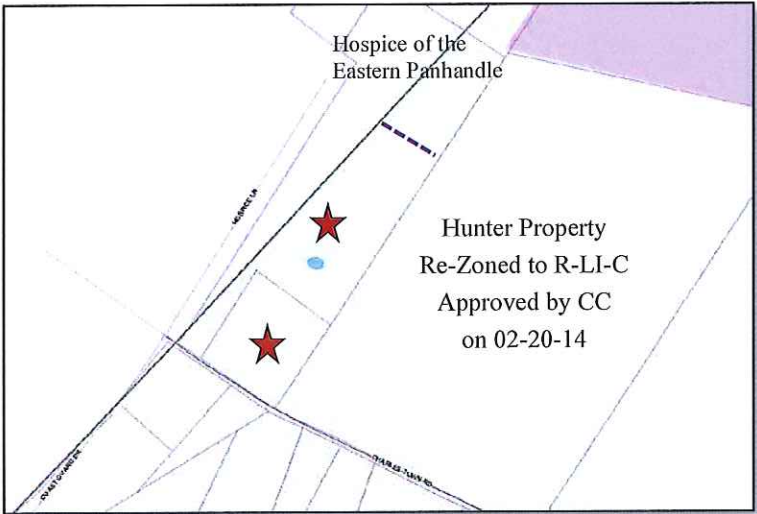
**Attachments:**

- **Staff Report regarding the Perkins and Lindberg Rezoning Application to the Planning Commission/County Commission (by Seth Rivard June 10, 2014)**
- **Zoning Map Amendment (rezoning) Application**

**Staff Report**  
**Jefferson County Planning Commission Meeting**  
**June 10, 2014**

**Perkins Trust and Lindberg Zoning Map Amendment PC File #Z14-01**

Agenda Item #4: Public Hearing regarding a Zoning Map Amendment (re-zoning) request by property owners Hoy Shingleton, Trustee for Pearl Perkins, Beneficiary and Eric and Stacy Lindberg.

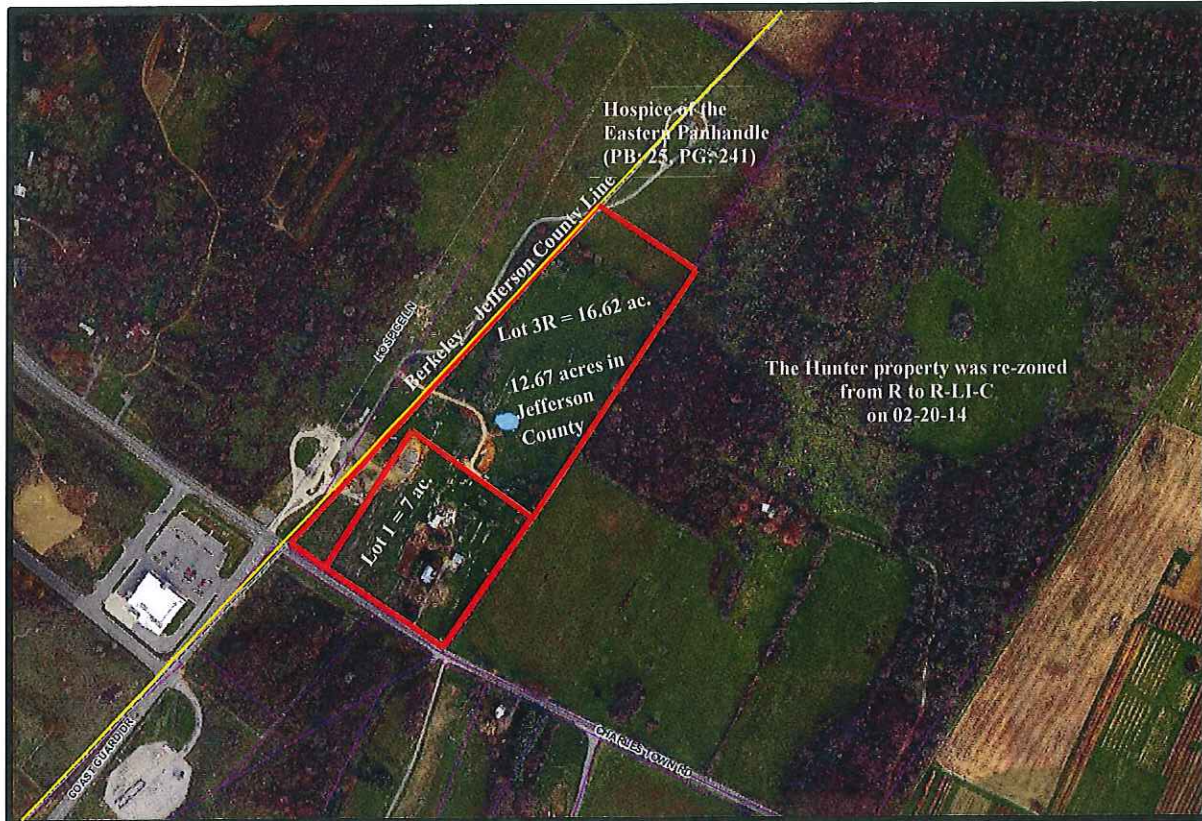
|                                      |                                                                                                                                                                                                                                                             |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICANTS:                          | Hoy Shingleton, Trustee for Pearl Perkins, Beneficiary, and Eric and Stacy Lindberg                                                                                                                                                                         |
| OWNER:                               | Same                                                                                                                                                                                                                                                        |
| DEVELOPER:                           | N/A                                                                                                                                                                                                                                                         |
| APPLICANT REPRESENTATIVE:            | Annette Van Hilst, R.A. The Crossroads Group                                                                                                                                                                                                                |
| PROPERTY LOCATION:                   | The properties are located North of Route 115 (Old Route 9 / Charles Town Road) along the Berkley/Jefferson County line. 4115 Charles Town Rd and 16 Hospice Ln in Kearneysville.                                                                           |
| LEGAL DESCRIPTION & ZONING DISTRICT: | <p>Tax District: Middleway (07); Map: 1; Parcels: 1.2 and 1.1<br/> Zoned: Rural</p>  <p>Hunter Property<br/> Re-Zoned to R-LI-C<br/> Approved by CC<br/> on 02-20-14</p> |
| SURROUNDING PROPERTIES:              | North: Berkeley County and Rural (Hospice), East: R-LI-C<br>South: Rural, West: Berkeley County                                                                                                                                                             |
| LOT AREA:                            | Total Lot Area: 23.62<br>Parcel 1.2 – 16.62 acres (12.67 acres within Jefferson County)<br>Parcel 1.1 – 7 acres                                                                                                                                             |
| PROPOSED ACTIVITY:                   | To rezone from Rural to Residential-Light Industrial-Commercial.                                                                                                                                                                                            |
| PLANNING COMMISSION RESPONSIBILITY:  | To advise the County Commission as to whether the requested Zoning Map Amendment is consistent with the 2004 Comprehensive Plan.                                                                                                                            |
| STAFF FINDING:                       | In this report, Staff presents the various factors related to these properties based on the Comprehensive Plan. Staff finds the request to be consistent with the 2004 Comprehensive Plan.                                                                  |

Staff Report  
Jefferson County Planning Commission Meeting  
June 10, 2014

**Background**

These properties are located off of Route 115 (Old Route 9/Charles Town Road) near the intersection with Short Road (Berkeley County) in Kearneysville, WV. Image 1 is a location map showing the parcels requested for rezoning.

***Image 1***



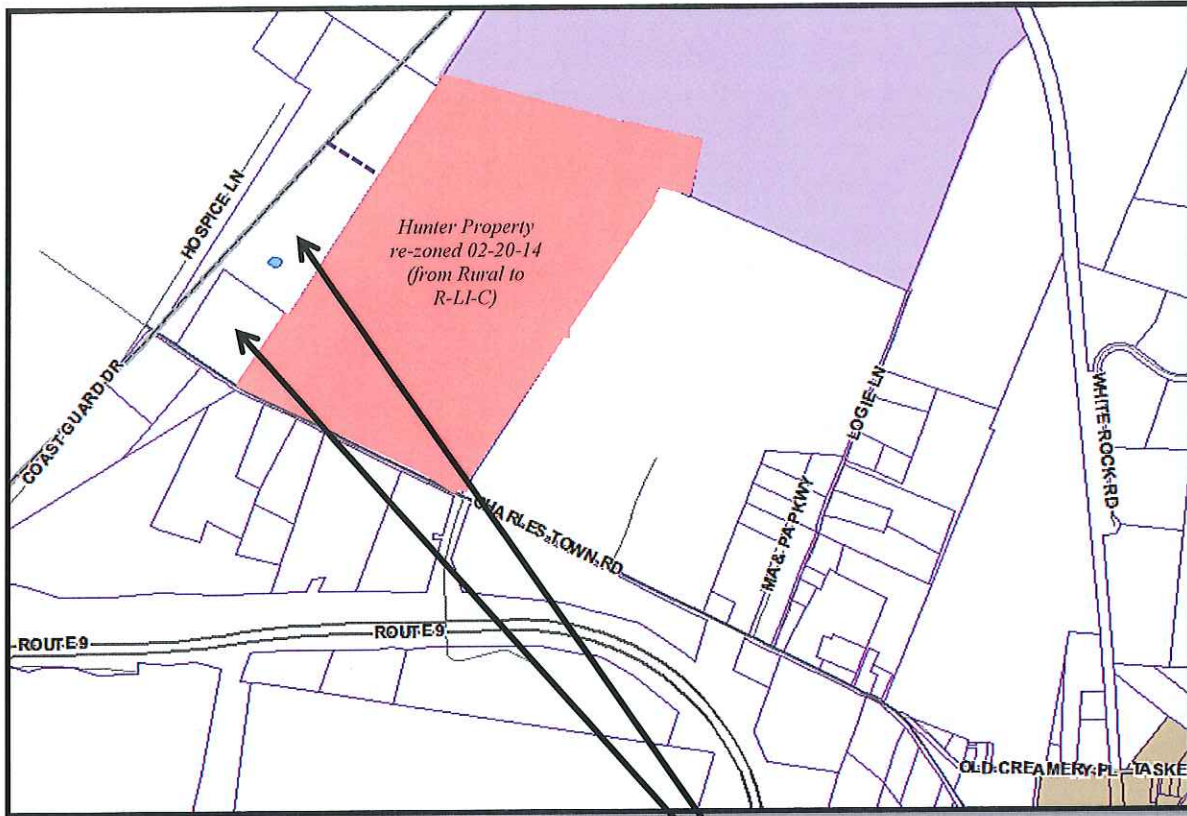
**Introduction and Purpose**

The applicant has requested to rezone the two parcels comprised of 23.62 acres from Rural to Residential-Light Industrial-Commercial. Access to the properties is from Route 115 (Old Route 9 / Charles Town Road). The 16.62 acre parcel, also identified as Lot 3 Residue and Parcel 1.2, has access to Hospice Lane. The zoning to the north and south of the subject properties is Rural; the 107 acre parcel to the east was recently re-zoned from Rural to Residential – Light Industrial - Commercial (County Commission approved request 02-20-14); and the property to the west is in Berkeley County, which has no zoning.

Staff Report  
Jefferson County Planning Commission Meeting  
June 10, 2014

Image 2, below, shows the current zoning for surrounding parcels.

*Image 2*



**Zoning District**

- Incorporated Town
- Industrial-Commercial
- Residential-Growth
- Residential-Light Industrial-Commercial
- Rural
- Village

Subject Properties

**Statutory Authority and Requirements**

The West Virginia State Code, Section 8A-7-9, and Section 12.2 (b) of the Jefferson County Zoning and Land Development Ordinance detail the process by which boundaries of zoning districts may be amended in response to a petition of 50% or more of the property owners. Both state that before amending the Zoning Ordinance text or map, *“the governing body, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan”*, or if it is inconsistent, *“then the governing body with the advice of the Planning Commission, must find that there have been major changes of an economic, physical or social nature within the area involved, which were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristics of the area[See WVC 8A-7-9(c)].”*

Staff Report  
Jefferson County Planning Commission Meeting  
June 10, 2014

**Scope of this Assessment**

This report focuses on whether or not the Zoning Map Amendment application is consistent with the Comprehensive Plan. It concludes that the request is consistent with Comprehensive Plan.

The format for this assessment includes quotes from specific provisions of the Comprehensive Plan, which are identified by page number citation at the end of the sentence where it is quoted. Staff has used these notations and quotations in order to address sections of the Comprehensive Plan as it relates to the proposed rezoning. Identification of the specific page numbers where these provisions can be found in the Plan permits the Planning Commission and/or County Commission to easily locate the particular provision and personally evaluate the provision in the context of the larger Plan document. When available or appropriate, map references are provided with maps located in the Appendix to this report.

It should also be noted that the Comprehensive Plan states, *"Its recommendations are (by their nature and intent) general and, as such, sometimes conflicting. It will not be difficult to find two that individually justify and conflict with many land use proposals."* In that sense, there are many plan references that are identified in this report that can or may appear to support or fail to support a finding of consistency between the proposed rezoning and the Comprehensive Plan. In the final analysis, each member of the Planning Commission and the County Commission will need to weigh the degree to which various plan provisions are of greater or less importance, in establishing their respective findings regarding the application.

Finally, this report provides a Staff recommendation concerning the proposed rezoning based on review of the various plan sections and elements. The recommendations should be considered the professional opinion of staff; no more and no less. Since the Planning and Zoning staff have no statutory authority to make decisions in this regard, we defer to the Planning Commission, and subsequently the County Commission, for any final recommendation or decision that may be forthcoming, with respect to the subject application.

**Relevant Comprehensive Plan Elements and Commentary**

**Proposed Zoning District – Residential-Light Industrial-Commercial (RLIC):**

The Comprehensive Plan provides the following perspective on the Residential-Light Industrial-Commercial zoning district, which the applicant is requesting:

- *"...commonly referred to as the "mixed use" zone, permits uses of a light industrial and commercial nature, as well as a spectrum of residential and institutional uses ranging from single-family dwelling units to multi-family apartments and group homes. Residential uses must conform to the standards set forth in the Residential Growth District, but industrial and commercial uses are required to conform to a set of specific performance criteria, which include numerical measurements of several factors for uses that may have nuisance effects on adjacent uses (pg. 71).*
- *There are two issues regarding this district that should be studied as part of planned amendments to the Zoning Ordinance. First, most ordinances that have "mixed use" zones require certain minimum percentages of land usage in residential, commercial and dedicated open space. Jefferson County's Ordinance doesn't. Land in this district can be developed entirely for commercial or residential use or any combination thereof (pg. 71)."*

**Staff Report**  
**Jefferson County Planning Commission Meeting**  
**June 10, 2014**

The Plan does detail some of the potential benefits of the Residential-Light Industrial-Commercial District and a number of concerns with the district. While this district is defined as mixed used, it does not require any mixing of uses, it merely allows for the possibility. The district allows two vaguely defined uses as permitted by right, "Commercial Uses" or "Uses of light industrial." "Uses of light industrial" is essentially defined by uses that are not defined as heavy industrial and commercial uses. There is wide latitude for the ability to interpret what qualifies as light industrial use. These two terms allow for some interpretation of what they mean and what is permitted. As such, there are a variety of uses that could be proposed on the subject properties, each of which could have very different impacts.

These properties are large enough to support light industrial activity or commercial activity such as a gas station, multiple fast food restaurants, or a few sit down restaurants.

**Transportation Impacts:**

The Comprehensive Plan discusses the critical role of the transportation routes, noting:

- *"With the increase in population in the last three decades, Jefferson County's roads have had to bear the combined burden of increased traffic volume and heavier commercial vehicles. As a result, the deficiencies of the highway and road systems have become more critical. Inadequate funding and increases in transportation demand are conditions which probably will be facing the people of Jefferson County indefinitely (pg. 26)."*

The properties proposed to be rezoned are located on Route 115 (Charles Town Road, also referred to as Old Route 9) and have direct access to Route 115. The 16.62 acre parcel, also identified as Lot 3 Residue and Parcel 1.2, has access to Hospice Lane. The properties are approximately ½ mile from the signalized intersection of Short Road and Route 115. With the opening of the new Route 9, the traffic on Route 115 has decreased and opened up increased transportation opportunities. Route 9 now provides easy access to a 4 lane road to I-81. The commercial interchange node around Route 9, Short Road, and Charles Town Road would presumably continue to expand in the future.

**Water and Sewer Proximity:**

Lot 2 (located directly above the 16.62 acre Lot 3 – Residue) contains the new Hospice facility, which has public water and sewer from Berkeley County; therefore, the two lots requesting rezoning could also be served by public water and sewer. The Comprehensive Plan encourages urban level development to be on a central water and sewer system, whether public or privately owned. Therefore, the requested rezoning would conform to this aspect of the 2004 Comprehensive Plan.

**Areas for Economic Opportunity:**

The Plan Policies on page 8 note:

- *"This Plan encourages new development patterns that foster mixed-use neighborhoods, so that a sense of community begins at the subdivision level."*
- *"This plan encourages economic development so that residents can live and work in the county."*
- *"This plan recognizes existing population centers as the focus of new, more intense development and the importance of working with municipalities to assure a pattern of development consistent with the Plan vision."*

**Staff Report**  
**Jefferson County Planning Commission Meeting**  
**June 10, 2014**

- *“This Plan identifies strategies to assure that community facilities and transportation infrastructure are provided in sequence with new development.”*

Staff concurs with the need for mixed development to provide for a variety of uses when possible. These lots are adjacent to the recently re-zoned Hunter Family property consisting of 107 acres now zoned Residential – Light Industrial – Commercial to the east and directly south of Hospice which zoned Rural, however, just to the northeast of these parcels is a noncontiguous property consisting of 191 acres that is zoned Industrial-Commercial. Across the street and to the west in Berkeley County is Liberty Business Park, which includes the US Coast Guard, IRS, and Food Lion. Berkeley County has no zoning.

Developing economic development zones and employment centers addresses key elements of the 2004 Comprehensive Plan and also provides Jefferson County with multiple long term benefits. The possibility of an employment area in this location would assist in allowing more Jefferson County residents to live and work in the county, and an employment and commercial center would enlarge the tax base of the county, which addresses Recommendation 3.18 of the Comprehensive Plan (shown below). Rezoning and development of these properties is in keeping with the Plan Policies and is in keeping with good planning. Because this is a commercial and light industrial area with water, sewer and natural gas and adequate road infrastructure, prudent planning would concentrate future uses where services currently exist.

*Recommendation 3.18: The County should continue to pursue new industrial and commercial development in order to diversify its economy, increase the tax base and thereby mitigate the problems of increasing residential growth, and provide quality employment opportunities to its workforce (pg. 64).*

**Adjacent Jurisdictions Permitted Uses and Appropriate Development Location:**

The Comprehensive Plan notes on page 24 that:

*When adjusting the Zoning Ordinance and Map to conform with the recommendations of this Plan, the County should look closely at the adjacent jurisdictions permitted uses or their fringes so as to:*

- a. Not create competitive edges to develop in as opposed to the municipality or vice versa;*
- b. Avoid conflicts in uses between any two adjacent uses;*
- c. Provide for all uses including transitional zones between and adjacent jurisdictions; and,*
- d. Create density caps where they do not currently exist.*

With the development and adjacent uses served by public water and sewer nearby in Berkeley County, it is rational that similar activity could occur in Jefferson County. This would not create competitive edges and could complement adjacent uses, thereby reducing conflicts between adjacent uses. Building upon the adjacent uses promotes the interconnection of development and business opportunity for both counties. This evaluation is predicated upon the fact that there is existing infrastructure – water, sewer, natural gas, and suitable transportation network – at this location. As noted above, the area around Route 9, Short Road, and Charles Town Road is a commercial interchange node that could offer business opportunities in the future. As this activity crosses into Jefferson County, planning for the adjacent uses and providing a transition from Jefferson County to Berkeley County should be considered in greater detail.

**Staff Report**  
**Jefferson County Planning Commission Meeting**  
**June 10, 2014**

In addition, the 2004 Plan remarks:

*Advanced and comprehensive planning will save money. Careful consideration of the many interrelated factors of the total community will help assure that every new development in the County is properly located and designed so that it will not unreasonably burden the location and provision of essential public and community services and assets. In other words, it will help ensure that the community receives the most product or service for the tax and community association dollar it pays (pg. 15).*

The Statement of Goals outlines the following:

*Encourage growth and development in areas where sewer, water, schools, and other public facilities are available or can be provided without unreasonable cost to the community (pg. 19).*

As outlined in multiple sections of this report, proper location of new development and activity needs to be occur so as to not create an unreasonable burden to the proposed location. Just as important, the essential services that will be required to support the proposed activity are available. The proposed rezoning is located in an area that meets the intent of the above mentioned criteria. The purpose of good planning is to build upon the assets in a particular location, instead of promoting inappropriate areas prematurely.

**Staff Recommendation**

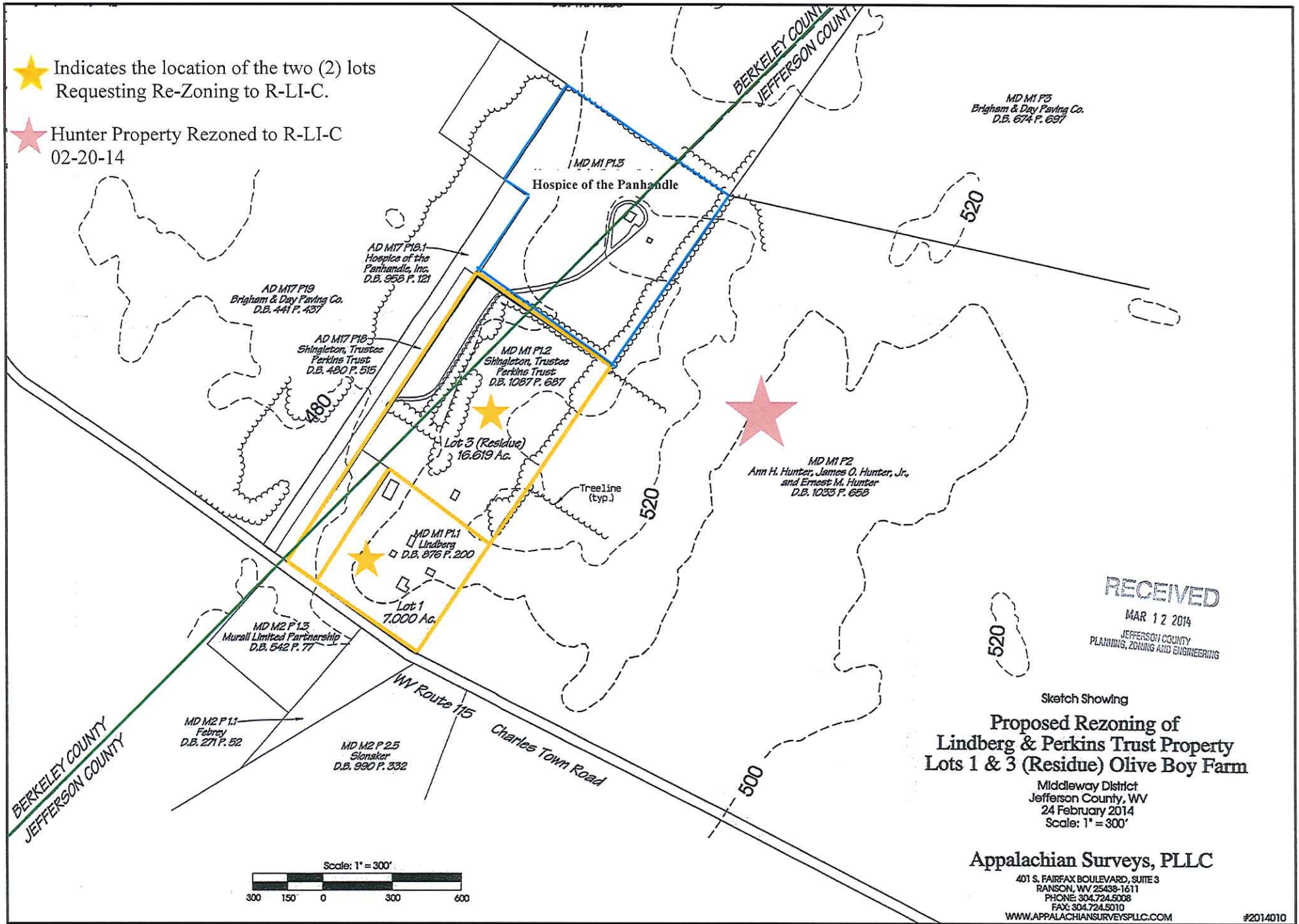
Staff finds the proposed rezoning to be consistent with the 2004 Comprehensive Plan. Adjacent to this lot to the east is undeveloped Residential – Light Industrial – Commercial zoning; just to the northeast, but not contiguous, is undeveloped Industrial-Commercial zoning with railroad access; and these properties can be served by urban level water and sewer services from Berkeley County as well as an adequate transportation network. The requested rezoning to Residential-Light Industrial-Commercial is reasonable.

The Comprehensive Plan supports growth in locations where there are contiguous properties that already possess the requested uses with urban level services, which supports future development in this area. While the proposed rezoning is not within a Growth Area, as defined by the 2004 Comprehensive Plan, the plan itself does note that “*When adjusting the Zoning Ordinance and Map to conform with the recommendations of this Plan, the County should look closely at the adjacent jurisdictions permitted uses or their fringes*” ...and...“*Encourage growth and development in areas where sewer, water, schools, and other public facilities are available or can be provided without unreasonable cost to the community.*” The area under consideration is affected by adjacent uses and the public services available to it and it is reasonable to expect such uses to continue to expand in this location. The rezoning is an extension of the activity.

Staff would suggest that any development of these properties be required to connect to Berkeley County’s public utilities.

★ Indicates the location of the two (2) lots Requesting Re-Zoning to R-LI-C.

★ Hunter Property Rezoned to R-LI-C 02-20-14



MD M1 P3  
Brigham & Day Paving Co.  
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Sketch Showing

### Proposed Rezoning of Lindberg & Perkins Trust Property Lots 1 & 3 (Residue) Olive Boy Farm

Middleway District  
Jefferson County, WV  
24 February 2014  
Scale: 1" = 300'

Appalachian Surveys, PLLC

401 S. FAIRFAX BOULEVARD, SUITE 3  
RANSON, WV 25438-1611  
PHONE: 304.724.5038  
FAX: 304.724.5010  
WWW.APPALACHIANSURVEYSPLLC.COM

#2014010



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

File Number: 214-01  
 Staff Initials: CLC  
 Application Fee: \$ 2,200.00

[www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html](http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html)

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

Phone: (304) 728-3228  
 Fax: (304) 728-8126

**Zoning Map Amendment (Rezoning)**

Pursuant to Article 12, a Zoning Map Amendment is a procedure to amend the official Zoning Map of the County by changing the zoning designation of a property. In order for a proposed amendment to be approved, the County Commission, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of 8A-7-8 et seq of the WV State Code. All Amendments to the Zoning Map require a Public Hearing to be held by the Planning Commission for the purpose of making a recommendation to the County Commission. Subsequently, all recommended map amendments require a Public Hearing before the County Commission prior to a final determination.

**Property owner information**

Name: Perkins Trust, Trustee: H. Shingleton (Beneficiary, Pearl Perkins) / Eric and Stacy Lindberg  
 Mailing Address: See Attached  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Applicant contact information**

Name: Hoy Shingleton, Trustee  
 Mailing Address: 115 Aikens Center, Suite 24  
 City: Martinsburg State: WV Zip Code: 25404  
 Phone Number: 304/262-4773 Email: shinglet@comcast.net

**Applicant representative**

Name: Annette Van Hilst, R.A., The Crossroads Group  
 Mailing Address: 22 Van Clevesville Road  
 City: Kearneysville State: WV Zip Code: 25430  
 Phone Number: 571/428-7054 Email: agvh@frontiernet.net

**Physical property details**

Physical Address: 4115 Charles Town Road and 16 Hospice Lane  
 City: Kearneysville State: WV Zip Code: 25430  
 Tax District: Middleway Map No: 1 Parcel No: 1.2 and 1.1  
 Parcel Size: 16.67 ( ) and 7 (Total) Deed Book: 1087 and 876 Page No: 687 and 200

**Current Zoning District (please check one)**

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 PLANNING, ZONING AND ENGINEERING

|                                     |                                |                                   |                                                            |                          |
|-------------------------------------|--------------------------------|-----------------------------------|------------------------------------------------------------|--------------------------|
| Rural<br>(R-A)                      | Residential<br>Growth<br>(R-G) | Industrial<br>Commercial<br>(I-C) | Residential-<br>Light Industrial-<br>Commercial<br>(R-L-C) | Village<br>(V)           |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>          | <input type="checkbox"/>                                   | <input type="checkbox"/> |

**Proposed Zoning District (please check one)**

|                          |                                |                                   |                                                            |                          |
|--------------------------|--------------------------------|-----------------------------------|------------------------------------------------------------|--------------------------|
| Rural<br>(R-A)           | Residential<br>Growth<br>(R-G) | Industrial<br>Commercial<br>(I-C) | Residential-<br>Light Industrial-<br>Commercial<br>(R-L-C) | Village<br>(V)           |
| <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>          | <input checked="" type="checkbox"/>                        | <input type="checkbox"/> |

For a Zoning Map Amendment request, the "burden of proof" is on the applicant to show why the proposed zoning is more appropriate than the existing zoning. Accordingly, please explain how the following factors support your proposal.

*Describe your proposed use (and/or project) and describe why the Zoning Map Amendment is necessary for the proposed use (and/or project) described.*

See Attached

*Describe how the Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan.*

See Attached

*Discuss any change(s) of transportation characteristics (i.e., type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.*

See Attached

*Do you request that the Planning and Zoning Staff present the petition to the Planning Commission for the purpose of setting the public hearing date?*

Yes, I request that the Planning and Zoning Staff present the petition

No, I prefer to present the petition

*Plat or Sketch Plan (provide as an attachment to this application)*

The plat or sketch must be pursuant to Zoning Ordinance, Section 7.4 (b). The sketch plan shall include the entire original parcel as it appeared on the date this ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines should be superimposed on the sketch plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes and quarries shall be delineated.

*Is Plat or Sketch Plan attached?*

Yes  No

*Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).*

*[Handwritten signatures and dates follow]*

|                             |                             |
|-----------------------------|-----------------------------|
| <i>[Signature]</i>          | <i>[Signature]</i>          |
| Signature of Property Owner | Signature of Property Owner |
| Date 2/27/14                | Date 3-8-14                 |
| X                           | X                           |
| <i>[Signature]</i>          | <i>[Signature]</i>          |
| Signature of Property Owner | Signature of Property Owner |
| Date 3/8/14                 | Date 3-8-14                 |
| X                           | X                           |

# Z14-01

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JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

MAP AMENDMENT PETITION  
Article 12, Jefferson County Zoning Ordinance  
Perkins Trust  
Eric and Stacy Lindberg  
February 26, 2014

**Owners/Applicants:**

Perkins Trust, Hoy Shingleton, Trustee (Pearl Perkins, Beneficiary)  
c/o Hoy Shingleton, Trustee  
115 Aikens Center, Suite 24  
Martinsburg, WV 25404

Eric and Stacy Lindberg  
4115 Charles Town Road  
Kearneysville, WV 25430

**Ordinance Citation:**

Article 12 of the Jefferson County Zoning and Development Review Ordinance as amended on November 10, 2011.

**Map Amendment Definition:**

“An amendment to the Zoning Map which is adopted by reference in the Zoning Ordinance that consists of a change that only applies to a specific property, changing from one existing zoning designation to another existing zoning designation. A map amendment does not permit changes, conditions or alterations to uses permitted within an existing zoning designation as all zoning designations must be uniformly applied to all property which are subject to said designation.”

**Substantiation for the Request:**

1. The properties owned by Ms. Perkins and the Lindbergs are currently zoned Rural and the Applicants are seeking a map amendment to the Residential/Light Industrial/Commercial District. As explained in this Petition, the Applicants believe that this change is consistent and compatible with the 2004 Jefferson County Comprehensive Plan. This Comprehensive Plan compatibility was further evidenced by the County Commission's rezoning of the adjacent property (Hunter Family) in February 2014 for the same reasons;

2. There have been significant changes in this area, since the Jefferson County Zoning Ordinance was adopted in 1988. These changes include the availability of Public Water and Sewer, a significant rezoning directly north of this property approved by the County Commission, the rezoning of the Hunter property adjacent to this property and the additional growth in the area. These changes are addressed in this Petition;
3. The Applicants believe that the Rural Zoning classification is an error in the Jefferson County Zoning Map since the property is located on a Primary Road (Route 9) as defined in the Comprehensive Plan; and,
4. The volume of work completed to date on the proposed Comprehensive Plan shows this area to be located in a primary and preferred growth area in Jefferson County. Although not adopted yet, this area was thoroughly vetted by the Staff, the public and the Comprehensive Plan (Envision 2035) Steering Committee. The reasons for rezoning of these two properties that are cited in this Petition are the same reasons that led to this area to be located in the Proposed Preferred Growth Area.

**Tax District, Map and Parcel Number:**

Middleway Tax District, Map 1, Parcels 1.1 (Lindberg) and 1.2 (Perkins)

**Deed Book Reference:**

Perkins: Deed Book 1087 at Page 687  
 Lindberg: Book 876 Page 200

**Sketch Plat:**

Attached

**Tract Size:**

Perkins: 16.67 Acres (Approximately 12.67 acres in Jefferson County and 4 acres in Berkeley County)  
 Lindberg: 7.0 Acres  
 Total: 23.67 Acres (Approximately 19.67 Acres in Jefferson County)

**Discussion on:**

Comprehensive Plan compatibility of the proposed change: Included in this Petition.

Any Change of transportation characteristics and neighborhood from when the original ordinance was adopted: Included in this Petition.

**A. Comprehensive Plan Compatibility**

Two of the most compelling attestations that the requested map amendment is consistent and compatible with the 2004 Comprehensive Plan are that two properties in the immediate neighborhood were rezoned by two different County Commissions since that plan was adopted. The first property is located just to the north and is owned by Brigham and Day Paving Company (F.O. Day). This large parcel was rezoned in 2005 shortly after the 2004 Plan was adopted. This rezoning was deemed to be consistent with the Comprehensive Plan at that time. The second property is located adjacent to the Applicants' property and was just unanimously rezoned by the County Commission in February (2014). Again, the County Commission deemed the rezoning of this property (the Hunter family) to the Residential/Light Industrial/Commercial District consistent with the same Comprehensive Plan. These properties, along with the Hospice property wrap around the current Applicant's property. As a matter of fact, the rezoning of the Applicant's property would essentially fill the last donut hole between Kearneysville and the Berkeley County line on the northeast side of Old Route 9 (Route 115). The subject properties already have access to a newly constructed County Grade access road that was built adjacent to this property.

Many of the same sections of the Comprehensive Plan that supported the Hunter rezoning apply specifically to this property, as well. Therefore, many of the components of this Petition will mirror the previous Petition that was filed. Also included is a copy of the Staff Report for the previous Petition that reiterates portions of the Plan to show consistency with the Plan.

The Comprehensive Plan contains policies, narrative and recommendations that support this map amendment. One of the Policies found on page 8 of the Comprehensive Plan States:

- *'This Plan encourages new development patterns that foster mixed-use neighborhoods so that a sense of community begins at the subdivision level.'*

As was the case with the Hunter rezoning, this property is located in a neighborhood that has long been mixed-use. Baker Heights is the home of the Veteran's Administration Center and the Liberty Business Park. The Liberty Business Park includes the IRS and the Coast Guard. Furthermore, this property is adjacent to 191 acres that the Jefferson County Commission rezoned to Commercial/Industrial in 2005 and the Hunter property this year. Finally, the subject property is in front of the new Hospice of Eastern Panhandle operations and in-house care. This facility is planned to be opened even before the Public Hearing on this application.

Furthermore, the property is literally right down the street from the mixed-use community of Baker Heights and less than a mile from the Kearneysville Village District, which is a mixed-use community, as well.

The requested rezoning would allow the Applicants the flexibility of marketing the property to either residential users to provide needed housing for employees of the nearby VA Center and the Liberty Business Park; or, to business park developers to continue the commercial expansion of the area for other office buildings. From an economic development standpoint, Jefferson County would certainly benefit from allowing commercial or industrial growth in this County, as opposed to Berkeley County. As a matter of fact, approximately four acres of the Applicant's property is located in Berkeley County, so that portion of the property could develop any use. It would make sense to allow similar development on the Jefferson County portion. Since commercial and residential uses are being developed in the area, Jefferson County should start taking advantage of it.

The Residential/Light Industrial/Commercial District designation would allow a mix of commercial and offices uses, while allowing residential units to house the employees or families of VA and Hospice patients. There are several residential dwellings that are on the subject properties. The Lindberg house would make an excellent office building for a use that would be compatible to the existing Hospice operation next to this property.

Another of the policies in the plan states:

- *'This Plan encourages economic development so that residents can live and work in the County.'*

Since there is very little vacant land in Jefferson County that is zoned for commercial/office and mixed-use development, the requested change to the mixed-use zone will allow a mixture of these uses to stimulate economic development on Jefferson County's side of the County line.

In the Plan's Statement of Goals found on page 19, the Plan encourages growth and development in areas where infrastructure and public facilities are available. In this case, the property has access to Berkeley County's Public Water and

Wastewater Treatment Facilities. In addition to Public Water and Sewer, natural gas is located very close to this property. A current primary goal of the Jefferson County Development Authority is to encourage the expansion of the availability of natural gas into Jefferson County. If permitted to develop into a business park or mixed use development, this property could be a key stepping stone for extending natural gas into Jefferson County. The County Commission just committed \$20,000 to the multi-county effort to upgrade and expand natural gas service in this area. The property is also located within minutes of the Short Road interchange onto the new four lane Route 9. These qualities make the property an ideal candidate for a map amendment.

Finally, the Plan's goals also support commercial activities in the County; in addition to the protection of private property rights. In the proposed zoning ordinance in 2008, this area was proposed to be zoned as a business center. That in itself is evidence that the County planners believed that this property was prime land for economic development. This is a unique area of the County. Since the 2004 Comprehensive Plan was adopted, this area has consistently been targeted for growth. This is evidenced by the two rezonings in the neighborhood, the rezoning of the area into a business park in the 2008 Zoning Ordinance and now by the inclusion of this area in the proposed draft preferred growth area in the Envision 2035 Plan.

The 2004 Comprehensive Plan includes several recommendations that support this rezoning request.

Comprehensive Plan Recommendations:

**Recommendation 3.01 on Page 24:**

“When adjusting the Zoning Ordinance and Map to conform with the recommendations of this Plan, the County should look closely at the adjacent jurisdictions permitted uses or their fringes...”

Comment:

This Recommendation was well vetted by the Staff in the attached Hunter Staff Report. All of these reasons very much apply to this property which is even closer to Berkeley County.

This property straddles the Berkeley County Line; and, although Berkeley County is not zoned, Jefferson County should not ignore the fact that this area has developed into a growth area. Because of Berkeley County's economic growth in this area, this neighborhood is now served by Public Water and Sewer. Also, this area has direct access to a primary road (old Route 9) and is just a short drive along good roads to two major interchanges on the new four lane Route 9.

There is also a new large Sheetz Store and a new Food Lion that were constructed to serve this neighborhood. These two commercial entities are just over the Berkeley border from the subject property. The County Line shouldn't be the limiting factor for commercial development on Jefferson County's side.

**Recommendation 3.18 on Page 64:**

"The County should continue to pursue new industrial and commercial development in order to diversify its economy, increase the tax base and thereby mitigate the problems of increasing residential growth, and provide quality employment opportunities in the workforce."

**Comment:**

Again, this area has been permitted to develop into residential subdivisions, a business park that contains good federal government jobs and commercial businesses that locate where growth is indicated. Jefferson County is adjacent to this growth and should capitalize on the economic gains that Berkeley County has enjoyed in the same area. This property should work well with the Hospice property that has already developed and the Hunter property that was already zoned for mixed-use.

According to page 71 of the 2004 Comprehensive Plan, there is a very small percentage of land that is zoned for commercial or mixed-use in Jefferson County. This percentage is estimated at approximately 5 percent. It is very difficult to achieve the goal of pursuing new industrial and commercial development if the County doesn't create new commercial and mixed-use zones. Because of the adjacent zoning in Jefferson County and the development in this area of Berkeley County, this property would be an ideal parcel of land to include in the mixed-use zone. Besides the proximity to the adjacent development, it also has access to good infrastructure, including water, sewer and roads. Finally, this property is in between the Hunter Property and Berkeley County. It would only seem logical for this property to be allowed the same type of development that can be built on both sides of it.

Based on the preceding two major recommendations in the 2004 Comprehensive Plan, this map amendment is extremely consistent and compatible with the Plan.

### **B. Change of Neighborhood**

This area of Jefferson County and the adjacent area on Berkeley County have changed significantly since the Zoning Ordinance was adopted in 1988. Again, these changes will be identical to those that were cited in the Hunter Petition. The following are examples of these changes:

1. The Liberty Business Park was developed on the Berkeley County side of the line and contains the Coast Guard and IRS facilities. This park can be seen from this property.
2. With the development of the Liberty Business Park, Public Water and Sewer were extended into the area.
3. Several residential developments have been built in this area including Quail Ridge Subdivision and Chapel View Subdivision.
4. Quad/Graphics, a very large industrial printing and distribution facility, was built in Baker Heights in the 90s.
5. In 2005, the County Commission rezoned the 191 acre F.O. Day property which is in the same neighborhood. The Day property was zoned Rural and the County Commission approved a map amendment to Commercial/Industrial after finding that it was consistent with the Comprehensive Plan
6. The new expanded Sheetz Store was just built in the neighborhood (less than ¼ mile away). Ironically, this Sheetz was relocated from Jefferson County.
7. A new Food Lion (within eyesight) was built almost adjacent to this property just on the Berkeley side of the line. New grocery store construction is usually indicative of the growth potential of a neighborhood.
8. The Comfort Suites Hotel was built very close to the subject property.
9. Hospice of the Panhandle has built its headquarters and a multi-bed in-house care facility adjacent to this property. This facility was a project that was approved by both Jefferson and Berkeley Counties since it straddles the County line. The project includes over 25,000 square feet of office space and a very large inpatient center. This project has been built.

10. The new Route 9 was completed with direct four lane access to Route 81. This route is approximately one mile from the subject property and has a major interchange that services the area. Old Route 9 (Route 115), still considered a Primary Road by the Comprehensive Plan, services this property and leads into Short Road that has direct access to the new interchange. The property is nearly in between two major interchanges (Shepherdstown Exit and Short Road Exit) to the new four lane Route 9. This makes the property ideal for development.
11. Just this year, the County Commission unanimously approved the same requested mixed-use zoning for the adjacent 100+ acre property owned by the Hunters. The Applicant's property is the only property left between the Hunter property and the County line.

Summarizing the Change of Neighborhood, it is important to note the following:

1. Availability of Public Utilities:

Public Water and Wastewater facilities serve this area. Natural gas service is also available in this area and any growth would help facilitate the expansion of natural gas (a funded priority of both the County Commission and Development Authority) into Jefferson County. One of the major goals of the Comprehensive Plan states that the Plan should:

'Encourage growth and development in areas where sewer, water, schools, and other public facilities are available or can be provided without unreasonable costs to the community'.

The Applicant's property certainly qualifies under this section of the plan. This property definitely meets that criterion. This is another reason that the previous planners picked this property to be in a commercial business park during the last Zoning effort.

2. Growth in the Corridor:

Since the adoption of the original Zoning Ordinance in 1988, this area has grown considerably. The significant growth includes: Quail Ridge and Chapel View Subdivisions; Hospice Offices and Treatment complex; large Sheetz; Food Lion; Quad/Graphics in Baker Heights and the Liberty Business Park. These types of developments along with the existing growth in the Kearneysville and Baker Heights area illustrate that mixed-use development along old Route 9 is very much consistent with the Comprehensive Plan; especially since most of these came after the Plan was adopted in 2004. The map amendment for the subject property would ideally fit into this neighborhood's mixed use.

*C. Change of Transportation Characteristics:*

There have been positive changes in the transportation and traffic characteristics in this area. Old Route 9 was very much enhanced just north of the property in Baker Heights. The road was widened and improved to accommodate the large volume of tractor trailer traffic associated with the industrial growth in the area.

However, the major change in transportation characteristics is the finished Route 9. It is the direct four lane link to Route 81 that Jefferson County had been endorsing for many years. This road has opened up both trade routes and commuter routes in and out of Jefferson County. As mentioned previously, this property has access via good roads (old Route 9 (Route 115)) to both the Short Road and Shepherdstown interchanges onto new Route 9. This property is located in between these interchanges. The new Route 9 and Public Water and Sewer in this area make this property an ideal property for a mixed-use development.

These changes and improvements to the transportation system have taken place since 1988 when the Zoning Ordinance was adopted; and, most of them have taken place since the 2004 Comprehensive Plan was written. Since the Comprehensive Plan is being updated these road improvements are already being taken into consideration in the new plan. All of these improvements have had a very positive effect on the transportation characteristics and traffic flow in this area and neighborhood. The new Route 9 is being recognized as a driving force for the new preferred growth areas. Accordingly, these changes should have a positive effect on this Petition for a map amendment. These transportation changes and improvements were also cited in the Hunter Rezoning and were used to determine the consistency of that request with the Comprehensive Plan

*D. Error in the Original Zoning Map*

The only real justification for a map amendment/rezoning in West Virginia is the consistency of the request with the Comprehensive Plan. This is the reason that the Comprehensive Plan is so thoroughly discussed in this Petition. However, in some states, an error in the original zoning map is also used as an indicator. Accordingly, this Petition will briefly touch on some of the reasons that this property should have been zoned for development when the original ordinance was adopted.

Listed below are several reasons why this property should have been zoned for development in 1988. These reasons have already been discussed in detail in this Petition. These are some of the reasons that the Day property was rezoned in 2005 and that the Hunter property was rezoned this year in this neighborhood. These reasons alone would support the requested map amendment to the mixed-use classification:

1. The property is located on a Primary Road as defined by the Comprehensive Plan. There are only two roads defined as Primary Roads in Jefferson County (Route 340 and old Route 9 (Route 115));
2. The property has access to public water and public wastewater services;
3. The property is located between two unincorporated mixed-use communities (Baker Heights and Kearneysville).

Once you combine these facts with the other compelling factors including: the Liberty Business Park; Residential Subdivisions; the large Sheetz store, the new Food Lion, Hospice of the Panhandle; the two rezonings; and, the new Route 9, it makes this property and ideal candidate for the requested map amendment.

**E. Current Recommendation in the Draft Maps in the Envision 2035 Comprehensive Plan:**

Although not yet adopted, there has been much work completed by the Staff and Steering Committee on the Envision 2035 Comprehensive Plan. This includes many public meetings on land use and preferred growth areas that may be included in the new Comprehensive Plan. This area of Jefferson County has consistently been included as a major preferred growth area in the draft maps to date. Both the Lindberg's and the Perkins' properties have been included in this area in the draft plan. The Steering Committee and the public have also routinely agreed that this area of Jefferson County should be a preferred growth area because of the availability of services and the proximity to the new Route 9.

**F. Conclusion:**

The Perkins Trust, Ms. Perkins and Eric and Stacy Lindberg respectfully request that the County Commission approve this map amendment to the Jefferson County Zoning Map. This Petition cites many reasons why the map amendment should be approved. These reasons include: the consistency of the request to the 2004 Comprehensive Plan; the 2005 action of the County Commission regarding rezoning the Day property; the very recent rezoning of the adjacent Hunter property; the fact that the property should have been classified as a business or mixed-use district in the original ordinance; the positive changes in the transportation characteristics in the area, especially the construction of Route 9; the changes in the neighborhood from when the original zoning ordinance was adopted (including the development of a business park across the street; the fact that the property and area have been vetted and studied by the Staff and Steering Committee for inclusion into a Preferred Growth Area in the new Draft Plan; and, the fact that the property has access to Public Water and Sewer and other services. This map amendment will change the zoning classification on the Applicant's property from the Rural District to the Residential/Light Industrial/Commercial District.

  
Hoy Shingleton, Trustee

  
Date 2/27/14

X   
Eric Lindberg

Date 3-8-14

X   
Stacy Lindberg

Date 3-8-14

# Lots 1 and 3 Olive Boy Farm

#214-01



This map is not the official regulatory FIRM or DFIRM. Its purpose is to assist with determining potential flood risk for the selected location.

Map Created on 3/5/2014

|  |                                  |  |                           |
|--|----------------------------------|--|---------------------------|
|  | Location of the mouse click      |  | Cross Section Line        |
|  | Approximate Study (Zone A)       |  | Base Flood Elevation Line |
|  | Detailed Study (Zone AE, AH, AO) |  | DFIRM Panel (Map) Index   |
|  | Floodway                         |  |                           |
|  | Flood Water Depth (HEC-RAS)      |  |                           |

**User Notes:**

**Disclaimer:**  
 The online map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. To obtain more detailed information in areas where Base Flood Elevations have been determined, users are encouraged to consult the latest Flood Profile data contained in the official flood insurance study. These studies are available online at [www.msc.fema.gov](http://www.msc.fema.gov).

*WV Flood Tool is supported by FEMA, WV NFIP Office, and WV GIS Technical Center*  
 (<http://www.MapWV.gov/flood>)

**Flood Hazard Area:** Selected site is NOT WITHIN any identified flood hazard area. Unmapped flood hazard areas may be present.

**Advisory Flood Height:** N/A

**Water Depth:** N/A

**Elevation:** About 505 feet

**Location (long, lat):** 77.905910 W, 39.399447 N

**Location (UTM 17N):** (766435, 4365674)

**FEMA Issued Flood Map:** 54037C0020E

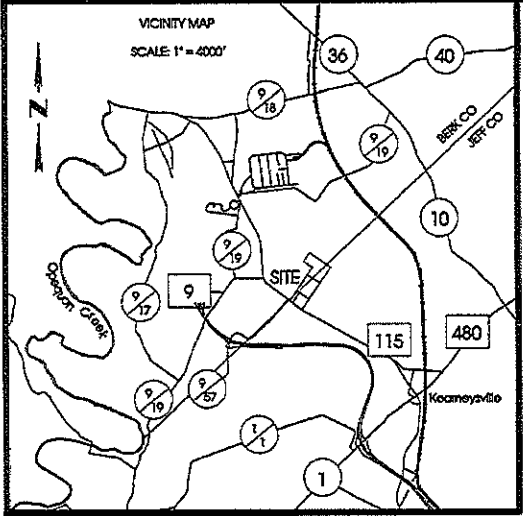
**Contacts:** Jefferson County

**CRS Information:** Click to access CRS information

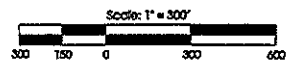
**Flood Profile:** No Profile

**HEC-RAS Model:** No Model

**Parcel Number:**



NOTE:  
Contours are approximate USGS, 20-foot interval.



BERKELEY COUNTY  
JEFFERSON COUNTY

BERKELEY COUNTY  
JEFFERSON COUNTY

MD M2 P 1.1  
Fabry  
D.B. 271 P. 52

MD M2 P 2.5  
Singer  
D.B. 590 P. 532

MD M2 P 1.5  
Murall Limited Partnership  
D.B. 542 P. 77

MD M1 P 1.1  
Lindberg  
D.B. 576 P. 200

Lot 3 (Residue)  
16.619 Ac.

AD M17 P 1.2  
Shingleton, Trustee  
Parkins Trust  
D.B. 490 P. 525

AD M17 P 1.1  
Hopkins of the  
Parhamella, Inc.  
D.B. 958 P. 121

AD M17 P 1.0  
Brigham & Day Parking Co.  
D.B. 441 P. 437

MD M1 P 1.5  
Hopkins of the Parhamella, Inc.  
D.B. 1281 P. 110

MD M1 P 3  
Brigham & Day Parking Co.  
D.B. 674 P. 637

MD M1 P 2  
Ann H. Hunter, James C. Hunter, Jr.  
and Ernest M. Hunter  
D.B. 1283 P. 656

WV Route 115  
Charles Town Road

RECEIVED  
MAR 12 2014  
JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

Sketch Showing  
**Proposed Rezoning of  
Lindberg & Perkins Trust Property  
Lots 1 & 3 (Residue) Olive Boy Farm**  
Middleway District  
Jefferson County, WV  
24 February 2014  
Scale: 1" = 300'

**Appalachian Surveys, PLLC**  
401 S. FARNSWORTH BOULEVARD, SUITE 3  
RANOC, WV 25138-1011  
PHONE: 304.724.5008  
FAX: 304.724.5010  
WWW.APPALACHIANSURVEYSPLLC.COM

**AGENDA REQUEST FORM**

[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: **Jennifer Brockman**

Department or Organization: **Planning and Zoning**

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

Date Requested – 1<sup>st</sup> Choice: **June 19, 2014**

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

Date Requested – 2<sup>nd</sup> Choice: **July 17, 2014**

Subject (*Wording to be placed on agenda*): **"SB 595" Vested Development Time Extensions Proposal**

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

In May, 2014, the Planning Commission initiated a discussion regarding the vested development rights of developments that have not yet been completed. As you may remember, in 2010, when the impacts of the economic downturn were impacting developments that had begun to process in communities throughout the state, the State Legislature amended the "Vested Rights" provisions of state law to automatically extend development projects that met certain criteria to July 1, 2012. Those provisions of state law are referred to in this request and the attached letter as the 2010 SB 595 provisions. This legislative change affected §8A-5-12 of the State Code and effectively extended any project that met the state's definition of "valid" and "outstanding". Subsequently, the County incorporated this provision in the 2010 version of the Subdivision Regulations.

In the spring of 2012, Jefferson County Citizen's for Economic Preservation (JCCEP) requested that the County Commission amend the Vested Rights section of the Subdivision Regulations to allow for the extension of time for any development to which the 2010 SB 595 provisions applied as permitted in §8A-5-12 and §8A-4-2, which provided "or such later date provided for by the terms of the planning commission or county commission's local ordinance." It was determined that this provision of state law allowed such an extension to occur by ordinance outside of amending the Subdivision Regulations. As a result, the County Commission approved the attached motion on June 21, 2012, further extending vested properties which had been impacted by the 2012 change in state law to July 1, 2015, provided that the developments conform to the newest stormwater regulations.

Most of the projects impacted by this change have multiple steps to accomplish prior to the July 1, 2015 deadline and would need to start making progress in the summer and fall of 2014 in order to meet this required deadline. The Planning Commission expressed concern about developers meeting this deadline and at their June 10, 2014 meeting approved the attached letter requesting that the County Commission consider further extending this time frame to July 1, 2017 via a public hearing process.

This agenda request is to request that the County Commission schedule the proposed Public Hearing on this topic.

Is this a funding request? Y/N NO

If so, how much?                    \$N/A  
Provide exact financial impact/request: N/A.

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

**I move to schedule a Public Hearing on ( \_\_\_\_\_, 2014) at \_\_\_\_\_ pm regarding the proposed Policy on Vested Property Rights including the following language:**

1. **The validity of any subdivision plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2015 until July 1, 2017. Any other plan or permit associated with the subdivision or land development plan or plat shall also be extended for the same time period.**
2. **The requirements for the vesting of property rights contained in an ordinance enacted pursuant to 8A-4-2 that require the performance of any action within a certain time period for any subdivision or land development plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2015 until July 1, 2017. This provision would apply to all special and conditional use permits or any other agreement or zoning action.**
3. **Any plat or plan affected by this extension shall conform with the Stormwater Requirements of the most current regulations in effect at the time when the plat or plan is submitted for approval.**

Attach supporting documents for request, or request may be denied.  
If not attached, explain: N/A.

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

Contact information:  
Email address: [planning@jeffersoncountywv.org](mailto:planning@jeffersoncountywv.org) Phone Number: 304-728-3228

- Attachments:
- **June 21, 2012 Motion to Approve a Policy Related to Vested Property Rights in Jefferson County, WV**
  - **Signed letter from PC to CC re: Vested Property rights dated June 10, 2014**



# Jefferson County, West Virginia

## Departments of Planning and Zoning

116 East Washington Street, 2<sup>nd</sup> Floor  
Charles Town, WV 25414

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

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

Phone: (304) 728-3228

Fax: (304) 728-8126

June 10, 2014

Walt Pellish, President  
Jefferson County Commission  
124 E. Washington Street  
Charles Town, WV 25414

RE: "SB 595" Vested Development Time Extensions Follow Up and Discussion

Dear County Commissioners:

As most of you are aware, in 2010, when the impacts of the economic downturn were impacting developments that had begun to process in communities throughout the state, the State Legislature amended the "Vested Rights" provisions of state law to automatically extend development projects that met certain criteria to July 1, 2012. On June 21, 2012, upon the request of the Jefferson County Citizen's for Economic Preservation (JCCEP) the County Commission, and after receipt of public comment following the public hearing, the County Commission approved a Policy Related to Vested Property Rights in Jefferson County, WV further extending the vested development rights to July 1, 2015.

Most of the projects impacted by these policy changes have multiple steps to accomplish prior to the July 1, 2015 deadline and would need to start making progress in the summer and fall of 2014 in order to meet this required deadline. Because the economy has not yet fully recovered in a manner to make substantial investments prudent at this time, the Planning Commission is recommending that the County Commission consider holding a public hearing to further extend the vested rights dates to assist in this economic recovery.

The proposed language that the Planning Commission recommends be considered is as follows:

1. The validity of any subdivision plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2015 until July 1, 2017. Any other plan or permit associated with the subdivision or land development plan or plat shall also be extended for the same time period.
2. The requirements for the vesting of property rights contained in an ordinance enacted pursuant to 8A-4-2 that require the performance of any action within a certain time period for any subdivision or land development plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2015 until

July 1, 2017. This provision would apply to all special and conditional use permits or any other agreement or zoning action.

3. Any plat or plan affected by this extension shall conform with the Stormwater Requirements of the most current regulations in effect at the time when the plat or plan is submitted for approval.

By vote of the Jefferson County Planning Commission 7 for and 0 against, June 10, 2014.

Sincerely,



Stephen Stolipher, President  
Jefferson County Planning Commission

**A Motion to Approve  
A Policy Related to Vested Property Rights in Jefferson County WV**

**June 21, 2012**

**Whereas, The Jefferson County Citizen for Economic Preservation have requested that the County Commission approve a policy or ordinance amending relevant time frames relating to plans and plats vested under the provision of SB 595 in 2010 to July 1, 2015; and**

**Whereas, The Planning Commission discussed this request at their May 15, 2012 meeting and recommended approval to the County Commission; and**

**Whereas, the County Commission reviewed the draft proposal on May 3, 2012 and conducted a public hearing on the draft proposal on May 31, 2012;**

**Now therefore be it moved, that the Jefferson County Commission approves the following policy:**

1. The validity of any subdivision plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2012 until July 1, 2015. Any other plan or permit associated with the subdivision or land development plan or plat shall also be extended for the same time period.
2. The requirements for the vesting of property rights contained in an ordinance enacted pursuant to 8A-4-2 that require the performance of any action within a certain time period for any subdivision or land development plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2012 until July 1, 2015. This provision would apply to all special and conditional use permits or any other agreement or zoning action.
3. Any plat or plan affected by this extension shall conform with the Stormwater Requirements of the most current regulations in effect at the time when the plat or plan is submitted for approval.

Recommended by this 21<sup>st</sup> day of June, 2012  
 By a vote of the Jefferson County Commission  
 By a vote of Yes X No

*[Signature]*  
 Patsy Howard, President  
 Jefferson County Commission

JEFFERSON COUNTY COMMISSION

Jennifer S Kathan  
 JEFFERSON County 11:05:27 AM  
 Instrument No 2012013967  
 Date Recorded 07/05/2012  
 Document Type GRDI\*  
 Pages Recorded 1  
 Book-Page 1111-671

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

## AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Planning and Zoning

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: June 19, 2014

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

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

**Proposed start date is July 7, 2014.**

Subject: Approval of Job Offer for Vacant Planning Clerk Position

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

**See attached employee action form and previously approved personnel request form. Applicant has over 25 years' experience in related fields, including private sector experience, and 7.5 years' in closely related local government experience. Proposed start date is July 7, 2014.**

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

**I move approval of the recommendation of the Director of Planning and Zoning to hire the preferred applicant to fill the vacant Planning Clerk position for the Departments of Planning and Zoning in accordance with the Department of Planning's budgeted position. A one step increase may occur at the end of the 6 month probation, provided the review is satisfactory.**

Attachments:

- **Employee Action Form**
- **Personnel Requisition form from Jennifer Brockman dated 6/6/14**

**Jefferson County Commission  
Employee Action Form**

|                                                                                                                                                                                                                          |                                                                                                                                                                                                                                               |                 |                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Employee Name:                                                                                                                                                                                                           | <b>Rhonda Greenholtz</b>                                                                                                                                                                                                                      |                 |                                                                                                                                                                                                                                      |
| Department Number:                                                                                                                                                                                                       | <b>439</b>                                                                                                                                                                                                                                    | Work Location:  | Mason Bldg                                                                                                                                                                                                                           |
| Birthdate:                                                                                                                                                                                                               |                                                                                                                                                                                                                                               | Mail Address:   |                                                                                                                                                                                                                                      |
| Social Security:                                                                                                                                                                                                         |                                                                                                                                                                                                                                               | Mail Address:   |                                                                                                                                                                                                                                      |
| Home Phone:                                                                                                                                                                                                              |                                                                                                                                                                                                                                               | Cell Phone:     |                                                                                                                                                                                                                                      |
| Salary:                                                                                                                                                                                                                  | <b>\$33,846.62</b>                                                                                                                                                                                                                            | Salary:         | \$ -                                                                                                                                                                                                                                 |
| Reason:                                                                                                                                                                                                                  | <b>new hire</b>                                                                                                                                                                                                                               |                 | New Hire<br>Promotion<br>Temporary Assignment<br>Annual Increase                                                                                                                                                                     |
| Step:                                                                                                                                                                                                                    | <b>D</b>                                                                                                                                                                                                                                      | Step:           |                                                                                                                                                                                                                                      |
| Grade:                                                                                                                                                                                                                   | <b>III</b>                                                                                                                                                                                                                                    | Grade:          |                                                                                                                                                                                                                                      |
| Min/Mid/Max                                                                                                                                                                                                              |                                                                                                                                                                                                                                               | Min/Mid/Max     |                                                                                                                                                                                                                                      |
| From:                                                                                                                                                                                                                    | Candidate<br>Non-Exempt<br>Exempt<br><b>X</b> Full-Time Perm > 1820 hrs/annual<br>Full-Time Perm 2080 hrs/annual<br>Full-Time Temp < 6 mos<br>Part-time Perm < 1040 hrs/annual<br>Part-time Temp/Intern<br>Contract<br>Termination/Retirement | To:             | Candidate<br>Non-Exempt<br>Exempt<br>Full-Time Perm > 1820 hrs/annual<br>Full-Time Perm 2080 hrs/annual<br>Full-Time Temp < 6 mos<br>Part-time Perm < 1040 hrs/annual<br>Part-time Temp/Intern<br>Contract<br>Termination/Retirement |
| From:                                                                                                                                                                                                                    | FMLA Military<br>Personal Unpaid Personal Paid<br>Active Return to Work<br>Workers Comp WC Code<br>WC Rate:                                                                                                                                   | To:             | FMLA Military<br>Personal Unpaid Personal Paid<br>Active Return to Work<br>Workers Comp WC Code<br>WC Rate:                                                                                                                          |
| Additional Info:<br><b>The recommended applicant is filling a position vacated by Alex Beaulieu in May 2014.<br/>One step increase to occur at the end of the 6 month probation provided the review is satisfactory.</b> |                                                                                                                                                                                                                                               |                 |                                                                                                                                                                                                                                      |
| <b>Effective Date:</b>                                                                                                                                                                                                   |                                                                                                                                                                                                                                               | <b>7/7/2014</b> |                                                                                                                                                                                                                                      |
| Co Admin/Elected Official:                                                                                                                                                                                               |                                                                                                                                                                                                                                               | HR Approval     |                                                                                                                                                                                                                                      |
| Commission Approval                                                                                                                                                                                                      |                                                                                                                                                                                                                                               | Hiring Mgr Appr |                                                                                                                                                                                                                                      |
| Hiring Mgr Notified                                                                                                                                                                                                      |                                                                                                                                                                                                                                               | Payroll Done    |                                                                                                                                                                                                                                      |

**JEFFERSON COUNTY**  
**Personnel Requisition**

Department Name Planning and Zoning Date 5/1/14 Date Needed ASAP

Job Title Planning Clerk Salary Grade III Criminal History Check Yes  No

Suggested Recruitment Source(s) Journal and County website

Applicants Interviewed By: Jennie Brockman and staff Position Reports To: Director, Planning and Zoning

**Minimum Education Required:** High School degree (Associate's degree preferred) with one to three (1-3) years related work experience; or any equivalent combination of education, training and experience which provides the required knowledge, skills and abilities to perform the essential functions of the job.

**Minimum Experience Required:** Essential skills include good word processing skills, knowledge of Microsoft Office Suite, written and verbal communication skills, record keeping, researching and time management skills, a working knowledge of the Internet in support of department operations and effective customer service skills. Ability to learn common policies, practices and procedures of the department and office operations; laws and regulations pertinent to position functions; use good judgment and decision making abilities, to work independently with minimum supervision, communicate professionally with people of diverse backgrounds and levels of education is required. Must be an analytical thinker and detail-oriented. NOTE: Employee will be required to work beyond normal business hours to attend regularly scheduled evening meetings and additional meetings as needed and requested by the County Planner, Project/Office Manager or Director.

**Job Duties:** Serves as Clerical support to the Planning Commission for the purpose of preparing agenda, packets and related documents for their once or twice-monthly meetings; attends Planning Commission and/or Committee meetings; operates recording and broadcasting devices; and prepares meeting minutes for approval by the Planning Commission. Provides administrative support to the County Planner; prepares correspondence for signature and perform requested tasks, as assigned. Assists the public with inquiries and provide copies of requested information and other assistance as required or requested. Answers incoming telephone calls and responds appropriately to inquiries, transcribe clear and concise messages, screen calls and route to appropriate person, record incoming calls in daily log. Prepares notices in accordance with ordinance or policy standards and prepare and post notice of meetings and public hearings; prepares calendar of meetings and deadlines for entire calendar year and ensure that all required deadlines are met. Records pertinent information into computer log, opens and maintains project files, and processes and responds to incoming documentation as required, docket each project file for upcoming Planning Commission meetings, provide detailed background research and continued assistance until project completion. Composes, transcribes types, proof-reads, copies, files and/or distributes a variety of documents (i.e., correspondence, reports, agenda, memos, meeting minutes, etc); researches adjoining property owner information and draft notification letters; administers Certification of Records for court proceedings, assemble and organize information in chronological order, copy entire file including large plats, record in detail each submission in chronological order. Performs other clerical duties as needed and instructed by the Office Manager or the Director.

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**Budget Information**

Addition \_\_\_ Replacement X Explain or For Whom Alex Beaulieu (pending promotion to PM/OM)

Position Budgeted X Yes \_\_\_ No \_\_\_ Proposed Salary \$30,750 - \$33,847 (Grade III, Step dependent on qualifications) Date of Hire TBD

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

Safety/Security \_\_\_ Hours Per Week Non-Exempt Position 35 hrs/wk plus evening meetings (comp time)

---

**Approvals**

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

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

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

Comments \_\_\_\_\_



**JEFFERSON COUNTY  
COMMISSION OFFICES  
WILL BE CLOSED ON  
FRIDAY, JUNE 20, 2014 IN  
ORDER TO OBSERVE WEST  
VIRGINIA DAY**



Received

JUN 11 2014

State of West Virginia  
Glen B. Gainer III  
State Auditor

Jefferson County Commission

Office of the State Auditor  
Local Government Services  
200 West Main Street  
Clarksburg, West Virginia 26301

Toll Free: (877) 982-9148  
Telephone: (304) 627-2415  
Fax: (304) 627-2417  
[www.wvsao.gov](http://www.wvsao.gov)

June 5, 2014

Honorable Commissioners of Jefferson County, WV:

Dear County Commissioners:

Thank you for completing and submitting the "Consideration of Increased Salaries for County Officials" form. As required by Senate Bill No. 1005, our office has completed an analysis of the fiscal condition of your county. Accordingly, after a detailed review of the current financial condition of your county, we can certify there is sufficient revenue to support the payment of the salary increase to your elected officials.

Senate Bill No. 1005 states in relevant part, "[e]ach county commissioner or other elected official described in this section in office on the effective date of the increased salaries provided by this section who desires to receive the increased salary shall have prior to that date filed in the office of the clerk of the county commission his or her written request for the salary increase. The salary for the person who holds the office of county commissioner or other elected official described in this section who fails to file the written request as required by this paragraph shall be the salary for the office in effect immediately prior to the effective date of the increased salaries provided by this section until the person vacates the office or his or her term of office expires, whichever first occurs."

When you submit the required budget revision with our office prior to July 31, please incorporate any budget adjustments that must be made to effectuate these salary changes. Please also include a copy of the statement signed by each official that requested the salary increase. For your convenience, I have attached a copy of the statement that is required to be signed. Additionally, please submit a revised salary schedule which is available on our website. Please take into consideration any newly elected officials as of January 2015 when making your budget revision.

Thank you for your understanding and assistance in this matter. If you have any questions, please contact Ora Ash or Shellie Humphrey at 304-627-2415.

Sincerely,

Glen B. Gainer III  
State Auditor

GBGIII:blw

cc: Jefferson County Officials

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**Section 6 - West Virginia State Auditor's Office Certification**

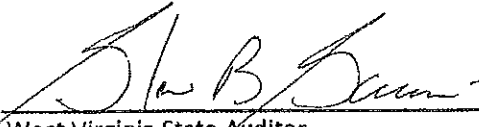
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Based on the information provided, I certify Jefferson County Commission's fiscal condition appears sufficient to proceed with the increase in the salaries set forth in Section 1.



Based on the information provided, I DO NOT certify Jefferson County Commission's fiscal condition appears sufficient to proceed with the increase in the salaries set forth in Section 1.



West Virginia State Auditor

5-30-14

Date

I, \_\_\_\_\_, the duly elected \_\_\_\_\_ in and for the  
County of \_\_\_\_\_, West Virginia, do hereby request a salary increase pursuant to  
W. Va. Code § 7-7-4, as amended. This salary increase is effective July 1, 2014.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Date)

*Public Service Commission  
Of West Virginia*

201 Brooks Street, P. O. Box 812  
Charleston, WV 25323



Phone: (304) 340-0300  
FAX: (304) 340-0325

June 6, 2014

Jefferson County Commission  
110 East Washington Street  
Charles Town, WV 25414

SUBJECT: Disbursement of Wireless E-911 Subscriber Fees

Dear County Commissioner:

A check in the amount of \$190,445.80 representing a disbursement of Wireless E-911 subscriber fees **will be mailed directly from the West Virginia State Auditor's Office.** This amount is your County's share of the fees remitted to the Public Service Commission for the months of March, April, and May 2014. The next disbursement will be in three months.

I can be reached at our toll-free number, 1-800-344-511, Extension 364, or direct at 304-340-0364, should you have any questions about the disbursement calculation or about the fees in general.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Mitchell".

Sandra Mitchell  
Budget & Finance Manager

SM:kp

AGENCY: PUBLIC SERVICE COMMISSION  
TOTAL: \$190,445.80

WARRANT #: 1013861871  
DATE: 06/09/14

| TRANSACTION ID | INVOICE NUMBER & | PAYEE REFERENCE | PURCHASE ORDER | AMOUNT       |
|----------------|------------------|-----------------|----------------|--------------|
| I015741441     |                  |                 |                | \$190,445.80 |

If you have questions concerning the above, please call 304-340-0364.

REMOVE DOCUMENT ALONG THIS PERFORATION

CTL# 32218371

THIS WARRANT HAS MULTIPLE SECURITY FEATURES TO DETER FRAUD AND COUNTERFEITING  
VOID UNLESS PRESENTED FOR PAYMENT WITHIN SIX MONTHS

State of West Virginia

Important remittance information on top panel  
Remitter: PUBLIC SERVICE COMMISSION  
Questions? Contact: SANDY MITCHELL at 304-340-0364

STATE WARRANT # 1013861871

PAYEE JEFFERSON COUNTY COMM

JUNE 09, 2014

\*\*\*\*\*\$190,445.80\*\*

1013861871

WEST VIRGINIA TREASURY

*John D. Perdue*  
STATE TREASURER

*Glen B. Baumer III*  
STATE AUDITOR

⑈ 1013861871 ⑈ ⑆ 051902322 ⑆ 0005270537822 ⑈

# Jefferson County Public Service District

Received

JUN 06 2014

## Jefferson County Public Service District Work Session May 5, 2014

Jefferson County Commission

The work session of the Jefferson County Public Service District was held at 5:00PM on Monday, May 5, 2014 at the District's office in Kearneysville. Those in attendance included: Chairman, Peter Appignani; Acting Secretary, Richard Weese; Treasurer, Bill Strider; PSD General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; Finance Manager, April Williams; District Legal Counsel, Jim Kelsh; from Pentree Engineering, Zane Summerfield and Wayne Morgan; from Dunn Engineering, Fred Hypes; the Districts Accountant from Cox Hollida Professionals, Chuck Young; and Liaison for the County Commission, Commissioner Jane Tabb.

Mr. Appignani expressed his concerns regarding the engineering addendum for the Jefferson Utilities Preliminary Engineering Report (PER) and the PER for the sewer transmission project. He believes these items violate the Public Service Commission order of the Joint Stipulation which states the District must use the 5-G process for any new projects. Mr. Kelsh stated that the addendum for the water project PER is an amendment to the previously approved agreement between the District, Jefferson Utilities, and Pentree and it is an adjustment to the engineering work done by Pentree. Mr. Kelsh also explained that the second project discussed, the submittal of a PER for a sewer transmission project, is included in Addendum 18 with Pentree, but final design would have to go through the 5-G process. Mr. Appignani again expressed that he thinks this is a violation of the Joint Stipulation.

Mr. Appignani also expressed his concerns with Mr. Strider being a member of the Ranson Economic Development Authority as well as owning Clay Hill Farm and being involved in the discussion on purchasing Jefferson Utilities and related sewer transmission projects. He believes Mr. Strider could gain financially and feels uncomfortable with this situation. Mr. Kelsh disagreed and stated he doesn't think there is any conflict of interest or any gains financially.

### Mountain Water Project scope

Wayne Morgan from Pentree Engineering informed the Board that the opportunity to get the best financing option of 2%, 38 year terms will be ending June 10<sup>th</sup>. He explained the qualifications for the lower interest rate will be lost when state agencies begin utilizing the 2010 census data for calculating the median household income rather than the 2000 census and when this occurs, they will probably offer 3%, 20 year terms. Regarding both the Mountain Water Project and purchasing the Jefferson Utilities system, Mr. Morgan stated that the District should focus on what is in the best interest of the customers. Pentree would like to work with Jefferson Utilities and District staff to define a scope of improvements for the mountain water project and develop valuation for the purchase of the Jefferson Utilities system.

### District sewer transmission project scope

Mr. Summerfield reviewed the nine (9) options for sewer collection and transmission upgrades that were prepared in 2012 after the Flowing Springs wastewater treatment plant project was denied. He stated that the volume of flow will continue to increase and the District needs to be prepared to handle the additional capacity. Mr. Summerfield explained that Pentree owes the District a preliminary engineering report per Addendum 18, but he needs the direction of the Board on which option they would like to pursue.

### Asset acquisitions of Jefferson Utilities, Inc. water system, sewer systems of Shenandoah Junction, Inc., and East Jefferson Sewer System, Inc.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to convene in executive session for the purpose of discussing contract negotiations. Unanimously approved.

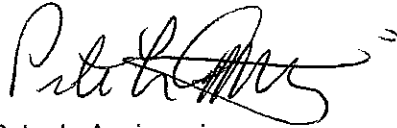
**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to return to public session. Unanimously approved.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to adjourn. Unanimously approved.

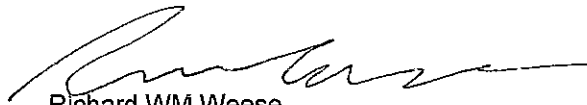
There being no further business at this time, the meeting was concluded at 6:39PM

The next regular meeting is scheduled for June 2, 2014 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Peter L. Appignani  
Chairman



Richard WM Weese  
Secretary

# Jefferson County Public Service District

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## Jefferson County Public Service District Regular Board Meeting May 5, 2014

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, May 5, 2014 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Peter Appignani; Treasurer, Bill Strider; Secretary, Richard Weese; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; Finance Manager, April Shultz; Operations Manager, Joe Freeze; District Legal Counsel, Jim Kelsh; from Dunn Engineering, Fred Hypes; from Pentree Engineering, Zane Summerfield and Wayne Morgan; and Liaison for the County Commission, Commissioner Jane Tabb.

### **CALL TO ORDER**

Chairman Peter Appignani called the meeting to order at 7:01PM.

### **Appoint Mr. Weese as Secretary**

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to appoint Mr. Weese as Secretary. Unanimously approved.

### **Approval of agenda**

There were no changes to the agenda.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve the agenda as presented. Unanimously approved.

### **Public Comments**

None.

### **OLD BUSINESS**

#### **Review Minutes of April 7 regular board meeting**

The minutes of the April 7, 2014 regular board meeting were approved as presented.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to accept the April 7, 2014 regular meeting minutes as presented. Unanimously approved.

#### **Discuss the District's financial status (status of paying bills)**

Finance Manager, April Shultz stated that all of the District's disbursements will be paid after the Board meeting with a small cash balance remaining.

**Action:** No action required by the Board.

#### **Options and process path for creating/revising PSD strategic plan**

Mr. Hypes informed the Board that after hearing the talks of the work session prior to the regular meeting he may need to change the direction of the scope for a plan. He would also like to wait until after the decisions of the West Virginia Infrastructure and Jobs Development Council meeting taking place on May 7<sup>th</sup>. Mr. Hypes will have something for the Board next month.

**Action:** No action required by the Board.

#### **Review nine (9) options in Pentree Study for sewer collection and transmission upgrades and consider filing preliminary engineering report**

Mr. Summerfield reviewed the nine (9) options and costs for the public in the audience. Mr. Kelsh stated that after June 10<sup>th</sup> financing options will become limited due to state agencies using the median household income numbers from the 2010 census rather than the 2000 census which puts Jefferson County at a much higher income rate. If desired, the Board should file a Preliminary Engineering Report and Rule 42 Exhibit before the June 10<sup>th</sup> deadline. The Board first needs to direct Pentree on which of the options presented they would like to pursue for a project. Mr. Weese recommended the Board pursue option 8 which takes care of the upgrades for the entire collection system and the possibility to provide capacity to the Old Standard wastewater treatment

plant. The proposed costs for this option are an estimated \$15 million. Mr. Strider also recommended option 8 which embodies all of the other alternatives.

**Action:** **Motion made by Mr. Strider and seconded by Mr. Weese to consider option 8 for the purpose of Pentree filing a preliminary engineering report.**

A brief discussion was held before the vote. Mr. Appignani stated that the District does not have a very good track record at the Public Service Commission for getting big projects approved. He was concerned with approving a \$15.3 million project when the District is financially broke and the fact there are cheaper options such as option 9 that make a lot of sense to consider. Mr. Strider and Mr. Weese would still like to consider option 8 rather than the other options that fix the collection system a piece at a time.

**The motion was approved 2-1. Mr. Appignani voted against the motion.**

Approve accounting services agreement with Cox Hollida Price to prepare a draft Rule 42 Exhibit for a West Virginia Infrastructure and Jobs Development Council funding application for a sewer transmission improvement project

**Action:** **Motion made by Mr. Strider and seconded by Mr. Weese to approve the accounting services agreement with Cox Hollida Price to prepare a draft Rule 42 Exhibit for a West Virginia Infrastructure and Jobs Development Council funding application for a sewer transmission improvement project. Approved 2-1. Mr. Appignani voted against the motion.**

Discuss report on easement/ownership of all pump stations

- Consider hiring local lawyer to attain easements

Ms. Lawton would like the Board to appoint a local attorney to attain easements for pump stations 3-8, 3-9, 3-13, and 4-6. These pump stations do not have written easements which need to be drafted by an attorney.

**Action:** **Motion made by Mr. Weese and seconded by Mr. Strider to use attorney David Hammer to attain the easements for the four pump stations. Unanimously approved.**

Discuss sewer capacity for Harvest Hills and Burr/Bardane Industrial Parks

Mr. Hypes is continuing to work on this and will have something to report next month.

**Action:** **No action required by the Board.**

## **NEW BUSINESS**

Discuss request by Breckenridge East developer to have sewer capacity studied in the area of pump station 3-7 (Breckenridge pump station) and down to the Charles Town wastewater treatment plant

Dan Snyder with B.C. Partners and Pleasants Development, Inc was in the audience to inform the Board that they are planning to move forward with the first phase of Breckenridge East development off of Country Club Road. This phase includes 45 lots with an associated pump station. Mr. Snyder would like assurance from the District for sewer capacity for the development.

**Action:** **No action required by the Board.**

Approve amendment to 2009 engineering agreement between the District, Jefferson Utilities, Inc, and Pentree for additional services for Pentree to prepare a preliminary engineering report in support of an West Virginia Infrastructure and Jobs Development Council application for the acquisition of the water utility assets of Jefferson Utilities, Inc and a Mountain Water Project

**Action:** **Motion made by Mr. Strider and seconded by Mr. Weese to approve the engineering agreement amendment with Pentree Engineering as presented. Approved 2-1. Mr. Appignani voted against the motion. He believes approving this agreement is not following the 5-G process as stated in a Public Service Commission Joint Stipulation.**

Consider driveway upgrade for pump station 4-5

**Action:** **Motion made by Mr. Weese and seconded by Mr. Strider to approve the low bid for the driveway at pump station 4-5. Unanimously approved.**

Update on Statuses of Current Public Service Commission Cases

PSC case # 13-1832-PSD-PC - Mr. Kelsh has filed the financial documents requested by the PSC in the case to disburse the Districts Capacity Improvement Fee funds.

PSC case # 14-0606-PSD-C - In the Lutman Properties complaint, Mr. Kelsh filed a motion to amend the interim relief order of the PSC and is waiting for a response.

PSC case # 14-0582-PSD-PC - Ms. Lawton has filed the Termination Agreement with Mockingbirdhil, Inc. and is waiting for a response.

PSC case # 13-1175-S-C & Circuit Court case # 14-C-51 - Mr. Appignani gave a brief update on the Old Standard case at the PSC and the East Jefferson Sewer System case at Circuit Court. He stated that the District has asked that both cases be dismissed.

**Action:** No action required by the Board.

Consider Fiscal Year 2014 budget revision

Finance Manager, Ms. Shultz, discussed the Fiscal Year 2014 budget revisions. This revised budget shows 115% coverage.

**Action:** Motion made by Mr. Strider and seconded Mr. Weese to accept the Fiscal Year 2014 budget revision as presented. Unanimously approved.

Consider approval of Fiscal Year 2015 sewer operating budget

Ms. Shultz discussed the Fiscal Year 2014 sewer operating budget. The budget shows 116% coverage.

**Action:** Motion made by Mr. Strider and seconded Mr. Weese to accept the Fiscal Year 2015 sewer operating budget as presented. Unanimously approved.

Consider approval of Fiscal Year 2015 water operating budget

Ms. Shultz discussed the Fiscal Year 2015 water operating budget.

**Action:** Motion made by Mr. Strider and seconded Mr. Weese to accept the Fiscal Year 2015 water operating budget as presented. Unanimously approved.

Discussion of any Expenses over Budget

There were no items over budget this month.

**Action:** No action required by the Board.

Disbursements

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve disbursements for Public Service District water expenses in the amount of \$20,531.80. Unanimously approved.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve disbursements for the Public Service District sewer expenses in the amount of \$194,345.69. Unanimously approved.

Approve transfer of \$6,200.00 from the renewal & replacement account to the Sewer Operating account for a new pump at pump station 4-7.

Approve transfer of \$1,851.54 from the renewal & replacement account to the Sewer Operating account for the repairs at pump station SHN-2.

Approve transfer of \$2,496.91 from the Sewer Security Deposit account to the Sewer Operating account for security deposit refunds

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve the transfer of \$6,200.00 from the renewal & replacement account to sewer operating account for a new pump at pump station 4-7, to approve the transfer of \$1,851.54 from the renewal & replacement account to sewer operating account for the repairs at pump station SHN-2, and to approve the transfer of \$2,496.91 from the sewer security deposit account into the sewer operating account for security deposit refunds. Unanimously approved.

General Manager's Report

Ms. Lawton updated the Board on activities since last month's meeting.

Water Systems Project – Ms. Lawton informed the Board that the construction for the Glen Haven and Cavaland upgrade project has officially begun.

**Action:** No action required by the Board.

Other staff reports

None discussed.

**Action:** No action required by the Board.

Correspondence

None discussed.

Public Comment

Dale Manual, County Commissioner and District customer, stated his concern about the rate impact to the customers regarding the \$15 million sewer project since this point was not discussed by the Board.

John Maxey, Harpers Ferry resident, expressed his concern about putting the burden of a big project on the Districts 2000 customers rather than spreading the burden across the entire County since the project will have tremendous impact on the County as a whole.

Todd Milliron, District customer, was very concerned with the actions taken tonight by the Board. He claimed that according to the Charleston newspaper, the State is broke and according to Mr. Appignani the District is broke as well so the District should complete a strategic plan to assist in what options the District needs first. He stated that the ratepayers would probably support the District if they knew what the District was doing.

Charles Cheezum, District customer, questioned what the sewer project was going to cost the rate payers. He was going to talk with a group in Charleston on Friday to discuss his concerns.

Heidi Parker, District customer, stated that she along with Mrs. Milliron, worked hard to get the legislature passed requiring a customer on the Board and she questioned if Mr. Weese is an actual customer residing at the property. She stated that she will intervene on the new sewer project.

Mrs. Shultz, Mr. Freeze, and Commissioner Tabb exited the meeting.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to convene in executive session for the purpose of discussing litigation, personnel matters, and contract negotiations. Unanimously approved.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to return to public session. Unanimously approved.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve the accounting services agreement with Cox Hollida Price to prepare a draft Rule 42 for West Virginia Infrastructure and Jobs Development Council funding application for acquisition of water system assets of Jefferson Utilities, Inc. and construction of a Mountain water systems improvement project. Approved 2-1. Mr. Appignani voted against the motion.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve the legal services agreement with Bowles Rice for acquisition of Jefferson Utilities, Inc. water utility assets and a Mountain Water Project. Approved 2-1. Mr. Appignani voted against the motion.

**Action:** Motion made by Mr. Weese and seconded by Mr. Strider to designate Mr. Strider with negotiation authority for the purchase of the Jefferson Utilities, Inc. water and sewer systems. Approved 2-1. Mr. Appignani voted against the motion.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to adjourn. Unanimously approved.

There being no further business at this time, the meeting was adjourned at 9:37PM.

The next regular meeting is scheduled for Monday, June 2, 2014 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Peter L. Appignani  
Chairman



Richard WM Weese  
Secretary

**Jessica Carroll**

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**From:** dep.online@wv.gov  
**Sent:** Wednesday, June 04, 2014 11:07 AM  
**To:** info@jeffersoncountywv.org  
**Subject:** WVDEP asks tank owners to secure Electronic Submission System (ESS) access prior to opening of tank registration period

The following was sent to you because you are a Member of the ESS aka ePermitting mailing list.

=====  
Wednesday, June 4, 2014 @ 10:51 AM  
=====

In preparation for the aboveground storage tank registration process, the West Virginia Department of Environmental Protection (DEP) is asking tank owners to take steps to help streamline the process - for both the agency and the registrants. Namely, the agency is asking that tank owners who aren't already signed up for online registration do so starting immediately.

Senate Bill 373, the Aboveground Storage Tank Act, which was passed by the Legislature in March, was drafted in response to a Jan. 9 chemical spill that contaminated the drinking water of approximately 300,000 West Virginia residents in nine counties. In general, the law requires all aboveground storage tanks located in the state that are large enough to hold at least 1,320 gallons of fluid, are in one place for more than 60 days and are 90 percent or more above ground to be registered with the DEP by Oct. 1. The registration process - which is anticipated to begin around June 10 - will include questions including tank size, contents, construction, age and location.

Because there are likely tens of thousands of tanks that will be affected, the DEP is working to revise its Electronic Permitting/Electronic Submission System (ESS) to accept tank registrations online so that the information collected can quickly and easily be stored and accessed.

Owners of tanks should visit DEP's website, [www.dep.wv.gov/tanks](http://www.dep.wv.gov/tanks), for a complete explanation of the new requirements and deadlines, information about how to obtain a user ID and other details about the registration process. This site also includes a survey to help tank owners determine if they actually do need to register and has links to useful information - such as frequently asked questions, nationally recognized standards for tanks, important dates related to the new program and public input received by the agency about the rules for the program.

Tank owners who don't currently use the ESS system will need to sign up for a user ID in advance. In order to ensure that the Oct. 1 registration deadline can be met, tank owners are asked to request this ID as soon as possible because there is a stringent security documentation process involved to ensure that those registering are authorized by each company to do so.

Companies that already use ESS for permit applications and/or discharge monitoring reporting can use their existing user IDs and passwords.

“The cooperation of tank owners is essential in making this very detailed and very important registration process go as smoothly and as quickly as possible,” said DEP Cabinet Secretary Randy Huffman. “Working together is the only way we can achieve the monumental task of getting all aboveground storage tanks registered, which is the first step in setting up a regulatory framework to help minimize any future risks to public health, safety and peace of mind.”

=====  
This is a one time message please ignore the unsubscribe information below

=====  
To Unsubscribe from this Mailing List, login at:  
<http://apps.dep.wv.gov/MLists/>



May 29, 2014

Jefferson County Commission  
PO Box 250  
Charles Town, WV 25414

To the Jefferson County Commission,

The by-laws of the Jefferson County Historic Landmarks Commission require that the Jefferson County Commission and West Virginia State Historic Preservation Office be notified when the Landmarks Commission designates additional structures or sites as historic landmarks. At its May 21, 2014 meeting, the Landmarks Commission added two historic structures to the list of Jefferson County Historic Landmarks.

**Elk Branch Church & Academy** (Criteria A)  
**Jacob Homar Barn** (Criteria C)

Enclosed are Landmarks Commission nomination reports on these properties, including photographs. These are provided for your review, though no action is required by the County Commission. A duplicate set of reports has been sent to the WV State Historic Preservation Office in Charleston.

If you have any questions regarding these reports, please do not hesitate to contact me at (304) 876-3883.

Respectfully,

A handwritten signature in black ink, appearing to read 'Martin Burke'. The signature is fluid and cursive, written over a horizontal line.

Martin Burke  
Chairman, JCHLC

**Landmark Nomination Report**  
**Jefferson County Historic Landmarks Commission**

**Elk Branch Church and Academy**

5229 Flowing Springs Rd.  
Shenandoah Junction, WV 25442

**Physical Description:**

The Elk Branch Church and Academy are located one-quarter mile north of Duffields train station, and 1.5 miles from Jefferson High School. They are 4.3 miles south of Shepherdstown, on Flowing Springs Road. The church is built of limestone, with walls 20 inches or more thick, and includes a large gallery, see Architectural information below. The Academy is a single story brick structure.

**Historic Description:**

Presbyterian clergy have preached at Elk Branch since 1719. In 1768 the church became independent of the Shepherdstown Presbyterian Church. There was no pastor to minister to the congregation, which was largely of German and Scotch-Irish descent, from 1792 to 1833, but the present building was finished in 1829, having cost \$1,047.57. In 1830 John Snyder, Sr., deeded the church lot to John Snyder, Jr., James Burr, John Melvin, Jr., Thomas Melvin, Jr., John William Duffield, and Henry Snyder, to be used for public worship and as a burying ground, and to erect a school house.

During the Civil War the church was occupied by Union troops and also used by them as a hospital in 1862-63. As a result, everything but the walls and roof were destroyed or damaged, and required extensive repairs at the end of hostilities. For a few days following the Battle of Antietam it also served as a Confederate hospital.

It was not until 1870, however, that the Academy, originally called a "classical high school," was completed by Messers. Hess and Melvin. The cornerstone was laid July 21 of that year with impressive ceremony, processions, and notable orators, including Henry Kyd Douglas, Judge John E. White, and the president of Hampden-Sydney College. The building served as the only school in Duffields until 1885, after which it was used for children below grade 5. Church members were in attendance as late as 1925.

**Architectural information:**

**Church:**

Gable-entry church 32' wide x 44' long

Limestone structure - Date stone "1829" set near peak of front gable

Stonework:

Large ashlar quoins on each corner ranging from 11" to 18" tall

Stone work on front elevation (east) is squared, ashlar material

Other three sides are laid in random rubble

Three-piece stone flat arches surmount the six openings on the front

The flat arches are comprised of a projecting keystone with flanking shoulder stones

Slate roof with decorative fish-scale pattern

16' to top of eave

Pair of brick chimney stacks that have been rebuilt with old bricks

3-bay front (east) gable – windows on lower and upper floor

4-bay north gable (3 windows and door to balcony stair)

3-bay south gable

2-bay rear (west) gable

Original door and window frames, corner pinned construction

Some original hardware remains such as drive pintels

20<sup>th</sup> century 1-over-1 window sashes with mottled glass

The 2 rear (west) windows have decorative stained glass

Original pair of entry doors – each with four shallow raised panels with Grecian stickings

Two-light transom above

**School:**

Gable-entry school building

Structure measures 22' wide x 38' long

Sited parallel to the church and 60 feet to the north

Less than 20 feet to Flowing Spring Road

Set back 17 feet from the front plane of the church

Brick structure on a limestone foundation

Laid in 5:1 common bond

There is a stepped brick watertable just above the foundation

Each long wall has four projecting square columns (north and south elevations)

These projections have corbelled tops that recess into the wall plane

Date stone marked "1870" located near the base of the northeast corner

Modern metal roof

A single, small chimney stack exits the northwest corner of the roof

A 20<sup>th</sup> century addition covers the rear (west) elevation measuring 22' deep x 17' long

This addition has been covered with modern metal siding

Original 4-panel entry door with modern hardware

Transom above has been covered and an air conditioning unit inserted

A late 20<sup>th</sup> century brick stoop

Front windows have arched tops in the Italianate style

Windows on the north and south sides have flat tops

**Outhouse:**

An east-facing 2-door outhouse is located just north of the school building. This frame structure appears to date to the mid 20<sup>th</sup> century. The small wooden building has a shed roof punctured by two vent stacks.

**Cemetery:**

Between and behind the Church and School buildings are numerous gravestones dating from the 1830s through the modern era.

**Nomination Criteria:**

The JCHLC nominates this property under Criteria A for inclusion on the list of registered county landmarks. Criteria A states that a site may be nominated if, in the opinion of the JCHLC, it is associated with events that have made a significant contribution to the broad patterns of our history. The Elk Branch Church Presbyterian Church has agreed to have the property listed as a Jefferson County Historic Landmark.

**Nomination Action:**

The JCHLC voted unanimously to add **Elk Branch Church and Academy**, under Criteria A, to the rolls of registered Jefferson County Historic Landmarks on May 21, 2014.



5229 Flowing Springs Rd. Shenandoah Junction, WV 25442, USA



Image © 2014 DigitalGlobe  
© 2013 Google

Google earth

428 ft

1988

Imagery Date: 3/11/2012 lat 39.363856° lon -77.826815° elev 504 ft eye alt 2476 ft



**Landmarks Nomination Report**  
**Jefferson County Historic Landmarks Commission**

**Jacob Homar Barn**

10858 Leetown Road  
Kearneysville, WV 25430

**Physical Description:**

The Jacob Homar Barn is located at 10858 Leetown Road, just south of Leetown. The barn sits along the east side of County Route 1, or Leetown Road, near the intersection Sulphur Springs Road. The parcel includes a bank barn, stonewall, and fenced pasture. The historic house adjacent to the barn has been divided onto another parcel.

**Historic Description:**

The farm on which the Jacob Homar Barn sits was part of Jacob Hite's *Hopewell* plantation of over 2,600 acres. Of that, about 1,500 acres was sold to Maj. Gen. Charles Lee in 1775. Lee renamed the property *Prato Rio* before he died in 1782. This plantation was divided into four parcels by his will. Two of the parcels, including the *Hopewell* or *Prato Rio* house, for a total of approximately 1,100 were sold to Rich Willis around 1788. Willis sold off the 630-acre parcel with a frame house built by 1798, and retained the 550-acre *Prato Rio* tract with the stone house until 1811 when he sold it to Johannes Sharp (Sharff). Hailing from Dauphin County, Pennsylvania, Johannes Sharff was 65 years old when he purchased the *Prato Rio* property. He had eight grown children, three of them sons, and may have purchased the property with their inheritance in mind. When he died on December 26, 1815, his oldest son John's first child was just 3 months old. The tax assessment for the John Sharff [sic] heirs in 1816 was for 551 acres adjoining "A. Weaver," still at the rate of \$8.61 that their father was taxed. The 1820 assessment listed John, James, and Peter Sharff with 540 ½ acres with a building value of \$600 [*Prato Rio*]. Elizabeth Sharff was listed separately with 10 acres and a building value of \$100. John and Peter Sharpe [sic] were listed on the 1820 census in separate households immediately following Adam Weaver. Both were listed as farmers and neither were slave owners. Peter Sharff's tract did not appear separately taxed however until 1825 when Peter was listed with 180 acres with a building value of \$100. Elizabeth still had her 10 acres with a \$100 building, and "John & J Sharff" had 360 ½ acres with \$600 in buildings. Since the John and James Sharff building value did not change after Peter's acreage was removed from the valuation, it appears that Peter's log dwelling house (adjacent to the barn) was probably constructed in 1824-25. Peter Sharff sold his tract by the end of 1825 "by Bill & Sale" to Jacob Homar, who was listed on the 1826 land tax with the 180 acres and a \$100 building value. Jacob Homar's tax assessment and building value did not change until 1832 when the building value rose to \$1,000 with the notation, "\$900 added for brick barn." By 1852, when S. Howell Brown drew his map, Jacob Homar had passed away and the property was listed under "Jacob Homar's heirs." The land is currently owned by Lee and Katie Jones.

**Historic Resource:**

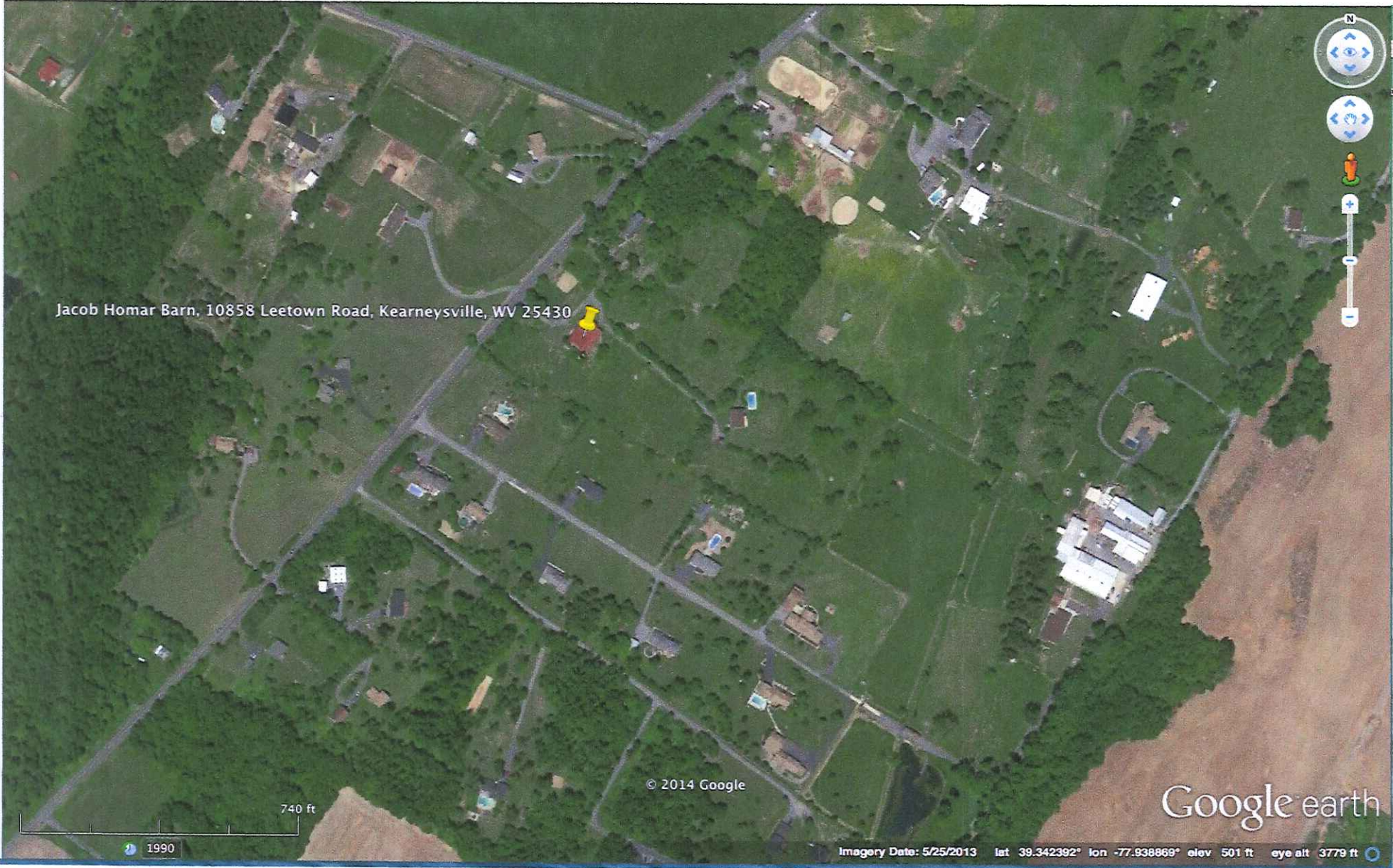
The Jacob Homar Barn is a rare bank barn example in Jefferson County. Constructed in 1832, this structure is one of only two brick bank barns remaining in Jefferson County. Measuring 75 feet long by 38 feet wide, the barn is similar in size to most of the county's bank barns. The structure rests on a limestone foundation with small quoins, atypical for the period of construction. The ashlar wall stone is also unusually squared and carefully constructed for an agricultural building. The barn has symmetrical brick gables, each inlaid with twelve diamond ventilators. The brick masonry walls are 16 inches thick and laid in a 5:1 common bond. The western wall has four vents flanking a pair of double doors hung on large pintels. These pairs of doors, each measuring 18 feet wide, open into an unusually large threshing floor. The eastern, or forebay, side of the barn has doors that open on the top floor. The interior framing of the barn is standard, except for the radius framing around the forebay doors. The roof has common rafters supported at the mid-point by purlins. Below the forebay on the ground floor are six man doors and a central wagon door, each topped by a barred transom. The man doors are 42" wide with the exception of the southern-most door, which is 50" across. This stall was used for horses and needed a wider opening. The stalls are divided with hay ricks and the floor above is supported by a very large summer beam. The forebay is cantilevered on hand-hewn floor joists that run six feet past the rear wall of the barn. The forebay is enclosed on each gable end by the foundation wall. A modern shed addition has been attached to the forebay side of the barn. Just beyond this shed is the historic stonewall that enclosed the barnyard.

**Nomination Criteria:**

The JCHLC nominates this property under Criteria C for inclusion on the list of registered county landmarks. Criteria C states that a site may be nominated if, in the opinion of the JCHLC, it embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that retains a high degree of integrity. The property owners, Lee & Katie Jones, have agreed to have the property listed as Jefferson County Historic Landmark.

**Nomination Action:**

The JCHLC voted unanimously to add the Jacob Homar Barn, under Criteria C, to the rolls of registered Jefferson County Historic Landmarks on May 21, 2014.



Jacob Homar Barn, 10858 Leetown Road, Kearneysville, WV 25430

© 2014 Google

Google earth

740 ft

1990

Imagery Date: 5/25/2013 lat 39.342392° lon -77.938869° elev 501 ft eye alt 3779 ft



# Impact Fee Status Report

## May 2014

### Office of Impact Fees

#### Summary

Date Range: Thursday 1 through Saturday 31 May 2014

Report Date: 2 June 2014

Process Number Range: 1400077 - 1400097

Total Applications: 21

Total Non-Exempt: 20

*Of which:*

Commercial: 0

Residential: 20

*Of which:*

County: 9

Municipal: 11

Total Exempt: 1

*Of which:*

Commercial: 0

Residential: 1

*Of which:*

County: 1

Municipal: 0

Tables 1 through 7 summarize impact fee processing for May 2014. Table 8 represents account totals, pending the transfer of fees collected as shown in Table 1, including General Impact Fee Account (3111776) interest which is listed in Table 2.

**Table 1. Form 100 Tallies**

|                        | Exempt | Commercial | Residential  | Total               |
|------------------------|--------|------------|--------------|---------------------|
| 1 – 31 May 2014        | 1      | 0          | 20           | 21                  |
| Fees collected         |        | \$0.00     | \$254,466.00 | <b>\$254,466.00</b> |
| <i>Of which</i>        |        |            |              |                     |
| School Impact Fee      |        |            | \$223,608.00 | <b>\$223,608.00</b> |
| Law Enforcement Fee    |        | \$0        | \$2,282.00   | <b>\$2,282.00</b>   |
| Parks & Recreation Fee |        |            | \$14,820.00  | <b>\$14,820.00</b>  |
| Fire & EMS Fee         |        | \$0.00     | \$13,756.00  | <b>\$13,756.00</b>  |

**Table 2. Financial Data – Office of Impact Fees General Account (3111776)**

| Description                                                       | Amount              |
|-------------------------------------------------------------------|---------------------|
| Opening Statement Balance (1 May 2014)                            | \$268,672.81        |
| May Deposits (1 – 31 May 2014) /1                                 | \$254,466.00        |
| School April Transactions (withdraws via transfer on 15 May 2014) | (\$235,746.47)      |
| Law April Transactions (withdraws via transfer on 15 May 2014)    | (\$2,817.78)        |
| Parks & Rec April Trans. (withdraws via transfer on 15 May 2014)  | (\$15,607.67)       |
| Fire & EMS April Trans. (withdraws via transfer on 15 May 2014)   | (\$14,500.89)       |
| Interest Earned (31 May 2014)                                     | \$78.89             |
| <b>Ending Statement Balance (31 May 2014)</b>                     | <b>\$254,544.89</b> |
| <i>Outstanding Credits (deposits through 1 June 2014)</i>         | <i>\$0.00</i>       |

/1 Includes Outstanding Credit from April transactions of \$7,711.00.

**Table 3. Financial Data – School Impact Fee Account (3107582)**

| Description                                               | Amount                |
|-----------------------------------------------------------|-----------------------|
| Opening Balance (1 May 2014)                              | \$784,388.66          |
| April Transactions (deposits via transfer on 15 May 2014) | \$235,746.47          |
| Interest Earned (31 May 2014)                             | \$271.59              |
| <b>Ending Balance (31 May 2014)</b>                       | <b>\$1,020,406.72</b> |

**Table 4. Financial Data – Law Enforcement Impact Fee Account (3120120)**

| Description                                               | Amount             |
|-----------------------------------------------------------|--------------------|
| Opening Balance (1 May 2014)                              | \$24,917.94        |
| April Transactions (deposits via transfer on 15 May 2014) | \$2,817.78         |
| Interest Earned (31 May 2014)                             | \$7.87             |
| <b>Ending Balance (31 May 2014)</b>                       | <b>\$27,743.59</b> |

**Table 5. Financial Data – Parks & Recreation Impact Fee Account (3122808)**

| Description                                               | Amount              |
|-----------------------------------------------------------|---------------------|
| Opening Balance (1 May 2014)                              | \$446,979.87        |
| April Transactions (deposits via transfer on 15 May 2014) | \$15,607.67         |
| Interest Earned (31 May 2014)                             | \$135.41            |
| <b>Ending Balance (31 May 2014)</b>                       | <b>\$462,722.95</b> |

**Table 6. Financial Data – Fire & EMS Impact Fee Account (3122816)**

| Description                                               | Amount              |
|-----------------------------------------------------------|---------------------|
| Opening Balance (1 May 2014)                              | \$182,872.19        |
| April Transactions (deposits via transfer on 15 May 2014) | \$14,500.89         |
| Requisition 14R0102 - Middleway Generator                 | (\$27,368.00)       |
| Interest Earned (31 May 2014)                             | \$55.68             |
| <b>Ending Balance (31 May 2014)</b>                       | <b>\$170,060.76</b> |

**Table 7. Total Impact Fees as of 1 June 2014 /1**

| Description                           | Amount                |
|---------------------------------------|-----------------------|
| Office of Impact Fees General Account | \$254,544.89          |
| School Impact Fee Account             | \$1,020,406.72        |
| Law Enforcement Fee Account           | \$27,743.59           |
| Parks & Recreation Impact Fee Account | \$462,722.95          |
| Fire & EMS Impact Fee Account         | \$170,060.76          |
| <b>Total Impact Fees</b>              | <b>\$1,935,478.91</b> |

/1 These values represent both impact fees collected and interest earned. The general account includes the outstanding credits listed in table 2 and outstanding debits, if any, listed in tables 3-6.

**Table 8. Pending May 2014 Fee Transfers /1**

| Account                               | 31 May 2014<br>Account Totals | Pending Impact<br>Fee Transfers | Account Totals        |
|---------------------------------------|-------------------------------|---------------------------------|-----------------------|
| School Impact Fee Account             | \$1,020,406.72                | \$223,677.42                    | \$1,244,084.14        |
| Law Enforcement Fee Account           | \$27,743.59                   | \$2,282.79                      | \$30,026.38           |
| Parks & Recreation Impact Fee Account | \$462,722.95                  | \$14,824.73                     | \$477,547.68          |
| Fire & EMS Impact Fee Account         | \$170,060.76                  | \$13,759.95                     | \$183,820.71          |
| <b>Total Impact Fees</b>              | <b>\$1,680,934.02</b>         | <b>\$254,544.89</b>             | <b>\$1,935,478.91</b> |

/1 This table represents each of the impact fee category account totals as of 31 May 2014 listed in tables 3 – 6. Pending fee transfer amounts, excluding interest and any outstanding credits, collected in May 2014 are listed in table 1 of the General Account (3111776); these transactions will be processed in June 2014. Any outstanding credits, as listed in table 2, will be added to the next month's Impact Fee transfer amounts.

610

## Form 100 Transaction Summary

Jefferson County Government – Office of Impact Fees

*Impact Fee Applications Processed between dates Thursday 1 through Saturday 31 May 2014*

| Process Number             | Date       | Last Name | First Name | Fee District | Acres | Cost | Tax Map | Parcel | Impact Fees Collected | Date       | Exemption Reason |
|----------------------------|------------|-----------|------------|--------------|-------|------|---------|--------|-----------------------|------------|------------------|
| <b>Exempt Applications</b> |            |           |            |              |       |      |         |        |                       |            |                  |
| 1400079                    | 05/06/2014 | Boyd      | Donna      | 07 Middleway | 979   | 478  | 20      | 8.2    | \$0.00                | 05/06/2014 | Form 200         |

**Category Count: 1**

**Category Total      \$0.00**

| <b>Non-Exempt Applications</b> |            |              |             |                  |      |     |      |       |             |            |          |
|--------------------------------|------------|--------------|-------------|------------------|------|-----|------|-------|-------------|------------|----------|
| 1400077                        | 05/02/2014 | Wormald, Jr. | Robert      | 04 Harpers Ferry | 975  | 635 | 10A  | 101   | \$13,070.00 | 05/02/2014 | N/A      |
| 1400078                        | 05/05/2014 | Walker       | James       | 02 Charles Town  | 1128 | 709 | 16   | 139   | \$13,070.00 | 05/05/2014 | N/A      |
| 1400080                        | 05/07/2014 | K Hovnanian  |             | 03 Charles Town  | 1095 | 342 | 11B  | 318   | \$12,808.00 | 05/07/2014 | N/A      |
| 1400081                        | 05/07/2014 | K Hovnanian  |             | 03 Charles Town  | 1095 | 342 | 11B  | 330   | \$12,808.00 | 05/07/2014 | N/A      |
| 1400082                        | 05/07/2014 | K Hovnanian  |             | 03 Charles Town  | 1095 | 342 | 11B  | 332   | \$12,808.00 | 05/07/2014 | N/A      |
| 1400083                        | 05/07/2014 | K Hovnanian  |             | 03 Charles Town  | 1095 | 342 | 11B  | 319   | \$12,808.00 | 05/07/2014 | N/A      |
| 1400084                        | 05/07/2014 | K Hovnanian  |             | 03 Charles Town  | 1095 | 342 | 11B  | 336   | \$12,808.00 | 05/07/2014 | N/A      |
| 1400085                        | 05/09/2014 | Charles      | Ryan Homes  | 08 Ranson Corp   | 982  | 137 | 8D   | 1G    | \$12,808.00 | 05/09/2014 | N/A      |
| 1400086                        | 05/09/2014 | Charles      | Ryan Homes  | 08 Ranson Corp   | 982  | 137 | 11G  | 8D    | \$12,808.00 | 05/09/2014 | N/A      |
| 1400087                        | 05/09/2014 | Charles      | Ryan Homes  | 08 Ranson Corp   | 982  | 137 | 8D   | 22I   | \$12,808.00 | 05/09/2014 | N/A      |
| 1400088                        | 05/09/2014 | Charles      | Ryan Homes  | 08 Ranson Corp   | 982  | 137 | 10J  | 8D    | \$12,808.00 | 05/09/2014 | N/A      |
| 1400089                        | 05/09/2014 | THZ          | John Thomas | 09 Shepherdstown | 975  | 69  | 8C-1 | 258   | \$13,070.00 | 05/09/2014 | N/A      |
| 1400090                        | 05/14/2014 | Wolfe        | William     | 02 Charles Town  | 489  | 462 | 21   | 1.4   | \$13,070.00 | 05/14/2014 | N/A      |
| 1400091                        | 05/15/2014 | Henry        | James       | 08 Ranson Corp   | 1140 | 366 | 1    | 95    | \$12,808.00 | 05/15/2014 | N/A      |
| 1400092                        | 05/15/2014 | Dan Ryan     |             | 03 Charles Town  |      |     | 11D  | 101   | \$12,808.00 | 05/15/2014 | N/A      |
| 1400093                        | 05/16/2014 | Porter       | Douglas     | 06 Kabetown      | 1105 | 338 | 6C   | 202   | \$7,711.00  | 05/16/2014 | Form 260 |
| 1400094                        | 05/27/2014 | Evans        | Joe         | 07 Middleway     | 1141 | 66  | 13   | 36    | \$13,070.00 | 05/27/2014 | N/A      |
| 1400095                        | 05/28/2014 | Pete Kubic   | Kubic       | 09 Shepherdstown | 1141 | 214 | 8F   | 15    | \$9,868.00  | 05/28/2014 | N/A      |
| 1400096                        | 05/28/2014 | Pete Kubic   | Kubic       | 09 Shepherdstown | 1141 | 214 | 8F   | 16    | \$9,868.00  | 05/28/2014 | N/A      |
| 1400097                        | 05/30/2014 | Parr         | Ronald      | 04 Harpers Ferry | 973  | 610 | 3    | 28.11 | \$13,070.00 | 05/30/2014 | N/A      |

---

|                        |                |              |
|------------------------|----------------|--------------|
| Category Count: 20     | Category Total | \$246,755.00 |
| TOTAL APPLICATIONS: 21 | Grand Total    | \$246,755.00 |

---

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

**COPY**

Michelle Mason  
Impact Fee Program Specialist

Phone: (304) 728-3331  
Fax: (304) 728-3953  
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Debbie Keyser, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Tuesday, 3 June 2014  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Schools Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Schools Impact Fee Account (Bank of Charles Town account 3107582)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of May 2014.

This transfer consists of two components:

- Impact Fee Process Numbers **1400076** through **1400097**, inclusive. Within this range there were 21 non-exempt impact fee payments. This amounts to **\$223,608.00**.
- Interest earned by the Office of Impact Fees General Account in May 2014 amounts to **\$78.89**, of which **\$69.42** is attributed to fees collected for Schools.

**As per the attached invoice, the total amount of this transfer is \$223,677.42.**

**Check # 948**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

Number: 14021

Date: 6/3/2014

**Bill To:**

Office of Impact Fees  
116 East Washington Street  
Suite 100  
Charles Town, WV 25414

**Pay To:**

Sheriff of Jefferson County  
P.O. Box 9  
Charles Town, WV 25414

**P.O. Number**

**Vendor Number**

**Description**

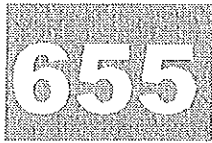
**Amount**

|                                                                                                                                                                                                       |              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Impact Fee payments collected for month of May 2014 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County School Impact Fees Bank Account (3107582). | \$223,608.00 |
| Interest earned by the Office of Impact Fees General Account May 2014.                                                                                                                                | \$69.42      |
| Impact Fee Process Numbers 1400076 through 1400097, inclusive. Within this range, there were 21 non-exempt impact fee payments.                                                                       |              |

**Total: \$223,677.42**

**Notes/Comments** Transfer of funds into School Impact Fee Account (3107582).

**Check Number:** 948



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Schools

Check Number 948

Trace 20140603:33548.25

Date 6/3/2014

Series 1

Recipient Sheriff of Jefferson County

Account 3107582

Amount \$223,608.00

Signature 1 Walt Pellish

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

**Notes:** Transfer of Impact Fees From General Account for School Impact Fees Collected in May 2014.

| Deposit Date | Process Number | Ordinance | Enact Date | Amount      |
|--------------|----------------|-----------|------------|-------------|
| 5/5/2014     | 1400076        | 2003-3    | 11/24/2005 | \$6,701.00  |
| 5/5/2014     | 1400077        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/6/2014     | 1400078        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/8/2014     | 1400080        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/8/2014     | 1400081        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/8/2014     | 1400082        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/8/2014     | 1400083        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/8/2014     | 1400084        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/14/2014    | 1400085        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/14/2014    | 1400086        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/14/2014    | 1400087        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/14/2014    | 1400088        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/14/2014    | 1400089        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/15/2014    | 1400090        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/16/2014    | 1400091        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/16/2014    | 1400092        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/19/2014    | 1400093        | 2003-3    | 11/24/2005 | \$6,701.00  |
| 5/28/2014    | 1400094        | 2003-3    | 11/24/2005 | \$11,358.00 |
| 5/29/2014    | 1400095        | 2003-3    | 11/24/2005 | \$8,560.00  |
| 5/29/2014    | 1400096        | 2003-3    | 11/24/2005 | \$8,560.00  |
| 5/30/2014    | 1400097        | 2003-3    | 11/24/2005 | \$11,358.00 |

**Total amount for this withdraw** \$223,608.00

**Total amount for this account** \$223,608.00

**Total amount all accounts** \$223,608.00

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

**COPY**

Michelle Mason  
Impact Fee Program Specialist

Phone: (304) 728-3331  
Fax: (304) 728-3953  
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Debbie Keyser, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Tuesday, 3 June 2014  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Law Enforcement Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Law Enforcement Impact Fee Account (Bank of Charles Town account 3120120)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of May 2014.

This transfer consists of two components:

- Impact Fee Process Numbers **1400076** through **1400097**, inclusive. Within this range there were 10 non-exempt impact fee payments. This amounts to **\$2,282.00**.
- Interest earned by the Office of Impact Fees General Account in May 2014 amounts to **\$78.89**, of which **\$0.79** is attributed to fees collected for Law Enforcement.

**As per the attached invoice, the total amount of this transfer is \$2,282.79.**

**Check # 949**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

Number: 14022  
Date: 6/3/2014

**Bill To:**

Office of Impact Fees  
116 East Washington Street  
Suite 100  
Charles Town, WV 25414

**Pay To:**

Sheriff of Jefferson County  
P.O. Box 9  
Charles Town, WV 25414

**P.O. Number**

**Vendor Number**

| Description                                                                                                                                                                                                    | Amount            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Impact Fee payments collected for month of May 2014 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Law Enforcement Impact Fees Bank Account (3120120). | \$2,282.00        |
| Interest earned by the Office of Impact Fees General Account May 2014.                                                                                                                                         | \$0.79            |
| Impact Fee Process Numbers 1400076 through 1400097, inclusive. Within this range, there were 10 non-exempt impact fee payments.                                                                                |                   |
| <b>Total:</b>                                                                                                                                                                                                  | <b>\$2,282.79</b> |

Notes/Comments **Transfer of funds into Law Enforcement Impact Fee Account (3120120).**

Check Number: 949



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Law Enforcement

Check Number 949

Trace 20140603:33653.27

Date 6/3/2014 Series 2

Recipient Sheriff of Jefferson County

Account 3120120

Amount \$2,282.00

Signature 1 Walt Pellish

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for Law Enforcement Impact Fees Collected in May 2014.

| Deposit Date                          | Process Number | Ordinance | Enact Date | Amount            |
|---------------------------------------|----------------|-----------|------------|-------------------|
| 5/5/2014                              | 1400076        | 2005-1    | 3/22/2005  | \$155.00          |
| 5/5/2014                              | 1400077        | 2005-1    | 3/22/2005  | \$262.00          |
| 5/6/2014                              | 1400078        | 2005-1    | 3/22/2005  | \$262.00          |
| 5/8/2014                              | 1400080        | 2005-1    | 3/22/2005  | \$0.00            |
| 5/8/2014                              | 1400081        | 2005-1    | 3/22/2005  | \$0.00            |
| 5/8/2014                              | 1400082        | 2005-1    | 3/22/2005  | \$0.00            |
| 5/8/2014                              | 1400083        | 2005-1    | 3/22/2005  | \$0.00            |
| 5/8/2014                              | 1400084        | 2005-1    | 3/22/2005  | \$0.00            |
| 5/14/2014                             | 1400085        | 2005-1    | 3/22/2005  | \$0.00            |
| 5/14/2014                             | 1400086        | 2005-1    | 3/22/2005  | \$0.00            |
| 5/14/2014                             | 1400087        | 2005-1    | 3/22/2005  | \$0.00            |
| 5/14/2014                             | 1400088        | 2005-1    | 3/22/2005  | \$0.00            |
| 5/14/2014                             | 1400089        | 2005-1    | 3/22/2005  | \$262.00          |
| 5/15/2014                             | 1400090        | 2005-1    | 3/22/2005  | \$262.00          |
| 5/16/2014                             | 1400091        | 2005-1    | 3/22/2005  | \$0.00            |
| 5/16/2014                             | 1400092        | 2005-1    | 3/22/2005  | \$0.00            |
| 5/19/2014                             | 1400093        | 2005-1    | 3/22/2005  | \$155.00          |
| 5/28/2014                             | 1400094        | 2005-1    | 3/22/2005  | \$262.00          |
| 5/29/2014                             | 1400095        | 2005-1    | 3/22/2005  | \$200.00          |
| 5/29/2014                             | 1400096        | 2005-1    | 3/22/2005  | \$200.00          |
| 5/30/2014                             | 1400097        | 2005-1    | 3/22/2005  | \$262.00          |
| <b>Total amount for this withdraw</b> |                |           |            | <b>\$2,282.00</b> |
| <b>Total amount for this account</b>  |                |           |            | <b>\$2,282.00</b> |
| <b>Total amount all accounts</b>      |                |           |            | <b>\$2,282.00</b> |

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

COPY

Michelle Mason  
Impact Fee Program Specialist

Phone: (304) 728-3331  
Fax: (304) 728-3953  
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Debbie Keyser, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Tuesday, 3 June 2014  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Parks & Recreation Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Parks & Recreation Impact Fee Account (Bank of Charles Town account 3122808)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of May 2014.

This transfer consists of two components:

- Impact Fee Process Numbers **1400076** through **1400097**, inclusive. Within this range there were 21 non-exempt impact fee payments. This amounts to **\$14,820.00**.
- Interest earned by the Office of Impact Fees General Account in May 2014 amounts to **\$78.89**, of which **\$4.73** is attributed to fees collected for Parks & Recreation.

**As per the attached invoice, the total amount of this transfer is \$14,824.73.**

**Check # 950**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

**Number:** 14023  
**Date:** 6/3/2014

**Bill To:**

Office of Impact Fees  
116 East Washington Street  
Suite 100  
Charles Town, WV 25414

**Pay To:**

Sheriff of Jefferson County  
P.O. Box 9  
Charles Town, WV 25414

**P.O. Number**

**Vendor Number**

**Description**

**Amount**

Impact Fee payments collected for month of May 2014 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Parks & Recreation Impact Fees Bank Account (3122808). \$14,820.00

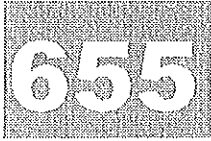
Interest earned by the Office of Impact Fees General Account May 2014. \$4.73

Impact Fee Process Numbers 1400076 through 1400097, inclusive. Within this range, there were 21 non-exempt impact fee payments.

**Total: \$14,824.73**

**Notes/Comments** Transfer of funds into Parks & Recreation Impact Fee Account (3122808).

**Check Number:** 950



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Parks & Rec

Check Number 950

Trace 20140603:33706.24

Date 6/3/2014

Series 3

Recipient Sheriff of Jefferson County

Account 3122808

Amount \$14,820.00

Signature 1 Walt Pellish

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for Parks and Rec Impact Fees Collected in May 2014.

| Deposit Date                          | Process Number | Ordinance | Enact Date | Amount      |
|---------------------------------------|----------------|-----------|------------|-------------|
| 5/5/2014                              | 1400076        | 2005-2    | 5/12/2005  | \$443.00    |
| 5/5/2014                              | 1400077        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/6/2014                              | 1400078        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/8/2014                              | 1400080        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/8/2014                              | 1400081        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/8/2014                              | 1400082        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/8/2014                              | 1400083        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/8/2014                              | 1400084        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/14/2014                             | 1400085        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/14/2014                             | 1400086        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/14/2014                             | 1400087        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/14/2014                             | 1400088        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/14/2014                             | 1400089        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/15/2014                             | 1400090        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/16/2014                             | 1400091        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/16/2014                             | 1400092        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/19/2014                             | 1400093        | 2005-2    | 5/12/2005  | \$443.00    |
| 5/28/2014                             | 1400094        | 2005-2    | 5/12/2005  | \$752.00    |
| 5/29/2014                             | 1400095        | 2005-2    | 5/12/2005  | \$575.00    |
| 5/29/2014                             | 1400096        | 2005-2    | 5/12/2005  | \$575.00    |
| 5/30/2014                             | 1400097        | 2005-2    | 5/12/2005  | \$752.00    |
| <b>Total amount for this withdraw</b> |                |           |            | \$14,820.00 |
| <b>Total amount for this account</b>  |                |           |            | \$14,820.00 |
| <b>Total amount all accounts</b>      |                |           |            | \$14,820.00 |

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

**COPY**

Michelle Mason  
Impact Fee Program Specialist

Phone: (304) 728-3331  
Fax: (304) 728-3953  
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Debbie Keyser, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Tuesday, 3 June 2014  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Fire & EMS Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Fire & EMS Impact Fee Account (Bank of Charles Town account 3122816)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of May 2014.

This transfer consists of two components:

- Impact Fee Process Numbers **1400076** through **1400097**, inclusive. Within this range there were 21 non-exempt impact fee payments. This amounts to **\$13,756.00**.
- Interest earned by the Office of Impact Fees General Account in May 2014 amounts to **\$78.89**, of which **\$3.95** is attributed to fees collected for Fire & EMS.

**As per the attached invoice, the total amount of this transfer is \$13,759.95.**

**Check # 951**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

**Number:** 14024  
**Date:** 6/3/2014

**Bill To:**

Office of Impact Fees  
116 East Washington Street  
Suite 100  
Charles Town, WV 25414

**Pay To:**

Sheriff of Jefferson County  
P.O. Box 9  
Charles Town, WV 25414

**P.O. Number**

**Vendor Number**

**Description**

**Amount**

Impact Fee payments collected for month of May 2014 into the Office of Impact Fees  
General Account (3111776) to be paid to the Sheriff of Jefferson County Fire & EMS  
Impact Fees Bank Account (3122816). \$13,756.00

Interest earned by the Office of Impact Fees General Account May 2014. \$3.95

Impact Fee Process Numbers 1400076 through 1400097, inclusive. Within this range,  
there were 21 non-exempt impact fee payments.

**Total: \$13,759.95**

**Notes/Comments** Transfer of funds into Fire & EMS Impact Fee Account (3122816).

**Check Number:** 951



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Fire & EMS

Check Number 951

Trace 20140603:33748.45

Date 6/3/2014

Series 4

Recipient Sheriff of Jefferson County

Account 3122816

Amount \$13,756.00

Signature 1 Walt Pellish

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

**Notes:** Transfer of Impact Fees From General Account for Fire and EMS Impact Fees Collected in May 2014.

| Deposit Date | Process Number | Ordinance | Enact Date | Amount   |
|--------------|----------------|-----------|------------|----------|
| 5/5/2014     | 1400076        | 2005-3    | 5/12/2005  | \$412.00 |
| 5/5/2014     | 1400077        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/6/2014     | 1400078        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/8/2014     | 1400080        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/8/2014     | 1400081        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/8/2014     | 1400082        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/8/2014     | 1400083        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/8/2014     | 1400084        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/14/2014    | 1400085        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/14/2014    | 1400086        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/14/2014    | 1400087        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/14/2014    | 1400088        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/14/2014    | 1400089        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/15/2014    | 1400090        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/16/2014    | 1400091        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/16/2014    | 1400092        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/19/2014    | 1400093        | 2005-3    | 5/12/2005  | \$412.00 |
| 5/28/2014    | 1400094        | 2005-3    | 5/12/2005  | \$698.00 |
| 5/29/2014    | 1400095        | 2005-3    | 5/12/2005  | \$533.00 |
| 5/29/2014    | 1400096        | 2005-3    | 5/12/2005  | \$533.00 |
| 5/30/2014    | 1400097        | 2005-3    | 5/12/2005  | \$698.00 |

**Total amount for this withdraw \$13,756.00**

**Total amount for this account \$13,756.00**

**Total amount all accounts \$13,756.00**

## Sandy McDonald

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**From:** Paula Frickey [PJFrickey@yahoo.com]  
**Sent:** Friday, June 06, 2014 7:00 PM  
**To:** webmaster@jeffersoncountywv.org; cschott@jeffersoncountywv.org;  
sandy@jeffersoncountywv.org; chernandez@jeffersoncountywv.org  
**Subject:** Shepherdstown Volunteer Fire Department

## Your submission:

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**Your Name:** Paula Frickey

**Your Email Address:** [PJFrickey@yahoo.com](mailto:PJFrickey@yahoo.com)

**Subject:** Shepherdstown Volunteer Fire Department

**Message:** Yesterday when I inquired with my home insurance company (USAA, toll free 1-800-531-8722) as to why my annual fire insurance premium was a whopping \$2,586.10 (not to include a West Virginia state surcharge of \$14.23) when it was \$717.00 as recently as 2 years ago, I was told that because the Shepherdstown Volunteer Fire Department (which is 6 miles away) is rated a "10" - the worst possible rating for a fire department, I was at high risk of losing my home in the event of a fire. USAA also told me that up until a few years ago they would not have even insured a house whose local fire department was rated "7" or higher. I am appalled at this because I pay a good amount of Jefferson County real property taxes. Other homeowners in this fire department's jurisdiction are no doubt in the same predicament. I insist that this situation be remedied as soon as possible. Us Shepherdstown Fire District homeowners deserve nothing less.

June 3, 2014



Received

JUN 06 2014

Jefferson County Commission

To the Jefferson County Commission

P.o. Box 250

Charles Town, WV 25414

To Whom it may concern and to someone in authority:

Several homeowners including myself are FED UP with a certain house within our community that has three dogs that 24/7 bark....The owners do not make any effort to stop them. The residence of these barking dogs is: 11 Swallow Court, Charles Town, WV – Willowbrook Village area.

We have called the deputy sheriff's office several times as well as the State Police and they keep referring us to the Dog Warden who is NEVER in the office. Not only are these dogs a nuisance they run after anyone walking by their property....this is done all night long....all night long. We were told to contact the authorities and we have and it seems to get referred to some other place and NEVER gets taken care of. These dogs are a Nuisance and also if they get over that fence they are going to bite someone...what concerns us is that children are out there playing and walking past with their parents in strollers or on bikes and here comes the dogs.

SOME THING needs to be done. If the deputy sheriff or state police could just come out and walk by there...get out of their car and walk by there ANY hour of the day or night...they would see exactly what we are talking about and have to live with. I have several rental properties there and I have also spoken with several homeowners....they are fed up and can not get any help from authorities.

Please please have someone check into this before our children get bit or even an adult.

Ask anyone on the courts of Heron, Swallow or even Willowbrook drive they know and the whole area has to walk past there and deal with the obnoxious dogs.

Your immediate attention to this matter is greatly appreciated. We invite you to come out and see and hear for yourself the unnerving noise these dogs make ALL DAY AND NIGHT LONG.

Homeowners of Willowbrook

Charles Town, WV 25414

W) ATTACHMENT

1102.04 BARKING OR HOWLING DOGS OR CATS.

No person shall keep or harbor any dog or cat within the Municipality which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who shall allow any dog or cat habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which he occupies or owns, shall be considered as harboring such dog or cat.

(g) Vicious Dogs.

(1) No person shall own, keep or harbor any dog known by him or which, in the exercise of reasonable diligence he should know, to be vicious, dangerous or in the habit of biting or attacking persons.

(2) No person shall own, keep or harbor any dog known by him or which, in the exercise of reasonable diligence he should know, to be suffering with rabies.

(3) Vicious or dangerous dogs are hereby declared to be public nuisances and a menace to the public safety.

(4) If the Mayor shall find, as a result of a hearing held upon a complaint, that any dog is vicious, dangerous or in the habit of biting or attacking persons, or is suffering with rabies infection, or that any dog has been bitten by a dog suffering with rabies infection, he may order or cause such dog to be destroyed as a menace to the public safety, and the owner or keeper of such dog shall be liable for all fines and costs assessed. (Passed 5-4-06.)

**WEST VIRGINIA LOTTERY  
WEEKLY SETTLEMENT FOR CHARLES TOWN**

| Week Ending Date                                       | Week Ending         |
|--------------------------------------------------------|---------------------|
|                                                        | May 31, 2014        |
|                                                        | FY14                |
|                                                        | June 6, 2014        |
| <b>To be Deposited on:</b>                             |                     |
| Amount Played                                          | 71,165,566.83       |
| Amount Won                                             | 63,668,121.92       |
| Amount Promo                                           | 243,326.00          |
| MWAP Contribution                                      | <u>3,773.76</u>     |
| <b>Adjusted Gross Terminal Revenue</b>                 | <u>7,250,345.15</u> |
| Administrative Costs @ 4%                              | 0.00                |
| Excess Lottery Fund @ 4%                               | <u>290,013.81</u>   |
| <b>Net Terminal Revenue</b>                            | <u>6,960,331.34</u> |
| Surcharge @ 10%                                        | 696,033.14          |
| State Share Excess @ 58%                               | 403,699.22          |
| Track Share of Capital Reinvestment @ 42%              | 292,333.92          |
| <i>Track Share of Capital Reinvestment @ 42% - 96%</i> | 280640.56           |
| <i>Track Share of Capital Reinvestment @ 42% - 4%</i>  | 11693.36            |
| <b>Adjusted Net Terminal Revenue</b>                   | <u>6,264,298.20</u> |
| Racetrack @ 46.50% / 42%                               | 2,631,005.24        |
| Lottery Fund @ 30% / 0%                                | 0.00                |
| Excess Lottery Fund @ 0% / 41%                         | 2,568,362.26        |
| Race Track Purses @ 7% / 14% / 8%                      | 501,143.86          |
| Workers' Compensation Debt Reduction @ 7% / 0%         | 0.00                |
| Employee Pension Fund @ 1% / .5%                       | 31,321.49           |
| Greyhound Development @ .75%                           | 46,982.24           |
| Thoroughbred Development @ .75%                        | 46,982.24           |
| Racing Commission @ 1%                                 | 62,642.98           |
| County/Municipality @ 2%                               | 125,285.96          |
| 3% Funds:                                              |                     |
| Tourism Promotion Fund @ 1.375%                        | 86,134.10           |
| Development Office Promotion Fund @ .375%              | 23,491.12           |
| Research Challenge Fund @ .5%                          | 31,321.49           |
| Capitol Renovation and Improvement Fund @ .6875%       | 43,067.05           |
| 2004 Capitol Complex Parking Garage Fund @ .0625%      | 3,915.19            |
| 1% Funds:                                              |                     |
| State Capitol Complex Parking Garage @ 1%              | 0.00                |
| Cultural Facilities and Capitol Resources @ .5%        | 0.00                |
| Capitol Dome and Capitol Improvements @ .5% / 1%       | <u>62,642.98</u>    |
|                                                        | <u>6,264,298.20</u> |

**WEST VIRGINIA LOTTERY**  
**First Benchmark**  
**Charles Town**  
**County / City Split**  
**Fiscal Year 2014**

Charles Town  
1999 Net Terminal Revenue \$ 45,603,174  
Benchmark Goal @ 2% \$ 912,063.48

| DATE                       | 2% OF<br>ADJ. NET<br>REVENUE | TO<br>JEFFERSON<br>COUNTY | TO<br>FIVE<br>CITIES   | BOLIVAR<br>7.93%     | CHARLES<br>TOWN<br>39.90% | HARPERS<br>FERRY<br>2.17% | RANSON<br>33.66%     | SHEPHERDS<br>TOWN<br>16.32% |
|----------------------------|------------------------------|---------------------------|------------------------|----------------------|---------------------------|---------------------------|----------------------|-----------------------------|
| 6 days ending:<br>07/06/13 | \$ 123,196.88                | \$ 123,196.88             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| Week ending:<br>07/13/13   | \$ 128,060.40                | \$ 128,060.40             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| 07/20/13                   | \$ 115,128.84                | \$ 115,128.84             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| 07/27/13                   | \$ 123,049.56                | \$ 123,049.56             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| 08/03/13                   | \$ 116,180.80                | \$ 116,180.80             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| 08/10/13                   | \$ 120,078.64                | \$ 120,078.64             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| 08/17/13                   | \$ 124,888.56                | \$ 124,888.56             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| 08/24/13                   | \$ 118,284.44                | \$ 89,882.12              | \$ 28,402.32           | \$ 2,252.30          | \$ 11,332.53              | \$ 616.33                 | \$ 9,565.90          | \$ 4,635.26                 |
| 08/31/13                   | \$ 117,826.36                | \$ 58,913.18              | \$ 58,913.18           | \$ 4,671.81          | \$ 23,506.36              | \$ 1,278.42               | \$ 19,841.96         | \$ 9,614.63                 |
| 09/07/13                   | \$ 135,517.48                | \$ 67,758.74              | \$ 67,758.74           | \$ 5,373.27          | \$ 27,035.74              | \$ 1,470.36               | \$ 22,821.14         | \$ 11,058.23                |
| 09/14/13                   | \$ 106,748.44                | \$ 53,374.22              | \$ 53,374.22           | \$ 4,232.58          | \$ 21,296.31              | \$ 1,158.22               | \$ 17,976.44         | \$ 8,710.67                 |
| 09/21/13                   | \$ 108,555.88                | \$ 54,277.94              | \$ 54,277.94           | \$ 4,304.24          | \$ 21,656.90              | \$ 1,177.83               | \$ 18,280.81         | \$ 8,858.16                 |
| 09/28/13                   | \$ 109,763.00                | \$ 54,881.50              | \$ 54,881.50           | \$ 4,352.10          | \$ 21,897.72              | \$ 1,190.93               | \$ 18,484.09         | \$ 8,956.66                 |
| 10/05/13                   | \$ 111,901.48                | \$ 55,950.74              | \$ 55,950.74           | \$ 4,436.89          | \$ 22,324.35              | \$ 1,214.13               | \$ 18,844.21         | \$ 9,131.16                 |
| 10/12/13                   | \$ 111,675.84                | \$ 55,837.92              | \$ 55,837.92           | \$ 4,427.95          | \$ 22,279.33              | \$ 1,211.68               | \$ 18,806.21         | \$ 9,112.75                 |
| 10/19/13                   | \$ 122,654.40                | \$ 61,327.20              | \$ 61,327.20           | \$ 4,863.25          | \$ 24,469.55              | \$ 1,330.80               | \$ 20,655.00         | \$ 10,008.60                |
| 10/26/13                   | \$ 105,708.12                | \$ 52,854.06              | \$ 52,854.06           | \$ 4,191.33          | \$ 21,088.77              | \$ 1,146.93               | \$ 17,801.25         | \$ 8,625.78                 |
| 11/02/13                   | \$ 115,087.08                | \$ 57,543.54              | \$ 57,543.54           | \$ 4,563.20          | \$ 22,959.87              | \$ 1,248.70               | \$ 19,380.66         | \$ 9,391.11                 |
| 11/09/13                   | \$ 109,333.52                | \$ 54,666.76              | \$ 54,666.76           | \$ 4,335.07          | \$ 21,812.04              | \$ 1,186.27               | \$ 18,411.76         | \$ 8,921.62                 |
| 11/16/13                   | \$ 112,991.92                | \$ 56,495.96              | \$ 56,495.96           | \$ 4,480.13          | \$ 22,541.89              | \$ 1,225.96               | \$ 19,027.84         | \$ 9,220.14                 |
| 11/23/13                   | \$ 97,257.24                 | \$ 48,628.62              | \$ 48,628.62           | \$ 3,856.25          | \$ 19,402.82              | \$ 1,055.24               | \$ 16,378.12         | \$ 7,936.19                 |
| 11/30/13                   | \$ 119,291.32                | \$ 59,645.66              | \$ 59,645.66           | \$ 4,729.90          | \$ 23,798.62              | \$ 1,294.31               | \$ 20,088.66         | \$ 9,734.17                 |
| 12/07/13                   | \$ 94,812.48                 | \$ 47,308.24              | \$ 47,308.24           | \$ 3,751.38          | \$ 18,875.19              | \$ 1,026.55               | \$ 15,932.74         | \$ 7,720.38                 |
| 12/14/13                   | \$ 58,458.04                 | \$ 29,229.02              | \$ 29,229.02           | \$ 2,317.86          | \$ 11,662.38              | \$ 634.27                 | \$ 9,844.33          | \$ 4,770.18                 |
| 12/21/13                   | \$ 89,162.04                 | \$ 44,581.02              | \$ 44,581.02           | \$ 3,535.27          | \$ 17,787.83              | \$ 967.41                 | \$ 15,014.89         | \$ 7,275.62                 |
| 12/28/13                   | \$ 124,234.28                | \$ 62,117.14              | \$ 62,117.14           | \$ 4,925.89          | \$ 24,784.74              | \$ 1,347.94               | \$ 20,921.05         | \$ 10,137.52                |
| 01/04/14                   | \$ 125,927.76                | \$ 62,963.88              | \$ 62,963.88           | \$ 4,993.04          | \$ 25,122.59              | \$ 1,366.32               | \$ 21,206.23         | \$ 10,275.70                |
| 01/11/14                   | \$ 75,871.88                 | \$ 37,935.94              | \$ 37,935.94           | \$ 3,008.32          | \$ 15,136.44              | \$ 823.21                 | \$ 12,776.82         | \$ 6,191.15                 |
| 01/18/14                   | \$ 98,837.28                 | \$ 49,418.64              | \$ 49,418.64           | \$ 3,918.90          | \$ 19,718.04              | \$ 1,072.38               | \$ 16,644.20         | \$ 8,065.12                 |
| 01/25/14                   | \$ 85,441.60                 | \$ 42,720.80              | \$ 42,720.80           | \$ 3,387.76          | \$ 17,045.60              | \$ 927.04                 | \$ 14,388.37         | \$ 6,972.03                 |
| 02/01/14                   | \$ 95,363.20                 | \$ 47,681.60              | \$ 47,681.60           | \$ 3,781.15          | \$ 19,024.96              | \$ 1,034.69               | \$ 16,059.16         | \$ 7,781.84                 |
| 02/08/14                   | \$ 90,869.04                 | \$ 45,434.52              | \$ 45,434.52           | \$ 3,602.96          | \$ 18,128.37              | \$ 985.93                 | \$ 15,302.35         | \$ 7,414.91                 |
| 02/15/14                   | \$ 82,152.16                 | \$ 41,076.08              | \$ 41,076.08           | \$ 3,257.33          | \$ 16,389.36              | \$ 891.35                 | \$ 13,834.42         | \$ 6,703.62                 |
| 02/22/14                   | \$ 123,047.96                | \$ 61,523.98              | \$ 61,523.98           | \$ 4,878.85          | \$ 24,548.07              | \$ 1,335.07               | \$ 20,721.28         | \$ 10,040.71                |
| 03/01/14                   | \$ 115,489.56                | \$ 57,744.78              | \$ 57,744.78           | \$ 4,579.16          | \$ 23,040.17              | \$ 1,253.06               | \$ 19,448.44         | \$ 9,423.95                 |
| 03/08/14                   | \$ 100,879.88                | \$ 50,439.94              | \$ 50,439.94           | \$ 3,999.89          | \$ 20,125.53              | \$ 1,094.55               | \$ 16,988.17         | \$ 8,231.80                 |
| 03/15/14                   | \$ 108,829.32                | \$ 54,414.66              | \$ 54,414.66           | \$ 4,315.08          | \$ 21,711.45              | \$ 1,180.80               | \$ 18,326.86         | \$ 8,880.47                 |
| 03/22/14                   | \$ 101,469.24                | \$ 50,734.62              | \$ 50,734.62           | \$ 4,023.26          | \$ 20,243.11              | \$ 1,100.94               | \$ 17,087.42         | \$ 8,279.89                 |
| 03/29/14                   | \$ 102,349.20                | \$ 51,174.60              | \$ 51,174.60           | \$ 4,058.15          | \$ 20,418.67              | \$ 1,110.49               | \$ 17,235.60         | \$ 8,351.69                 |
| 04/05/14                   | \$ 110,459.80                | \$ 55,229.90              | \$ 55,229.90           | \$ 4,379.73          | \$ 22,036.73              | \$ 1,198.49               | \$ 18,601.43         | \$ 9,013.52                 |
| 04/12/14                   | \$ 97,306.36                 | \$ 48,653.18              | \$ 48,653.18           | \$ 3,858.20          | \$ 19,412.62              | \$ 1,055.77               | \$ 16,386.39         | \$ 7,940.20                 |
| 04/19/14                   | \$ 108,938.44                | \$ 54,469.22              | \$ 54,469.22           | \$ 4,319.41          | \$ 21,733.22              | \$ 1,181.98               | \$ 18,345.23         | \$ 8,889.38                 |
| 04/26/14                   | \$ 103,274.36                | \$ 51,637.18              | \$ 51,637.18           | \$ 4,094.83          | \$ 20,603.23              | \$ 1,120.53               | \$ 17,391.40         | \$ 8,427.19                 |
| 05/03/14                   | \$ 109,515.44                | \$ 54,757.72              | \$ 54,757.72           | \$ 4,342.29          | \$ 21,848.33              | \$ 1,188.24               | \$ 18,442.40         | \$ 8,936.46                 |
| 05/10/14                   | \$ 102,023.52                | \$ 51,011.76              | \$ 51,011.76           | \$ 4,045.23          | \$ 20,353.69              | \$ 1,106.96               | \$ 17,180.76         | \$ 8,325.12                 |
| 05/17/14                   | \$ 102,296.68                | \$ 51,148.34              | \$ 51,148.34           | \$ 4,056.06          | \$ 20,408.19              | \$ 1,109.92               | \$ 17,226.76         | \$ 8,347.41                 |
| 05/24/14                   | \$ 106,165.20                | \$ 53,082.60              | \$ 53,082.60           | \$ 4,209.45          | \$ 21,179.96              | \$ 1,151.89               | \$ 17,878.22         | \$ 8,663.08                 |
| 05/31/14                   | \$ 125,285.96                | \$ 62,642.98              | \$ 62,642.98           | \$ 4,967.59          | \$ 24,994.55              | \$ 1,359.35               | \$ 21,098.16         | \$ 10,223.33                |
| <b>Subtotal</b>            | <b>\$ 5,191,440.88</b>       | <b>\$ 3,051,752.18</b>    | <b>\$ 2,139,688.70</b> | <b>\$ 169,677.31</b> | <b>\$ 853,735.82</b>      | <b>\$ 46,431.24</b>       | <b>\$ 720,647.13</b> | <b>\$ 349,197.20</b>        |

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

**VIDEO LOTTERY REPORT**

| FY 2010      |            | FY 2011    |            | FY 2012    |            | FY 2013    |            | FY 2014    |            |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Date         | Amount     | Date       | Amount     | Date       | Amount     | Date       | Amount     | Date       | Amount     |
| 07/04/2009 * | 128,262.42 | 7/3/2010   | 115,402.58 | 7/1-2/2011 | 69,824.12  | 7/7/2012   | 161,637.92 | 7/6/2013   | 123,196.88 |
| 7/11/2009    | 168,815.08 | 7/10/2010  | 205,731.64 | 7/9/2011   | 171,717.28 | 7/14/2012  | 129,458.04 | 7/13/2013  | 128,060.40 |
| 7/18/2009    | 160,652.98 | 7/17/2010  | 161,386.76 | 7/16/2011  | 143,019.52 | 7/21/2012  | 130,037.00 | 7/20/2013  | 115,128.84 |
| 7/25/2009    | 158,869.08 | 7/24/2010  | 160,368.28 | 7/23/2011  | 146,508.00 | 7/28/2012  | 137,164.44 | 7/27/2013  | 123,049.56 |
| 8/1/2009     | 174,493.08 | 7/31/2010  | 157,802.08 | 7/30/2011  | 144,510.28 | 8/4/2012   | 132,931.16 | 8/3/2013   | 116,180.80 |
| 8/8/2009     | 138,408.80 | 8/7/2010   | 136,494.98 | 8/6/2011   | 151,495.28 | 8/11/2012  | 134,212.88 | 8/10/2013  | 120,078.64 |
| 8/15/2009    | 81,222.14  | 8/14/2010  | 78,376.68  | 8/13/2011  | 117,350.38 | 8/18/2012  | 110,241.90 | 8/17/2013  | 124,888.56 |
| 8/22/2009    | 76,260.31  | 8/21/2010  | 76,199.02  | 8/20/2011  | 71,614.12  | 8/25/2012  | 66,209.90  | 8/24/2013  | 89,882.12  |
| 8/29/2009    | 80,472.92  | 8/28/2010  | 72,460.03  | 8/27/2011  | 63,432.14  | 9/1/2012   | 67,133.42  | 8/31/2013  | 58,913.18  |
| 9/5/2009     | 80,798.15  | 9/4/2010   | 76,362.84  | 9/3/2011   | 80,837.76  | 9/8/2012   | 74,029.40  | 9/7/2013   | 67,758.74  |
| 9/12/2009    | 86,286.92  | 9/11/2010  | 82,969.36  | 9/10/2011  | 84,845.80  | 9/15/2012  | 61,838.04  | 9/14/2013  | 53,374.22  |
| 9/19/2009    | 70,010.15  | 9/18/2010  | 67,638.78  | 9/17/2011  | 66,748.62  | 9/22/2012  | 56,996.90  | 9/21/2013  | 54,277.94  |
| 9/26/2009    | 69,316.87  | 9/25/2010  | 70,435.06  | 9/24/2011  | 68,929.80  | 9/29/2012  | 61,611.40  | 9/28/2013  | 54,881.50  |
| 10/3/2009    | 72,286.04  | 10/2/2010  | 71,013.86  | 10/1/2011  | 68,871.64  | 10/6/2012  | 62,715.20  | 10/5/2013  | 55,950.74  |
| 10/10/2009   | 69,650.63  | 10/9/2010  | 69,311.50  | 10/8/2011  | 70,866.90  | 10/13/2012 | 60,710.18  | 10/12/2013 | 55,837.92  |
| 10/17/2009   | 73,560.21  | 10/16/2010 | 75,234.62  | 10/15/2011 | 75,262.66  | 10/20/2012 | 62,333.08  | 10/19/2013 | 61,327.20  |
| 10/24/2009   | 67,581.66  | 10/23/2010 | 70,290.80  | 10/22/2011 | 68,757.72  | 10/27/2012 | 58,073.54  | 10/26/2013 | 52,854.06  |
| 10/31/2009   | 64,528.30  | 10/30/2010 | 65,615.04  | 10/29/2011 | 60,507.98  | 11/3/2012  | 56,545.30  | 11/2/2013  | 57,543.54  |
| 11/7/2009    | 63,741.59  | 11/6/2010  | 61,337.62  | 11/5/2011  | 70,673.88  | 11/10/2012 | 56,110.96  | 11/9/2013  | 54,666.76  |
| 11/14/2009   | 65,959.64  | 11/13/2010 | 64,595.28  | 11/12/2011 | 67,627.10  | 11/17/2012 | 57,432.36  | 11/16/2013 | 56,495.96  |
| 11/21/2009   | 59,547.05  | 11/20/2010 | 56,010.08  | 11/19/2011 | 60,690.60  | 11/24/2012 | 65,888.86  | 11/23/2013 | 48,628.62  |
| 11/28/2009   | 72,399.98  | 11/27/2010 | 71,170.90  | 11/26/2011 | 74,140.54  | 12/1/2012  | 50,243.34  | 11/30/2013 | 59,645.66  |
| 12/5/2009    | 51,006.51  | 12/4/2010  | 53,215.08  | 12/3/2011  | 59,429.94  | 12/8/2012  | 50,770.96  | 12/7/2013  | 47,306.24  |
| 12/12/2009   | 52,460.58  | 12/11/2010 | 46,944.00  | 12/10/2011 | 51,395.44  | 12/15/2012 | 47,022.38  | 12/14/2013 | 29,229.02  |
| 12/19/2009   | 32,834.39  | 12/18/2010 | 42,076.76  | 12/17/2011 | 55,981.32  | 12/22/2012 | 46,838.96  | 12/21/2013 | 44,581.02  |
| 12/26/2009   | 53,406.34  | 12/25/2010 | 50,450.28  | 12/24/2011 | 54,248.62  | 12/29/2012 | 59,697.22  | 12/28/2013 | 62,117.14  |
| 1/2/2010     | 92,980.40  | 1/1/2011   | 85,152.12  | 12/31/2011 | 94,661.00  | 1/5/2013   | 71,673.52  | 1/4/2014   | 62,963.88  |
| 1/9/2010     | 55,020.46  | 1/8/2011   | 54,301.30  | 1/7/2012   | 74,863.40  | 1/12/2013  | 50,416.30  | 1/11/2014  | 37,935.94  |
| 1/16/2010    | 60,551.28  | 1/15/2011  | 54,005.90  | 1/14/2012  | 58,901.92  | 1/19/2013  | 51,211.88  | 1/18/2014  | 49,418.64  |
| 1/23/2010    | 69,943.53  | 1/22/2011  | 60,924.74  | 1/21/2012  | 61,819.92  | 1/26/2013  | 46,966.26  | 1/25/2014  | 42,720.80  |
| 1/30/2010    | 48,527.75  | 1/29/2011  | 48,036.94  | 1/28/2012  | 62,898.78  | 2/2/2013   | 52,067.92  | 2/1/2014   | 47,681.60  |
| 2/6/2010     | 37,155.14  | 2/5/2011   | 60,777.44  | 2/4/2012   | 72,154.66  | 2/9/2013   | 52,222.20  | 2/8/2014   | 45,434.52  |
| 2/13/2010    | 44,334.00  | 2/12/2011  | 67,471.84  | 2/11/2012  | 66,429.04  | 2/16/2013  | 64,243.52  | 2/15/2014  | 41,076.08  |
| 2/20/2010    | 76,946.12  | 2/19/2011  | 72,018.54  | 2/18/2012  | 77,455.88  | 2/23/2013  | 64,115.70  | 2/22/2014  | 61,523.98  |
| 2/27/2010    | 72,024.40  | 2/26/2011  | 75,544.02  | 2/25/2012  | 77,611.78  | 3/2/2013   | 62,602.74  | 3/1/2014   | 57,744.78  |
| 3/6/2010     | 76,936.85  | 3/5/2011   | 74,535.34  | 3/3/2012   | 75,963.86  | 3/9/2013   | 59,213.26  | 3/8/2014   | 50,439.94  |

|           |           |           |           |           |           |           |           |           |           |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 3/13/2010 | 71,007.37 | 3/12/2011 | 66,979.48 | 3/10/2012 | 76,808.62 | 3/16/2013 | 62,366.36 | 3/15/2014 | 54,414.66 |
| 3/20/2010 | 74,335.38 | 3/19/2011 | 73,113.26 | 3/17/2012 | 76,883.92 | 3/23/2013 | 59,841.02 | 3/22/2014 | 50,734.62 |
| 3/27/2010 | 69,941.88 | 3/26/2011 | 68,490.80 | 3/24/2012 | 72,108.36 | 3/30/2013 | 57,567.98 | 3/29/2014 | 51,174.60 |
| 4/3/2010  | 70,636.28 | 4/2/2011  | 70,846.58 | 3/31/2012 | 74,244.22 | 4/6/2013  | 63,108.84 | 4/5/2014  | 55,229.90 |
| 4/10/2010 | 69,692.79 | 4/9/2011  | 67,076.78 | 4/7/2012  | 75,382.98 | 4/13/2013 | 56,849.30 | 4/12/2014 | 48,653.18 |
| 4/17/2010 | 69,335.92 | 4/16/2011 | 64,698.56 | 4/14/2012 | 71,065.34 | 4/20/2013 | 55,432.12 | 4/19/2014 | 54,469.22 |
| 4/24/2010 | 68,714.11 | 4/23/2011 | 67,674.14 | 4/21/2012 | 68,055.08 | 4/27/2013 | 58,612.74 | 4/26/2014 | 51,637.18 |
| 5/1/2010  | 68,799.06 | 4/30/2011 | 66,807.50 | 4/28/2012 | 72,880.66 | 5/4/2013  | 61,102.92 | 5/3/2014  | 54,757.72 |
| 5/8/2010  | 67,403.54 | 5/7/2011  | 66,379.74 | 5/5/2012  | 71,582.30 | 5/11/2013 | 57,428.70 | 5/10/2014 | 51,011.76 |
| 5/15/2010 | 70,186.32 | 5/14/2011 | 66,699.76 | 5/12/2012 | 63,357.92 | 5/18/2013 | 61,172.80 | 5/17/2014 | 51,148.34 |
| 5/22/2010 | 64,695.71 | 5/21/2011 | 63,210.44 | 5/19/2012 | 78,984.36 | 5/25/2013 | 57,131.24 | 5/24/2014 | 53,082.60 |
| 5/29/2010 | 67,157.40 | 5/28/2011 | 64,724.06 | 5/26/2012 | 67,396.24 | 6/1/2013  | 65,920.66 | 5/31/2014 | 62,642.98 |
| 6/5/2010  | 77,371.80 | 6/4/2011  | 74,952.34 | 6/2/2012  | 76,959.44 | 6/8/2013  | 55,233.74 |           |           |
| 6/12/2010 | 66,106.29 | 6/11/2011 | 62,203.12 | 6/9/2012  | 63,584.86 | 6/15/2013 | 54,067.52 |           |           |
| 6/19/2010 | 64,888.48 | 6/18/2011 | 61,200.76 | 6/16/2012 | 59,436.12 | 6/22/2013 | 54,690.28 |           |           |
| 6/26/2010 | 63,950.29 | 6/25/2011 | 65,470.44 | 6/23/2012 | 55,921.30 | 6/29/2013 | 55,991.38 |           |           |
| 6/30/2010 | 29,667.19 | 6/30/2011 | 34,351.16 | 6/30/2012 | 58,207.40 | 6/30/2013 | 11,509.54 |           |           |

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TOTALS **4041141.56**

**4016541.01**

**4124906.8**

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**3580645.18**

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**3,051,752.18**

**Table Game Revenue**

| <b>Date</b>            | <b>Amount</b>    | <b>Date</b>            | <b>Amount</b>     | <b>Date</b>            | <b>Amount</b>     | <b>Date</b>            | <b>Amount</b>    |
|------------------------|------------------|------------------------|-------------------|------------------------|-------------------|------------------------|------------------|
| July/August, 2010      | 154,185.68       | July, 2011             | 141,718.01        | July, 2012             | 138,663.64        | July, 2013             | 99,274.36        |
| September, 2010        | 94,247.84        | August, 2011           | 137,473.92        | August, 2012           | 133,245.83        | August, 2013           | 111,427.75       |
| October, 2010          | 105,903.60       | September, 2011        | 110,375.25        | September, 2012        | 127,532.40        | September, 2013        | 80,857.74        |
| November, 2010         | 108,717.67       | October, 2011          | 124,273.94        | October, 2012          | 126,482.02        | October, 2013          | 81,066.09        |
| December, 2010         | 118,721.11       | November, 2011         | 121,118.87        | November, 2012         | 134,443.93        | November, 2013         | 79,853.94        |
| January, 2011          | 106,189.21       | December, 2011         | 140,509.93        | December, 2012         | 146,677.92        | December, 2013         | 79,617.31        |
| February, 2011         | 105,776.45       | January, 2012          | 137,812.68        | January, 2013          | 132,650.35        | January, 2014          | 75,093.81        |
| March, 2011            | 120,927.10       | February, 2012         | 142,770.01        | February, 2013         | 121,636.62        | February, 2014         | 75,170.90        |
| April, 2011            | 130,654.61       | March, 2012            | 151,845.46        | March, 2013            | 149,033.62        | March, 2014            | 78,201.51        |
| May, 2011              | 130,492.02       | April, 2012            | 127,862.26        | April, 2013            | 105,545.23        | April, 2014            | 72,380.72        |
| June, 2011             | 121,576.41       | May, 2012              | 137,905.13        | May, 2013              | 109,747.38        |                        |                  |
|                        |                  | June, 2012             | 129,235.38        | June, 2013             | 104,803.37        |                        |                  |
| <b>Total 2010-2011</b> | <b>1297391.7</b> | <b>Total 2011-2012</b> | <b>1602900.84</b> | <b>Total 2012-2013</b> | <b>1530462.31</b> | <b>Total 2013-2014</b> | <b>832944.13</b> |

**Table Game Revenue Distribution - Jefferson County School Board**

| <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       |
|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|
| July, 2011             | 425,154.03          | July, 2012             | 415,990.92          | July, 2013             | 297,823.08          |
| August, 2011           | 412,421.76          | August, 2012           | 399,737.49          | August, 2013           | 334,283.25          |
| September, 2011        | 331,125.75          | September, 2012        | 382,597.20          | September, 2013        | 242,573.22          |
| October, 2011          | 372,821.82          | October, 2012          | 379,446.06          | October, 2013          | 243,198.27          |
| November, 2011         | 363,356.61          | November, 2012         | 403,331.79          | November, 2013         | 239,561.82          |
| December, 2011         | 421,529.79          | December, 2012         | 440,033.75          | December, 2013         | 238,851.93          |
| January, 2012          | 413,438.04          | January, 2013          | 397,951.05          | January, 2014          | 225,281.43          |
| February, 2012         | 428,310.03          | February, 2013         | 381,857.07          | February, 2014         | 225,512.70          |
| March, 2012            | 455,536.38          | March, 2013            | 447,100.86          | March, 2014            | 234,604.53          |
| April, 2012            | 383,586.78          | April, 2013            | 316,635.69          | April, 2014            | 217,142.18          |
| May, 2012              | 413,715.39          | May, 2013              | 329,242.14          |                        |                     |
| June, 2012             | 387,706.12          | June, 2013             | 314,410.11          |                        |                     |
| <b>Total 2011-2012</b> | <b>4,808,702.50</b> | <b>Total 2012-2013</b> | <b>4,608,334.13</b> | <b>Total 2013-2014</b> | <b>2,498,832.41</b> |