

REVISED 09/09/2014

AGENDA

JEFFERSON COUNTY COMMISSION

SPECIAL SESSION

THURSDAY, SEPTEMBER 11, 2014

11:00 A.M.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

- *Report if there are changes in the agenda if applicable*

PUBLIC COMMENT

PRESENTATIONS

1. 11:00 a.m. Proposed Bonding Ordinance for Large Events - Discussion/Action
2. 11:20 a.m. Update regarding the Planning Commission's recommendation on the Mass Gathering Ordinance - Discussion/Action (DM)
3. **ADJOURN**

CORRESPONDENCE/INFORMATION

"Meet Your Commissioners" Notice for October 2, 2014.

Impact Fee Status Report for August, 2014.

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

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

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

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

Jefferson County Public Service District Minutes from the July 30, 2014 Work Session.

Jefferson County Public Service District Minutes from the August 4, 2014 Regular Board Meeting.

Ambulance Fee Recap Statement written by Tim Stanton, Jefferson County Finance Director.

Letter from Randolp S. Davis, resident, regarding the Ambulance Service Fee.

E-mail from Frederick Kysar, resident, regarding the Ambulance Service Fee.

E-mail from Richard Cole, resident, regarding the Ambulance Service Fee.

E-mail from Thomas Christison, resident, regarding the Ambulance Service Fee.

Notice for Fresh Feast on the Farm on September 20, 2014.

WV Lottery Weekly Settlement for Charles Town - week ending August 30, 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.

**NOTICE OF SPECIAL SESSION
SEPTEMBER 11, 2014 - 11:00 A.M.
JEFFERSON COUNTY COMMISSION**

There will be a Special Session of the Jefferson County Commission on Thursday, September 11, 2014 at 11:00 a.m. located at the County Commission meeting room - Old Charles Town Library 200 E. Washington Street, Charles Town, West Virginia 25414.

The purpose of the Special Session is to discuss a proposed Bonding Ordinance for Large Events.

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

September 5, 2014

Jefferson County Commission
Charles Town, WV

Re: Bonding Ordinance for Large Events

Dear President Pellish and Members of the Commission:

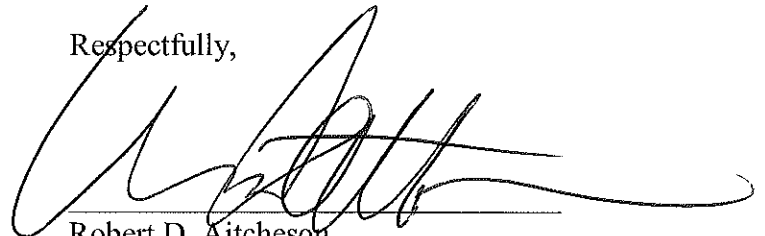
Upon further reflection, it occurred to me that:

- (1) the proposed ordinance should make clear that the posting of the bond is a pre-condition to the issuance of a permit; and,
- (2) it should also state what happens if the bond is not posted timely.

Therefore, I have revised paragraph (5), added a new paragraph (6), and renumbered the remaining paragraphs. I have also made a couple of minor changes to paragraph (3) to clarify the docketing, notice and hearing procedure.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. Aitcheson', written over a horizontal line.

Robert D. Aitcheson
P.O. Box 188
Rippon, WV 25441
304-725-7639

cc+enc: Stephanie Grove, Esq.

An Ordinance pursuant to WEST VIRGINIA CODE, Chapter 7, Article 1 and following, to maintain public health and safety and alleviate the unfair burdens on Jefferson County taxpayers from increased costs and strain on limited County resources by requiring large event organizers/promoters to pay the County's costs associated with such events.

Be it ENACTED by the Jefferson County Commission,

**An Ordinance to Require Bonding for and Payment of the
County's Costs for Large Events**

It appearing to the County Commission (the Commission) of Jefferson County, West Virginia that it is authorized by Chapter 7, Article 1 of the Official Code of West Virginia, 1931 as amended, to enact ordinances, issue orders and take other appropriate and necessary actions to maintain public health and safety and to alleviate undue strain on the County's limited budget and resources, the Commission hereby ADOPTS the following Ordinance:

(1) **Purpose**

The Commission **FINDS** that large events for persons to attend, among other things, create the significant potential for hazard to public health and safety, including the health and safety of attendees, public nuisance, high levels of traffic congestion on the County's public roads, substantially increased demands on County police, emergency medical response and other resources and undue strain on the limited County budget, all of which would result in increased burdens on County taxpayers.

(2) **Definition**

For purposes of this Ordinance,

"Large event" is defined as any event which has more than 4,000 total attendees, exclusive of exhibitors, who will reside at the event for 8 hours per day or more in temporary shelters, such as tents, campers and RV's, that will be removed when their attendance at the event has been concluded. Specifically excluded from this definition of "large events" are those events which are held on the real property of the Jefferson County Fair Association, Jefferson County Parks, Charles Town Races and Slots and Hollywood Casino and any single day event

conducted by a bona fide non-profit organizer, not for profit, with an attendance of 2,000 persons or less for the event.

(3) **Permit Required**

No person, firm, corporation, or partnership shall stage, promote, or conduct any “large event” as defined herein unless there shall have first been posted the required bond and a permit obtained from the Commission. Applications for said permit shall be in writing, under oath, by the organizer, promoter and property owner(s) filed with the County Clerk not more than one year but at least 180 days prior to the beginning of said event. Said Application shall be complete when submitted to the County Clerk. The Commission shall not act on any Application unless it is fully complete.

The Commission shall docket and act on any complete Application at a regularly scheduled meeting 30 days or later after being docketed. The date, time and place the Application shall be considered shall be noticed to the public by publication three times, one week apart, in a newspaper of general circulation in Jefferson County.

(4) **Application Requirements**

The Application, under oath, for this permit and bond shall include the following:
a statement by the applicants of the specific and exact date(s) and times for the event;
a statement by the applicants of the total number of tickets that will be provided for attendees whether to be sold or which will otherwise be available for use by attendees, and the applicants’ certification that they will comply with all applicable State and local laws and regulations;

a statement of the names and addresses of the organizer and promoter of the event, the persons, firms or corporations providing all financial backing for the event, and the names and residence addresses of all persons that will perform a the event;

a statement specifically identifying by owner, physical location and tax map and parcels, all lands upon which any part of the event will occur, and the names and addresses of all owners of those lands;

a list of all vendors and their principal places of business that will be providing goods or services to the event and documentation showing that they are legally certified and

licensed to do business in West Virginia.

(5) **Bond Required**

As a pre-condition to the issuance of a permit, a cash bond in an amount sufficient to cover all County costs and expenses, including police, emergency and medical response resources, shall be paid to the Commission within 72 hours of final approval of the Application by the Commission. The amount of the cash bond shall be determined by the number of tickets for the event available to attendees as follows:

4,000 to 9,999	\$2.00 per ticket per day
10,000 to 19,999	\$3.25 per ticket per day
20,000 to 39,999	\$4.50 per ticket per day
40,000 or greater	\$4.75 per ticket per day

(6) **Failure to Timely Pay Bond**

In the event Applicant fails to timely pay the full amount of the cash bond as determined by the Commission, Commission approval of the Application for issuance of a permit shall be deemed revoked, the Application voided and the Applicant shall be prohibited from filing any other application for a large event for a period of one(1) year from the date of such revocation.

(7) **Further Financial Responsibility**

Event organizers and financial backers shall be jointly and severally liable for any and all costs incurred by the County for such large event and not covered by the bond assessed herein. Any such excess costs shall be paid in full to the Commission not later than 30 days after written notification of those excess costs by the Commission to said organizers and financial backers. Similarly, any unused portion of said cash bond as solely determined by the Commission, shall be refunded, without interest, to the Applicant within 180 days of the conclusion of the event.

(8) **Geographical Coverage**

This Ordinance applies to all geographical areas of Jefferson County, West Virginia, whether inside or outside of the boundaries of any municipal corporation, Provided that: a permit and bond under this Ordinance shall be required for large events within the boundaries of

a municipality only if County resources or services are going to be needed or required by the event; Provided, further, that this Ordinance shall not be construed to prohibit any municipal corporation from lawfully adopting a municipal ordinance with protections against the hazards and budgetary demands addressed by this Ordinance, to the extent allowed by the laws of this State.

(9) **Severability**

In the event that any court of competent jurisdiction declares any provision of this Ordinance to be unenforceable, said declaration shall not be construed as invalidating the remaining provisions. Applicants, by the submission of their Application, agree that jurisdiction of all matters arising hereunder shall be with the Courts of this County and State and not with the Federal Courts.

(10) **Civil Sanctions**

The Commission shall have the right to revoke any permit granted under this Ordinance and prohibit the Applicant from obtaining any future permits, after appropriate notice and hearing for the Applicant, if there are violations of any portion of the Ordinance. In addition, the Commission may seek injunctive relief in the Circuit Court of Jefferson County if there are violations of any portion of the Ordinance.

ADOPTED this _____ day of _____ 2014,
effective immediately upon passage.

President of the Commission

Attest _____
Clerk of the County Commission



Meet and Converse with your Jefferson County Commissioners

Where: John's Diner
847 Berryville Pike
Charles Town, WV 25414

When: Thursday, October 2, 2014

Time: 5:00 p.m.—7:00 p.m.

*Questions regarding the event should be directed to
the Jefferson County Commission: 304-728-3284*

Impact Fee Status Report

August 2014

Office of Impact Fees

Summary

Date Range: Friday 1 through Sunday 31 August 2014

Report Date: 3 September 2014

Process Number Range: 1400136 - 1400158

Total Applications: 23

Total Non-Exempt: 20

Of which:

Commercial: 1

Residential: 19

Of which:

County: 10

Municipal: 9

Total Exempt: 3

Of which:

Commercial: 0

Residential: 3

Of which:

County: 3

Municipal: 0

Tables 1 through 7 summarize impact fee processing for August 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 August 2014	3	1	19	23
Fees collected		\$0.00	\$242,770.00	\$242,944.00
<i>Of which</i>				
School Impact Fee			\$213,004.00	\$213,004.00
Law Enforcement Fee		\$9.00	\$2,558.00	\$2,567.00
Parks & Recreation Fee			\$14,111.00	\$14,111.00
Fire & EMS Fee		\$165.00	\$13,097.00	\$13,262.00

Table 2. Financial Data – Office of Impact Fees General Account (3111776)

Description	Amount
Opening Statement Balance (1 August 2014)	\$139,110.65
August Deposits (1 – 31 August 2014)	\$242,944.00
School July Transactions (withdraws via transfer on 13 August 2014)	(\$122,134.77)
Law July Transactions (withdraws via transfer on 13 August 2014)	(\$1,251.41)
Parks & Rec July Trans. (withdraws via transfer on 13 August 2014)	(\$8,086.44)
Fire & EMS July Trans. (withdraws via transfer on 13 August 2014)	(\$7,638.03)
Interest Earned (31 August 2014)	\$64.59
Ending Statement Balance (31 August 2014)	\$243,008.59
<i>Outstanding Credits (deposits through 1 September 2014)</i>	<i>\$0.00</i>

Table 3. Financial Data – School Impact Fee Account (3107582)

Description	Amount
Opening Balance (1 August 2014)	\$477,036.65
July Transactions (deposits via transfer on 13 August 2014)	\$122,134.77
Interest Earned (31 August 2014)	\$234.37
Ending Balance (31 August 2014)	\$599,405.79

Table 4. Financial Data – Law Enforcement Impact Fee Account (3120120)

Description	Amount
Opening Balance (1 August 2014)	\$32,144.87
July Transactions (deposits via transfer on 13 August 2014)	\$1,251.41
Interest Earned (31 August 2014)	\$13.97
Ending Balance (31 August 2014)	\$33,410.25

Table 5. Financial Data – Parks & Recreation Impact Fee Account (3122808)

Description	Amount
Opening Balance (1 August 2014)	\$446,996.34
July Transactions (deposits via transfer on 13 August 2014)	\$8,086.44
Interest Earned (31 August 2014)	\$191.93
Ending Balance (31 August 2014)	\$455,274.71

Table 6. Financial Data – Fire & EMS Impact Fee Account (3122816)

Description	Amount
Opening Balance (1 August 2014)	\$184,544.07
July Transactions (deposits via transfer on 13 August 2014)	\$7,638.03
Requisition 14R0108 - Communications Equip. for all Mobile Units /1	(\$115,188.32)
Interest Earned (31 August 2014)	\$80.35
Ending Balance (31 August 2014)	\$77,074.13

/1 Outstanding Debit as of 1 September 2014.

Table 7. Total Impact Fees as of 1 September 2014 /1

Description	Amount
Office of Impact Fees General Account	\$243,008.59
School Impact Fee Account	\$599,405.79
Law Enforcement Fee Account	\$33,410.25
Parks & Recreation Impact Fee Account	\$455,274.71
Fire & EMS Impact Fee Account	\$77,074.13
Total Impact Fees	\$1,408,173.47

/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 September 2014 Fee Transfers /1

Account	31 August 2014 Account Totals	Pending Impact Fee Transfers	Account Totals
School Impact Fee Account	\$599,405.79	\$213,060.84	\$812,466.63
Law Enforcement Fee Account	\$33,410.25	\$2,567.65	\$35,977.90
Parks & Recreation Impact Fee Account	\$455,274.71	\$14,114.88	\$469,389.59
Fire & EMS Impact Fee Account	\$77,074.13	\$13,265.23	\$90,339.36
Total Impact Fees	\$1,165,164.88	\$243,008.60	\$1,408,173.48

/1 This table represents each of the impact fee category account totals as of 31 August 2014 listed in tables 3 – 6. Pending fee transfer amounts, excluding interest and any outstanding credits, collected in August 2014 are listed in table 1 of the General Account (3111776); these transactions will be processed in September 2014. Any outstanding credits, as listed in table 2, will be added to the next month's Impact Fee transfer amounts.



Form 100 Transaction Summary

Jefferson County Government – Office of Impact Fees

Impact Fee Applications Processed between dates Friday 1 through Sunday 31 August 2014

Process Number	Date	Last Name	First Name	Tax District	Deed Book	Deed Page	Tax Map	Parcel	Impact Fees Collected	Date	Exemption Reason
Exempt Applications											
1400143	08/13/2014	Hough	Clarence	06 Kabletown	1125	464	11	8	\$0.00	08/13/2014	Form 200
1400145	08/15/2014	Randell	Neal	09 Shepherdstown	1037	379	7	58	\$0.00	08/15/2014	Form 200
1400149	08/20/2014	Johnson	Raymond	02 Charles Town	999	651	10D	27	\$0.00	08/20/2014	Form 200

Category Count: 3

Category Total

\$0.00

Non-Exempt Applications											
1400136	08/01/2014	Wormald, Jr.	Robert	04 Harpers Ferry	975	635	10A	95	\$13,070.00	08/01/2014	N/A
1400137	08/01/2014	Wormald, Jr.	Robert	04 Harpers Ferry	975	635	10A	100	\$13,070.00	08/01/2014	N/A
1400138	08/05/2014	Julie Duval	Arcadia	03 Charles Town	23	67	12A	205	\$12,808.00	08/05/2014	N/A
1400139	08/05/2014	Julie Duval	Arcadia	03 Charles Town	23	67	12A	217	\$12,808.00	08/05/2014	N/A
1400140	08/06/2014	Dan Ryan		09 Shepherdstown	1127	26	7	1.15	\$13,070.00	08/06/2014	N/A
1400141	08/07/2014	Julie Duval	Arcadia	03 Charles Town	23	67	12A	218	\$12,808.00	08/07/2014	N/A
1400142	08/12/2014	Ogg	Donald and	04 Harpers Ferry	1137	709	6	8.22	\$13,070.00	08/12/2014	N/A
1400144	08/14/2014	Corum	Peter	09 Shepherdstown	995	321	13	23.1	\$174.00	08/14/2014	N/A
1400146	08/18/2014	Dan Ryan		09 Shepherdstown	1119	20	7	1.28	\$13,070.00	08/18/2014	N/A
1400147	08/18/2014	Dan Ryan		08 Ranson Corp			8C	235	\$12,808.00	08/18/2014	N/A
1400148	08/20/2014	David Lutman	Lutman	06 Kabletown	1083	178	3A	82	\$13,070.00	08/20/2014	N/A
1400150	08/20/2014	Johnson	Raymond	02 Charles Town	999	651	10D	27	\$9,868.00	08/20/2014	N/A
1400151	08/21/2014	Crim	Tracey	02 Charles Town	1144	420	7	53.4	\$13,070.00	08/21/2014	N/A
1400152	08/25/2014	Blust	Diane	09 Shepherdstown	1139	563	18	18.1	\$13,070.00	08/25/2014	N/A
1400153	08/27/2014	Charles	Ryan Homes	08 Ranson Corp	982	137	8D	13G	\$12,808.00	08/27/2014	N/A
1400154	08/27/2014	Julie Duval	Arcadia	03 Charles Town	23	67	12A	178	\$12,808.00	08/27/2014	N/A
1400155	08/29/2014	K Hovnanian		03 Charles Town	1095	342	11B	331	\$12,808.00	08/29/2014	N/A
1400156	08/29/2014	K Hovnanian		03 Charles Town	1095	342	11B	355	\$12,808.00	08/29/2014	N/A

Proposal Number	Date	Last Name	First Name	Tax District	Deed Book	Deed Page	Lot Map	Parcel	Impact Fees Collected	Date	Explanation Reason
Non-Exempt Applications											
1400157	08/29/2014	Dan Ryan		08 Ranson Corp	.	.	8C	228	\$12,808.00	08/29/2014	N/A
1400158	08/29/2014	Dan Ryan		09 Shepherdstown	1130	583	7	1.38	\$13,070.00	08/29/2014	N/A
Category Count: 20								Category Total \$242,944.00			
TOTAL APPLICATIONS: 23								Grand Total \$242,944.00			

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: Wednesday, 3 September 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 August 2014.

This transfer consists of two components:

- Impact Fee Process Numbers **1400136** through **1400158**, inclusive. Within this range there were 19 non-exempt impact fee payments. This amounts to **\$213,004.00**.
- Interest earned by the Office of Impact Fees General Account in August 2014 amounts to **\$64.59**, of which **\$56.84** is attributed to fees collected for Schools.

As per the attached invoice, the total amount of this transfer is \$213,060.84.

Check # 960

Jefferson County Commission

P.O. Box 250
Charles Town, WV 25414

Invoice

Number: 14033
Date: 9/3/2014

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 August 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). \$213,004.00

Interest earned by the Office of Impact Fees General Account August 2014. \$56.84

Impact Fee Process Numbers 1400136 through 1400158, inclusive. Within this range, there were 19 non-exempt impact fee payments.

Total: \$213,060.84

Notes/Comments Transfer of funds into School Impact Fee Account (3107582).

Check Number: 960



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Schools

Check Number 960

Trace 20140903:53567.18

Date 9/3/2014

Series 1

Recipient Sheriff of Jefferson County

Account 3107582

Amount \$213,004.00

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 August 2014.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/4/2014	1400136	2003-3	11/24/2005	\$11,358.00
8/4/2014	1400137	2003-3	11/24/2005	\$11,358.00
8/6/2014	1400138	2003-3	11/24/2005	\$11,358.00
8/6/2014	1400139	2003-3	11/24/2005	\$11,358.00
8/7/2014	1400140	2003-3	11/24/2005	\$11,358.00
8/8/2014	1400141	2003-3	11/24/2005	\$11,358.00
8/13/2014	1400142	2003-3	11/24/2005	\$11,358.00
8/15/2014	1400144	2003-3	11/24/2005	\$0.00
8/19/2014	1400146	2003-3	11/24/2005	\$11,358.00
8/19/2014	1400147	2003-3	11/24/2005	\$11,358.00
8/21/2014	1400148	2003-3	11/24/2005	\$11,358.00
8/21/2014	1400150	2003-3	11/24/2005	\$8,560.00
8/22/2014	1400151	2003-3	11/24/2005	\$11,358.00
8/26/2014	1400152	2003-3	11/24/2005	\$11,358.00
8/28/2014	1400153	2003-3	11/24/2005	\$11,358.00
8/28/2014	1400154	2003-3	11/24/2005	\$11,358.00
8/29/2014	1400155	2003-3	11/24/2005	\$11,358.00
8/29/2014	1400156	2003-3	11/24/2005	\$11,358.00
8/29/2014	1400157	2003-3	11/24/2005	\$11,358.00
8/29/2014	1400158	2003-3	11/24/2005	\$11,358.00

Total amount for this withdraw \$213,004.00

Total amount for this account \$213,004.00

Total amount all accounts \$213,004.00

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: Wednesday, 3 September 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 August 2014.

This transfer consists of two components:

- Impact Fee Process Numbers **1400136** through **1400158**, inclusive. Within this range there were 10 non-exempt impact fee payments. This amounts to **\$2,567.00**.
- Interest earned by the Office of Impact Fees General Account in August 2014 amounts to **\$64.59**, of which **\$0.64** is attributed to fees collected for Law Enforcement.

As per the attached invoice, the total amount of this transfer is \$2,567.64.

Check # 961

Jefferson County Commission

P.O. Box 250
 Charles Town, WV 25414

Invoice

Number: 14034

Date: 9/3/2014

Bill To:

Office of Impact Fees
 116 East Washington Street
 Suite 100
 Charles Town, WV 25414

Pay To:

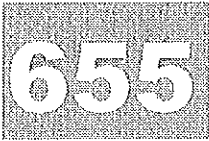
Sheriff of Jefferson County
 P.O. Box 9
 Charles Town, WV 25414

P.O. Number**Vendor Number****Description****Amount**

Impact Fee payments collected for month of August 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).	\$2,567.00
Interest earned by the Office of Impact Fees General Account August 2014.	\$0.64
Impact Fee Process Numbers 1400136 through 1400158, inclusive. Within this range, there were 10 non-exempt impact fee payments.	
Total:	\$2,567.64

Notes/Comments Transfer of funds into Law Enforcement Impact Fee Account (3120120).

Check Number: 961



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Law Enforcement

Check Number 961

Trace 20140903:53638.75

Date 9/3/2014 Series 2

Recipient Sheriff of Jefferson County

Amount \$2,567.00

Account 3120120

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 August 2014.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/4/2014	1400136	2005-1	3/22/2005	\$262.00
8/4/2014	1400137	2005-1	3/22/2005	\$262.00
8/6/2014	1400138	2005-1	3/22/2005	\$0.00
8/6/2014	1400139	2005-1	3/22/2005	\$0.00
8/7/2014	1400140	2005-1	3/22/2005	\$262.00
8/8/2014	1400141	2005-1	3/22/2005	\$0.00
8/13/2014	1400142	2005-1	3/22/2005	\$262.00
8/15/2014	1400144	2005-1	3/22/2005	\$9.00
8/19/2014	1400146	2005-1	3/22/2005	\$262.00
8/19/2014	1400147	2005-1	3/22/2005	\$0.00
8/21/2014	1400148	2005-1	3/22/2005	\$262.00
8/21/2014	1400150	2005-1	3/22/2005	\$200.00
8/22/2014	1400151	2005-1	3/22/2005	\$262.00
8/26/2014	1400152	2005-1	3/22/2005	\$262.00
8/28/2014	1400153	2005-1	3/22/2005	\$0.00
8/28/2014	1400154	2005-1	3/22/2005	\$0.00
8/29/2014	1400155	2005-1	3/22/2005	\$0.00
8/29/2014	1400156	2005-1	3/22/2005	\$0.00
8/29/2014	1400157	2005-1	3/22/2005	\$0.00
8/29/2014	1400158	2005-1	3/22/2005	\$262.00

Total amount for this withdraw \$2,567.00

Total amount for this account \$2,567.00

Total amount all accounts \$2,567.00

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: Wednesday, 3 September 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 August 2014.

This transfer consists of two components:

- Impact Fee Process Numbers **1400136** through **1400158**, inclusive. Within this range there were 19 non-exempt impact fee payments. This amounts to **\$14,111.00**.
- Interest earned by the Office of Impact Fees General Account in August 2014 amounts to **\$64.59**, of which **\$3.88** is attributed to fees collected for Parks & Recreation.

As per the attached invoice, the total amount of this transfer is \$14,114.88.

Check # 962

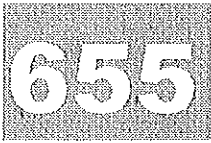
Jefferson County CommissionP.O. Box 250
Charles Town, WV 25414**Invoice****Number:** 14035**Date:** 9/3/2014**Bill To:**Office of Impact Fees
116 East Washington Street
Suite 100
Charles Town, WV 25414**Pay To:**Sheriff of Jefferson County
P.O. Box 9
Charles Town, WV 25414**P.O. Number****Vendor Number****Description****Amount**

Impact Fee payments collected for month of August 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). \$14,111.00

Interest earned by the Office of Impact Fees General Account August 2014. \$3.88

Impact Fee Process Numbers 1400136 through 1400158, inclusive. Within this range, there were 19 non-exempt impact fee payments.

Total: \$14,114.88**Notes/Comments** Transfer of funds into Parks & Recreation Impact Fee Account (3122808).**Check Number:** 962



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Parks & Rec

Check Number 962

Trace 20140903:53682.71

Date 9/3/2014

Series 3

Recipient Sheriff of Jefferson County

Account 3122808

Amount \$14,111.00

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 August 2014.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/4/2014	1400136	2005-2	5/12/2005	\$752.00
8/4/2014	1400137	2005-2	5/12/2005	\$752.00
8/6/2014	1400138	2005-2	5/12/2005	\$752.00
8/6/2014	1400139	2005-2	5/12/2005	\$752.00
8/7/2014	1400140	2005-2	5/12/2005	\$752.00
8/8/2014	1400141	2005-2	5/12/2005	\$752.00
8/13/2014	1400142	2005-2	5/12/2005	\$752.00
8/15/2014	1400144	2005-2	5/12/2005	\$0.00
8/19/2014	1400146	2005-2	5/12/2005	\$752.00
8/19/2014	1400147	2005-2	5/12/2005	\$752.00
8/21/2014	1400148	2005-2	5/12/2005	\$752.00
8/21/2014	1400150	2005-2	5/12/2005	\$575.00
8/22/2014	1400151	2005-2	5/12/2005	\$752.00
8/26/2014	1400152	2005-2	5/12/2005	\$752.00
8/28/2014	1400153	2005-2	5/12/2005	\$752.00
8/28/2014	1400154	2005-2	5/12/2005	\$752.00
8/29/2014	1400155	2005-2	5/12/2005	\$752.00
8/29/2014	1400156	2005-2	5/12/2005	\$752.00
8/29/2014	1400157	2005-2	5/12/2005	\$752.00
8/29/2014	1400158	2005-2	5/12/2005	\$752.00

Total amount for this withdraw \$14,111.00

Total amount for this account \$14,111.00

Total amount all accounts \$14,111.00

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: Wednesday, 3 September 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 August 2014.

This transfer consists of two components:

- Impact Fee Process Numbers **1400136** through **1400158**, inclusive. Within this range there were 20 non-exempt impact fee payments. This amounts to **\$13,262.00**.
- Interest earned by the Office of Impact Fees General Account in August 2014 amounts to **\$64.59**, of which **\$3.23** is attributed to fees collected for Fire & EMS.

As per the attached invoice, the total amount of this transfer is \$13,265.23.

Check # 963

Jefferson County Commission

P.O. Box 250
Charles Town, WV 25414

Invoice

Number: 14036

Date: 9/3/2014

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 August 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). \$13,262.00

Interest earned by the Office of Impact Fees General Account August 2014. \$3.23

Impact Fee Process Numbers 1400136 through 1400158, inclusive. Within this range, there were 20 non-exempt impact fee payments.

Total: \$13,265.23

Notes/Comments Transfer of funds into Fire & EMS Impact Fee Account (3122816).

Check Number: 963



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Fire & EMS

Check Number 963

Trace 20140903:53721.86

Date 9/3/2014

Series 4

Recipient Sheriff of Jefferson County

Amount \$13,262.00

Account 3122816

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 August 2014.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/4/2014	1400136	2005-3	5/12/2005	\$698.00
8/4/2014	1400137	2005-3	5/12/2005	\$698.00
8/6/2014	1400138	2005-3	5/12/2005	\$698.00
8/6/2014	1400139	2005-3	5/12/2005	\$698.00
8/7/2014	1400140	2005-3	5/12/2005	\$698.00
8/8/2014	1400141	2005-3	5/12/2005	\$698.00
8/13/2014	1400142	2005-3	5/12/2005	\$698.00
8/15/2014	1400144	2005-3	5/12/2005	\$165.00
8/19/2014	1400146	2005-3	5/12/2005	\$698.00
8/19/2014	1400147	2005-3	5/12/2005	\$698.00
8/21/2014	1400148	2005-3	5/12/2005	\$698.00
8/21/2014	1400150	2005-3	5/12/2005	\$533.00
8/22/2014	1400151	2005-3	5/12/2005	\$698.00
8/26/2014	1400152	2005-3	5/12/2005	\$698.00
8/28/2014	1400153	2005-3	5/12/2005	\$698.00
8/28/2014	1400154	2005-3	5/12/2005	\$698.00
8/29/2014	1400155	2005-3	5/12/2005	\$698.00
8/29/2014	1400156	2005-3	5/12/2005	\$698.00
8/29/2014	1400157	2005-3	5/12/2005	\$698.00
8/29/2014	1400158	2005-3	5/12/2005	\$698.00
Total amount for this withdraw				\$13,262.00
Total amount for this account				\$13,262.00
Total amount all accounts				\$13,262.00

Jefferson County Public Service District

Received

SEP 05 2014

Jefferson County Public Service District Work Session July 30, 2014

The work session of the Jefferson County Public Service District was held at 9:00AM on Wednesday, July 30, 2014 at the District's office in Kearneysville. Those in attendance included: Chairman, Peter Appignani; Treasurer, Bill Strider; PSD General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; District Legal Counsel, Jim Kelsh; from Thrasher Engineering, Wayne Morgan; Liaison for the County Commission, Commissioner Jane Tabb; from Cox Hollida & Professionals, Chuck Young; Mayor of Charles Town, Peggy Smith; Charles Town City Manager, Dave Mills; Charles Town Utility Manager, Jane Arnett; Charles Town Legal Counsel, Hoy Shingleton; Charles Town Utility Board Vice Chair, Pete Kubic; Charles Town Utility Board member, Kristen Stolipher; from RK&K, John Cole; Ranson City Manager, Andy Blake; and Executive Director of Jefferson County Development Authority, John Reisenweber.

Update from Charles Town on status of current sewer construction project

Jane Arnett gave a brief update on the sewer construction project that is expected to be completed by October 2015. Currently tertiary treatment addition at the Charles Town plant and construction of an effluent line from the new Tuscawilla wastewater treatment plant directly to Evitts Run required by Department of Environmental Protection to meet the Chesapeake Bay criteria is under construction. The costs for these two projects are just under \$6 million to complete including \$1.4 million in grants.

Information from JCPSD on purchase of Jefferson Utilities, Inc.

Jim Kelsh gave a brief update on the purchase of Jefferson Utilities, Inc.. An agreement has been reached to acquire the JUI water systems and associated assets including two sewer systems for \$14.9 million. Wayne Morgan from Pentree submitted a Preliminary Engineering Report to the West Virginia Infrastructure and Jobs Development Council (IJDC) on June 9th which included a \$14.9 million purchase of JUI and a \$10.2 million upgrade project for the mountain water systems. The application was reviewed by the funding committee on July 29th and will be discussed at the full council meeting on August 6th.

Information from JCPSD on future use of Old Standard Treatment Plant

Wayne Morgan gave a brief update on the \$15.3 million sewer collection and transmission upgrade project that was filed with IJDC on June 9th. After meeting with several agency representatives at the IJDC, there was a consensus for the District to evaluate another transmission alternative which would eliminate the use of the Old Standard treatment plant at this time. Mr. Morgan stated that the application has been tabled from being discussed at the Funding Committee until further information is developed.

Charles Town to propose feasibility of acquiring assets of JCPSD

Dave Mills raised the idea of Charles Town purchasing approximately 1,000 District customers located within Charles Town's Urban Growth Boundary. He stated that Charles Town wants to support the District's proposed projects and the efforts of the District servicing where Charles Town doesn't intend to serve. Mr. Mills was not proposing consolidation, but Charles Town has a vested interest in serving customers in their own service area and urban growth boundary since they have the ability to do so.

Sue Lawton expressed that the District could not lose 1000 customers without great financial harm. She also stated that the currently proposed sewer project was not going to serve anyone in the Charles Town Urban Growth Boundary but current and proposed customers in the Flowing Springs watershed. With only 50 to 150 EDUs of available capacity in the District's collection system, and without the proposed District sewer project that there would not be capacity for the further development of Burr Industrial Park or the planned development in the Flowing Springs Road/Country Club Road area.

Andy Blake expressed Ranson's main concern of the limited capacity its system has to accept additional flows due to the District's use of the transmission facilities. He stated that Ranson would like to get out of the sewer business and would be interested in exploring the alternative that is most cost effective for the customers.

John Reisenweber shared his discussions he has had with representatives on the Consolidation Committee at the IJDC who would like to see consolidation among the utilities. Mr. Reisenweber suggested a new engineering study be developed with a consolidated approach for sewer and a smaller District project for the "priority fixes".

Mr. Appignani requested that Charles Town make a formal written proposal for purchasing the District customers.

Discuss other topics as appropriate

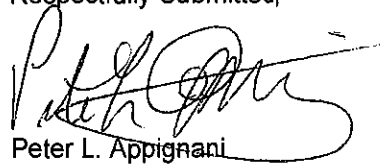
No other topics were discussed.

Plan next meeting

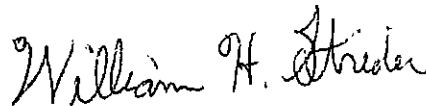
The next meeting will be held on Tuesday, September 2nd at 2:00PM at the Districts office.

There being no further business at this time, the meeting was concluded at 10:40AM

Respectfully Submitted,



Peter L. Appignani
Chairman



William H. Strider
Treasurer

Jefferson County Public Service District

Received

SEP 05 2014

Jefferson County Public Service District Regular Board Meeting August 4, 2014

Jefferson County Commission

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, August 4, 2014 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Peter Appignani; Secretary, Richard Weese; Treasurer, Bill Strider; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; Operations Manager, Joe Freeze; District Legal Counsel, Jim Kelsh; from Thrasher Engineering, Wayne Morgan; and Liaison for the County Commission, Commissioner Jane Tabb.

CALL TO ORDER

Chairman Peter Appignani called the meeting to order at 7:00PM.

Approval of agenda

There were no changes to the agenda.

Public Comments

Lyn Widmyer, resident of Cattail Run Road, gave the Board a copy of the letter she sent to the West Virginia IJDC funding committee meeting on July 29th regarding the water project. She also reviewed the minutes from that meeting, particularly the discussion on the funding terms based on the 2010 census. Ms. Widmyer hopes the District releases more information to the public on how the numbers were developed for the water project.

Dale Manual, District customer, informed the Board that he has had discussions with West Virginia IJDC and there is only \$8 million left for project funding. He is concerned where the funding will come from to cover the water project costs and would like to hear more discussions on how to retire the debt.

Jacquelyn Milliron, Breckenridge resident, questioned if District staff provided Mr. Appignani the information he requested last month on the number of delinquent customers. She was curious to see if the rate effects of the water and sewer projects would impact those numbers given to Mr. Appignani. Ms. Milliron also questioned if those developments that were to benefit from the 30 inch line would be paying their share of the costs and requested the age of the pump stations that would be decommissioned in the proposed sewer project. She is very concerned with the costs spent on new projects when the existing system is failing and the lack of information given to the public.

OLD BUSINESS

Review Minutes of July 7 regular board meeting

The minutes of the July 7, 2014 regular board meeting were approved as presented.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to accept the July 7, 2014 regular meeting minutes as presented. Unanimously approved.

Review Minutes of July 30 special board meeting

The minutes of the July 30, 2014 special board meeting were approved as presented.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to accept the July 30, 2014 special board meeting minutes as presented. Unanimously approved.

Update on the water systems improvement project for Glen Haven and Cavaland

- Approval of resolution for payment # 4

Ms. Lawton stated the Board needs to approve the fourth draw from the bond proceeds to pay the contractor, Gwin Dobson & Foreman, and Region 9. Mr. Appignani read the resolution for payment #4 as follows:

RESOLUTION OF THE PUBLIC SERVICE BOARD OF THE
JEFFERSON COUNTY PUBLIC SERVICE DISTRICT APPROVING
INVOICES RELATING TO ENGINEERING AND OTHER SERVICES

FOR THE CAVALAND & GLEN HAVEN WATER SYSTEM
IMPROVEMENTS PROJECT AND AUTHORIZING PAYMENT
THEREOF.

Action: Motion by Mr. Strider and seconded by Mr. Weese to adopt the resolution as read by Mr. Appignani totaling \$241,915.14. Unanimously approved.

Update on easement/ownership of two pump stations

Ms. Lawton is meeting with Mr. Glenn on Friday, August 8th to discuss the easement issue for pump station 3-9.

Action: No action required by the Board.

Consider approval of revised termination agreement with Mockingbirdhil, Inc.

Mr. Kelsh is waiting to hear back from the attorney for Mockingbirdhil, Inc. on the revised agreement.

Action: No action required by the Board.

Discuss the District's financial status (status of paying bills)

The District's coverage rate is at 116% this month. Ms. Lawton stated that the District will need an estimated \$70,000 in payments to cover the disbursements for this month.

Last month Mr. Appignani requested information from staff regarding the number of terminations each month since the last rate increase. From the information staff provided him, he stated that there are not many terminations each month, but there are a large number of past due notices. He stated that on average, the District has about 600 late notices a month, which increased 25% after the last rate increase. Mr. Appignani expressed his concern that the District needs to consider this when moving forward with projects that will affect rates.

Action: No action required by the Board.

Options and process path for creating/revising PSD strategic plan

Dunn Engineering is waiting to see how the proposed water and sewer projects will move forward and then return to the Board with a contract for a plan.

Action: No action required by the Board.

Discuss request for funding to West Virginia Infrastructure and Jobs Development Council for sewer collection and transmission upgrades

Mr. Morgan gave a brief update on the \$15.3 million sewer collection and transmission upgrade project that was filed with IJDC on June 9th. After meeting with several agency representatives at the IJDC, there was a consensus for the District to evaluate another transmission alternative which would reduce costs and eliminate the use of the Old Standard treatment plant. Mr. Morgan stated that the application has been tabled from being discussed at the IJDC Funding Committee until further information is developed.

Action: No action required by the Board.

Discuss request for funding to West Virginia Infrastructure and Jobs Development Council for acquisition of water utility assets of Jefferson Utilities, Inc. and Water Project to replace and upgrade Keyes Ferry Acres, Westridge Hills, and Harpers Ferry Campsites

Mr. Kelsh discussed the IJDC funding committee meeting held on July 29th which he attended with Ms. Lawton and Mr. Strider. The District modified funding for the project to only requesting \$10.9 for the mountain water systems upgrade from IJDC and \$14.9 for the acquisition of Jefferson Utilities, Inc. from the West Virginia USDA Rural Utilities Services program. The application was forwarded to the full council by the funding committee, but it was requested that the District change the application to include the new funding scenario. There was still confusion as to whether the District qualifies for funding using the 2000 census data.

Mr. Appignani argued that the net book value of Jefferson Utilities is negative \$2.5 million and disagrees with this project. Mr. Weese disputed Mr. Appignani's argument.

Action: No action required by the Board.

Discuss finalization of contract on pump station 5-3 replacement

Ms. Lawton informed the Board that all issues with the pump station have been addressed and final payment should be issued to the contractor.

Action: **Motion made by Mr. Strider and seconded by Mr. Weese to approve the final payment of \$14,000 to the contractor for the replacement of pump station 5-3. Unanimously approved.**

Select date and time to interview for final design of sewer collection and transmission project

Ms. Lawton stated that last month the board approved to interview the three (3) engineering firms that submitted proposals by the selection committee consisting of the three (3) board members, Mrs. Tabb, and herself.

Action: **Motion made by Mr. Strider to interview the three (3) firms by the selection committee in conjunction with the September board meeting. After a brief discussion, Mr. Strider revised his motion and Mr. Weese seconded to direct staff to schedule interviews of the three (3) firms during the week of September 15th. Unanimously approved.**

NEW BUSINESS

Discuss Code of Ethics from County Commission

Mr. Kelsh discussed the Code of Ethics document that was sent out to all members serving on County appointed boards, commissions, and committees, including the District board members. These members were asked to sign the document or future reappointments may be affected for failure to do so. Mr. Kelsh expressed his concern that this ethics agreement violates the state constitution since board members are required to take the oath to support the Constitution of the United States and the Constitution of West Virginia after being appointed. He stated that since the prohibition on requiring other oaths or declarations is in the Constitution of West Virginia, the board members are not compelled to execute the County's ethics document. Mr. Kelsh believes the County's ethics document violates Article IV., Section 5 of the West Virginia Constitution.

Commissioner Lyn Widmyer mentioned the Ethics document was reviewed by the County's legal staff and was intended to protect members serving on the County boards, commissions, and committees. Commissioner Dale Manuel stated the Commission could delete the sentence in the cover letter which states "Failure to do so may affect your future reappointment". Mr. Appignani suggested Mr. Kelsh contact the County's legal counsel.

Action: **No action required by the Board.**

Discussion on an ethics matter that could be a possible conflict of interest requested by Charles Cheezum

Mr. Charles Cheezum requested the agenda item to address his concern regarding District board members and possible conflicts of interests.

Action: **No action required by the Board.**

Update on Statuses of Current Public Service Commission Cases

PSC case # 14-0606-PSD-C (Lutman Properties, LLC complaint) – A final joint staff memorandum has been issued by the PSC which supports Mr. Lutman. Mr. Kelsh filed a response opposing the recommendation.

PSC case # 14-0582-PSD-PC (Termination Agreement with Mockingbirdhil, Inc.) – Mr. Kelsh is waiting to hear back from the attorney for Mockingbirdhil, Inc. regarding the revised termination agreement.

PSC case # 13-1175-S-C (Old Standard, LLC complaint) & Circuit Court case # 14-C-51 – Both cases have been stayed for 120 days pending the outcome of both the proposed sewer collection project and the JUI purchase.

Action: **No action required by the Board.**

Discussion of any Expenses over Budget

There were several items over budget this month.

Action: **Motion made by Mr. Strider and seconded by Mr. Weese to approve the following items over budget this month: Pump System Supplies and Expense; Pumping System Operation Labor; Treatment and Disposal Supplies and Expense; Billing,**

Collecting, and Accounting; General Office Salaries; Bad Debt; and Special Expense. Unanimously approved.

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 \$9,975.38. 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 \$196,051.50. Unanimously approved.

Approve transfer of \$1,490.24 from the renewal & replacement account to the Sewer Operating account for a force main air release valve

Approve transfer of \$607.88 from the renewal & replacement account to the Sewer Operating account for repairs at the SHN-2 pump station

Approve transfer of \$7,000.00 from the renewal & replacement account to the Sewer Operating account for a new pump at pump station 3-6

Approve transfer of \$975.00 from the renewal & replacement account to the Sewer Operating account for a transducer at the SHN-2 pump station

Approve transfer of \$4,761.97 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 transfer of \$1,490.24 from the renewal & replacement account to the Sewer Operating account for a force main air release valve, approve transfer of \$607.88 from the renewal & replacement account to the Sewer Operating account for repairs at the SHN-2 pump station, approve transfer of \$7,000.00 from the renewal & replacement account to the Sewer Operating account for a new pump at pump station 3-6, approve transfer of \$975.00 from the renewal & replacement account to the Sewer Operating account for a transducer at the SHN-2 pump station, and approve transfer of \$4,761.97 from the Sewer Security Deposit account to 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.

Action: No action required by the Board.

Other staff reports

None discussed.

Action: No action required by the Board.

Correspondence

None discussed.

Public Comment

Jacquelyn Milliron, Breckenridge resident, would like to know how many current and future customers the proposed sewer project will serve, specifically the 30-inch line. She stated that a strategic plan needs to be developed according to the order from the Public Service Commission in case number 12-0513-PSD-42T-PC. Ms. Milliron also asked why the Board chose alternative 8 since there were other cheaper, efficient alternatives to choose from. She stated that the net book value in the Jefferson Utilities, Inc. project is very important and anything beyond what is calculated in the net book value cannot be used in the rates. Ms. Milliron closed her remarks by stating the Board members need to revisit West Virginia statute Chapter 16-13a-3.

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to convene in executive session for the purpose of discussing litigation 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 adjourn. Unanimously approved.

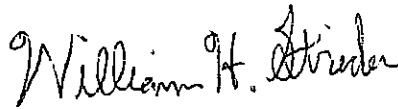
There being no further business at this time, the meeting was adjourned at 9:08PM.

The next regular meeting is scheduled for Tuesday, September 2, 2014 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Peter L. Appignani
Chairman



William H. Strider
Treasurer

Ambulance Fee Recap

The ambulance fee was implemented because the fire departments had previously relied on volunteers to run the ambulances. With volunteerism being lower than prior years the fire departments needed to go to a hybrid model of both volunteers and paid paramedics.

The ambulance fee generates \$800,000 per year all which will go towards hiring additional paid paramedics.

In addition to the \$800,000 the County funds the ambulance authority \$1,447,562 per year and funds the fire departments \$373,625 per year for a total amount of funding of \$1,821,187 per year.

Over the past year the County did reduce the County's budget by over 2.7 million dollars. Even with this reduction it was not enough to avoid the implementation of the ambulance fee.

For additional information concerning the County's budget you can logon to www.jeffersoncountywv.org click on budget information when that page loads scroll down to the bottom of the page and click on FY15 Budget Summary and Narrative.

If you wish to express public comment the Commissioners meet every 1st and 3rd Thursday of the month at 9:30AM.

TO: Jefferson County Commission

DATE: August 30, 2014

FROM: Randolph S. Davis

RE: Emergency Ambulance Fee

I just want to go on record stating my disappointment for the Emergency Ambulance Fee being assessed to me and every other property owner in Jefferson County. Once again, we are being FORCED by a Government agency to pay for something for someone else. I just don't understand how this Fee can be assessed and then if an ambulance is needed, I still have to pay for the use of it if I need it, which is what I have done in the past. This is yet another entity that was formed to assess, collect and spend more of my money.

Thanks also for supplying a return envelope for the payment. I guess your reasoning (if it was even thought about) was you are trying to save us money!

BTW – thank you also for giving yourselves a 12% pay increase. Why didn't you just come out and say this pay increase is the reason for the Ambulance Fee? I have been a business owner for over 25 years and have not been able to give myself a raise for over 10 years.

Very disappointed,



Randolph S. Davis

Sandy McDonald

From: Frederick Kysar [frkysar@microsoft.com]
Sent: Thursday, September 04, 2014 4:26 PM
To: webmaster@jeffersoncountywv.org; cschott@jeffersoncountywv.org;
sandy@jeffersoncountywv.org; chernandez@jeffersoncountywv.org
Subject: Ambulance Fee

Your submission:

Your Name: Frederick Kysar
Your Email Address: frkysar@microsoft.com
Subject: Ambulance Fee
Message: What does the Ambulance fee get us? We still have to pay for the service if we need it! Who owns the Ambulance service?

Sandy McDonald

From: Richard Cole [popeyefly638@yahoo.com]
Sent: Thursday, September 04, 2014 7:46 PM
To: webmaster@jeffersoncountywv.org; cschott@jeffersoncountywv.org;
sandy@jeffersoncountywv.org; chernandez@jeffersoncountywv.org
Subject: New Ambulance TAX!

Your submission:

Your Name: Richard Cole
Your Email Address: popeyefly638@yahoo.com
Subject: New Ambulance TAX!

Message: being a resident of jc since 1976. I am outraged at this NEW TAX. When a few years ago we used the ambulance svcs in a car accident. the bills came and those charges were outrageous. Double charges no services needed over 1200.00 for a 2 mile cab ride. This is theft. a tax to supplement a business. We will respond to this on all future local elections, Enough!!!

Sandy McDonald

From: Thomas Christison [tlchristison@yahoo.com]
Sent: Thursday, September 04, 2014 8:49 PM
To: webmaster@jeffersoncountywv.org; cschott@jeffersoncountywv.org;
sandy@jeffersoncountywv.org; chernandez@jeffersoncountywv.org
Subject: Heartburn over Ambulance Fee

Your submission:

Your Name: Thomas Christison

Your Email Address: tlchristison@yahoo.com

Subject: Heartburn over Ambulance Fee

Message: I pay taxes in this County. A LOT of taxes. Why aren't those taxes being used to maintain the County Ambulance Service? You politicians are taxing us again for something we've already paid for. Adding more people sounds like another lame bunch of Democrats' economic stimulus!

PLEASE JOIN US FOR A
Fresh Feast on the Farm



September 20, 2014

featuring

**YORK HILL FARM
SHENANDOAH JUNCTION, WV**

Enjoy an evening of delicious, locally produced foods in a beautiful farm setting.

Hosted by Gordon and Cornelia Hockman of York Hill Farm.

Space is limited and reservations are required.

Appetizers & Wine Tasting 6pm, Dinner 7pm

\$80 per person / \$150 per couple / Reservation for a table of 8 \$560

10% of proceeds will benefit the

WV Breast & Cervical Cancer Diagnostic and Treatment Fund.



Questions and to reserve:
Jane Tabb • 304-725-4325
vinemont@frontiernet.net
Reserve online:
www.FreshFeastOnTheFarm.com

Send a check to:
922 Old Leetown Pike,
Kearneysville, WV 25430
Reservation confirmation postcards
will be mailed once payment is received.

**WEST VIRGINIA LOTTERY
WEEKLY SETTLEMENT FOR CHARLES TOWN**

Week Ending Date	August 30, 2014
To be Deposited on:	September 8, 2014
Amount Played	63,333,239.41
Amount Won	56,947,020.60
Amount Promo	255,113.00
MWAP Contribution	<u>3,359.53</u>
Adjusted Gross Terminal Revenue	<u>6,127,746.28</u>
Administrative Costs @ 4%	245,109.86
Excess Lottery Fund @ 4%	<u>0.00</u>
Net Terminal Revenue	<u>5,882,636.42</u>
Surcharge @ 10%	0.00
State Share Excess @ 58% & 10% of 42%	0.00
Track Share of Capital Reinvestment @ 90% of 42%	<u>0.00</u>
<i>Track Share of Capital Reinvestment @ 96%</i>	<i>0.00</i>
<i>Track Share of Capital Reinvestment @ 4%</i>	<i>0.00</i>
Adjusted Net Terminal Revenue	<u>5,882,636.42</u>
Racetrack @ 46.50% / 42%	2,735,425.94
Lottery Fund @ 30% / 0%	1,764,790.94
Excess Lottery Fund @ 0% / 41%	0.00
Excess Lottery Fund @ 12.85% / 9.55%	755,918.77
Race Track Purses @ 90% of 7% / 4%	370,606.09
Employee Pension Fund @ 1% / .5%	58,826.36
Greyhound Development @ 90% of .75%	39,707.80
Thoroughbred Development @ 90% of .75%	39,707.80
County/Municipality @ 2%	<u>117,652.72</u>
	<u>5,882,636.42</u>

WEST VIRGINIA LOTTERY
 First Benchmark
 Charles Town
 County / City Split
 Fiscal Year 2015

Charles Town
 1999 Net Terminal Revenue \$ 45,603,174
 Benchmark Goal @ 2% \$ 912,063.48

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 7.93%	CHARLES TOWN 39.90%	HARPERS FERRY 2.17%	RANSON 33.68%	SHEPHERDS TOWN 16.32%
5 days ending: 07/05/14	\$ 106,819.12	\$ 106,819.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/12/14	\$ 111,792.16	\$ 111,792.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/19/14	\$ 116,320.32	\$ 116,320.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/26/14	\$ 112,502.48	\$ 112,502.48	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/02/14	\$ 117,145.12	\$ 117,145.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/09/14	\$ 114,374.60	\$ 114,374.60	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/16/14	\$ 114,105.32	\$ 114,105.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/23/14	\$ 116,097.04	\$ 116,097.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/30/14	\$ 117,652.72	\$ 60,280.02	\$ 57,372.70	\$ 4,549.65	\$ 22,891.71	\$ 1,244.99	\$ 19,323.13	\$ 9,363.22
Subtotal	\$ 1,026,808.88	\$ 969,436.18	\$ 57,372.70	\$ 4,549.65	\$ 22,891.71	\$ 1,244.99	\$ 19,323.13	\$ 9,363.22

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

VIDEO LOTTERY REPORT

FY 2011		FY 2012		FY 2013		FY 2014		FY 2015	
Date	Amount	Date	Amount	Date	Amount	Date	Amount	Date	Amount
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	7/5/2014	106,819.12
7/10/2010	205,731.64	7/9/2011	171,717.28	7/14/2012	129,458.04	7/13/2013	128,060.40	7/12/2014	111,792.16
7/17/2010	161,386.76	7/16/2011	143,019.52	7/21/2012	130,037.00	7/20/2013	115,128.84	7/19/2014	116,320.32
7/24/2010	160,368.28	7/23/2011	146,508.00	7/28/2012	137,164.44	7/27/2013	123,049.56	7/26/2014	112,502.48
7/31/2010	157,802.08	7/30/2011	144,510.28	8/4/2012	132,931.16	8/3/2013	116,180.80	8/2/2014	117,145.12
8/7/2010	136,494.98	8/6/2011	151,495.28	8/11/2012	134,212.88	8/10/2013	120,078.64	8/9/2014	114,374.60
8/14/2010	78,376.68	8/13/2011	117,350.38	8/18/2012	110,241.90	8/17/2013	124,888.56	8/16/2014	114,105.32
8/21/2010	76,199.02	8/20/2011	71,614.12	8/25/2012	66,209.90	8/24/2013	89,882.12	8/23/2014	116,097.04
8/28/2010	72,460.03	8/27/2011	63,432.14	9/1/2012	67,133.42	8/31/2013	58,913.18	8/30/2014	60,280.02
9/4/2010	76,362.84	9/3/2011	80,837.76	9/8/2012	74,029.40	9/7/2013	67,758.74		
9/11/2010	82,969.36	9/10/2011	84,845.80	9/15/2012	61,838.04	9/14/2013	53,374.22		
9/18/2010	67,638.78	9/17/2011	66,748.62	9/22/2012	56,996.90	9/21/2013	54,277.94		
9/25/2010	70,435.06	9/24/2011	68,929.80	9/29/2012	61,611.40	9/28/2013	54,881.50		
10/2/2010	71,013.86	10/1/2011	68,871.64	10/6/2012	62,715.20	10/5/2013	55,950.74		
10/9/2010	69,311.50	10/8/2011	70,866.90	10/13/2012	60,710.18	10/12/2013	55,837.92		
10/16/2010	75,234.62	10/15/2011	75,262.66	10/20/2012	62,333.08	10/19/2013	61,327.20		
10/23/2010	70,290.80	10/22/2011	68,757.72	10/27/2012	58,073.54	10/26/2013	52,854.06		
10/30/2010	65,615.04	10/29/2011	60,507.98	11/3/2012	56,545.30	11/2/2013	57,543.54		
11/6/2010	61,337.62	11/5/2011	70,673.88	11/10/2012	56,110.96	11/9/2013	54,666.76		
11/13/2010	64,595.28	11/12/2011	67,627.10	11/17/2012	57,432.36	11/16/2013	56,495.96		
11/20/2010	56,010.08	11/19/2011	60,690.60	11/24/2012	65,888.86	11/23/2013	48,628.62		
11/27/2010	71,170.90	11/26/2011	74,140.54	12/1/2012	50,243.34	11/30/2013	59,645.66		
12/4/2010	53,215.08	12/3/2011	59,429.94	12/8/2012	50,770.96	12/7/2013	47,306.24		
12/11/2010	46,944.00	12/10/2011	51,395.44	12/15/2012	47,022.38	12/14/2013	29,229.02		
12/18/2010	42,076.76	12/17/2011	55,981.32	12/22/2012	46,838.96	12/21/2013	44,581.02		
12/25/2010	50,450.28	12/24/2011	54,248.62	12/29/2012	59,697.22	12/28/2013	62,117.14		
1/1/2011	85,152.12	12/31/2011	94,661.00	1/5/2013	71,673.52	1/4/2014	62,963.88		
1/8/2011	54,301.30	1/7/2012	74,863.40	1/12/2013	50,416.30	1/11/2014	37,935.94		
1/15/2011	54,005.90	1/14/2012	58,901.92	1/19/2013	51,211.88	1/18/2014	49,418.64		
1/22/2011	60,924.74	1/21/2012	61,819.92	1/26/2013	46,966.26	1/25/2014	42,720.80		
1/29/2011	48,036.94	1/28/2012	62,898.78	2/2/2013	52,067.92	2/1/2014	47,681.60		
2/5/2011	60,777.44	2/4/2012	72,154.66	2/9/2013	52,222.20	2/8/2014	45,434.52		
2/12/2011	67,471.84	2/11/2012	66,429.04	2/16/2013	64,243.52	2/15/2014	41,076.08		
2/19/2011	72,018.54	2/18/2012	77,455.88	2/23/2013	64,115.70	2/22/2014	61,523.98		
2/26/2011	75,544.02	2/25/2012	77,611.78	3/2/2013	62,602.74	3/1/2014	57,744.78		
3/5/2011	74,535.34	3/3/2012	75,963.86	3/9/2013	59,213.26	3/8/2014	50,439.94		
3/12/2011	66,979.48	3/10/2012	76,808.62	3/16/2013	62,366.36	3/15/2014	54,414.66		
3/19/2011	73,113.26	3/17/2012	76,883.92	3/23/2013	59,841.02	3/22/2014	50,734.62		
3/26/2011	68,490.80	3/24/2012	72,108.36	3/30/2013	57,567.98	3/29/2014	51,174.60		
4/2/2011	70,846.58	3/31/2012	74,244.22	4/6/2013	63,108.84	4/5/2014	55,229.90		
4/9/2011	67,076.78	4/7/2012	75,382.98	4/13/2013	56,849.30	4/12/2014	48,653.18		
4/16/2011	64,698.56	4/14/2012	71,065.34	4/20/2013	55,432.12	4/19/2014	54,469.22		
4/23/2011	67,674.14	4/21/2012	68,055.08	4/27/2013	58,612.74	4/26/2014	51,637.18		

4/30/2011	66,807.50	4/28/2012	72,880.66	5/4/2013	61,102.92	5/3/2014	54,757.72
5/7/2011	66,379.74	5/5/2012	71,582.30	5/11/2013	57,428.70	5/10/2014	51,011.76
5/14/2011	66,699.76	5/12/2012	63,357.92	5/18/2013	61,172.80	5/17/2014	51,148.34
5/21/2011	63,210.44	5/19/2012	78,984.36	5/25/2013	57,131.24	5/24/2014	53,082.60
5/28/2011	64,724.06	5/26/2012	67,396.24	6/1/2013	65,920.66	5/31/2014	62,642.98
6/4/2011	74,952.34	6/2/2012	76,959.44	6/8/2013	55,233.74	6/7/2014	49,517.18
6/11/2011	62,203.12	6/9/2012	63,584.86	6/15/2013	54,067.52	6/14/2014	50,266.50
6/18/2011	61,200.76	6/16/2012	59,436.12	6/22/2013	54,690.28	6/21/2014	48,768.14
6/25/2011	65,470.44	6/23/2012	55,921.30	6/29/2013	55,991.38	6/28/2014	49,250.32
6/30/2011	34,351.16	6/30/2012	58,207.40	6/30/2013	11,509.54	6/30/2014	12,010.70

TOTALS 4,016,541.01

4,124,906.80

3,580,645.18

3,261,565.02

969,436.18

Table Game Revenue

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
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	May, 2014	93,191.89
		June, 2012	129,235.38	June, 2013	104,803.37	June, 2014	72,350.70
Total 2010-2011	1,297,391.70	Total 2011-2012	1,602,900.84	Total 2012-2013	1,530,462.31	Total 2013-2014	998,486.72

<u>Date</u>	<u>Amount</u>
July, 2014	78,639.07

Total 2014-2015	78,639.07
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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>	<u>Date</u>	<u>Amount</u>
July, 2011	425,154.03	July, 2012	415,990.92	July, 2013	297,823.08	July, 2014	235,917.21
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	May, 2014	279,575.67		
June, 2012	387,706.12	June, 2013	314,410.11	June, 2014	217,052.10		
Total 2011-2012	4,808,702.50	Total 2012-2013	4,608,334.13	Total 2013-2014	2,995,460.18	Total 2014-2015	235,917.21