

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**THURSDAY, JANUARY 29, 2015**  
**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**

- January 6, 2015 Comprehensive Plan Work Session
- January 8, 2015 Regular Meeting
- January 9, 2015 Comprehensive Plan Work Session
- January 13, 2014 Comprehensive Plan Work Session
- January 14, 2015 Comprehensive Plan Work Session
- January 15, 2015 Regular Meeting
- January 22, 2015 Special Session

**APPROVAL OF ACCOUNTS PAYABLE**

- January 22, 2015
- January 29, 2015

**PAYROLL APPROVAL**

- January 15, 2015

**ANNOUNCEMENTS**

- Report if there are changes in the agenda if applicable

**PUBLIC COMMENT**

**PRESENTATIONS**

1. 9:45 a.m. Pete Dougherty, Sheriff  
- Request approval of grant application - Discussion/Action
2. 10:00 a.m. Lynn Fields, Probate Office  
- Petition for Michelle Lee McLaughlin to resign as Administratrix of the estate of Peter James McLaughlin - Discussion/Action

3. 10:15 a.m. Elizabeth McDonald, Jefferson County Farmland Protection Board  
- Approval of the Farmland Protection Board's request to amend its Bylaws - Discussion/Action
4. 10:30 a.m. Jennifer Brockman, Director of Planning and Zoning  
- Recommendation from the Planning Commission to the County Commission on the landowner - initiated petition to amend the County Zoning Map for a 0.98 acre property owned by David N. Slusher, designated as Tax District: Kabletown (06), Map: 11, Parcel: 3.2, located on the southwest corner of the Route 240/Straithmore Farm Lane/Wheatland Road Intersection, for the purpose of setting a public hearing to be held by the County Commission - Discussion/Action
5. 10:45 a.m. **BREAK**
6. 11:00 a.m. Interviews and appointments to the Water Advisory Committee - Three 3-year terms ending January 31, 2018 - Discussion/Action
7. 11:15 a.m. Interviews and appointments to the Eastern Panhandle Transit Authority - Three 3- year terms ending January 31, 2018 - Discussion/Action
8. 11:30 a.m. Interviews and appointments to the Board of Zoning Appeals - Two 3-year terms ending January 1<sup>st</sup>, 2018 and three (3) Alternate positions ending January 1, 2016, 2017 and 2018 - Discussion/Action

#### **NEW BUSINESS**

9. Internet Service Lawsuit - Discussion/Action (JT)
10. Commission "To Do List" - Discussion/Action (JT)
11. Review of Jefferson County Emergency Services Agency Bylaws - Discussion/Action (SG)
12. Request approval of option of on-line payment for Ambulance Fee - Discussion/Action
13. Legislative Updates

#### **FINANCIAL DIRECTOR REPORTS**

- Review of Budget to actual as of December 31, 2014
- Approval of Budget Revisions - Discussion/Action

## COUNTY ADMINISTRATOR REPORTS

- Dog Nuisance Issue - Discussion/Action

## COUNTY COMMISSION REPORTS

14. 12:15 p.m. **Break for Lunch**

### ~~~~~ AFTERNOON SESSION ~~~~~

County Commission Meeting Room  
located at the Courthouse  
100 E. Washington Street  
Charles Town, WV 25414

15. 1:30 p.m. Board of Review and Equalization

16. **ADJOURN**

## DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY WRITTEN REPORTS

- Jefferson County Historic Landmarks Commission Quarterly Report

## CORRESPONDENCE/INFORMATION

2015 Board of Review and Equalization Notice and Dates.

Notice of Office Closure on Monday, February 16, 2015 in observance of Presidents' Day.

Notice of Intent to Appoint to the Jefferson County Community Criminal Justice Board.

Notice of Intent to Appoint to the Harpers Ferry-Bolivar Public Library Board.

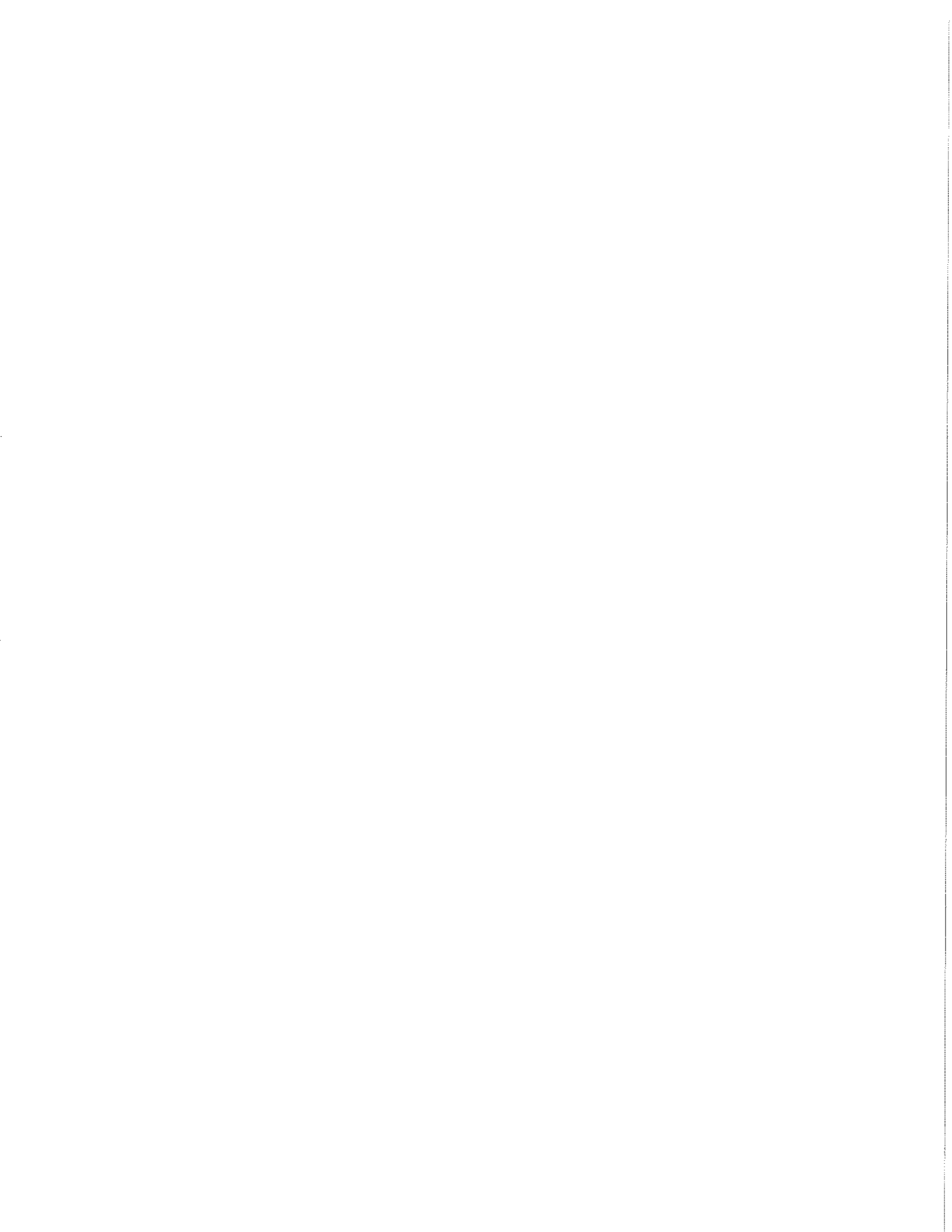
WVACO County Legislative Line on House Bills of Interest to Counties.

WVACO County Legislative Line 2015 Legislative Calendar.

WV Lottery Weekly Settlement for Charles Town - week ending January 10, 2015.

WV Lottery Weekly Settlement for Charles Town - week ending January 17, 2015.

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



**SPECIAL SESSION:**

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

At a Special Session of the County Commission of said County and State continued and held at County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414 on January 6, 2015 at 9:30 am (An audio file of the January 6, 2015 meeting is available through the Jefferson County Commission Office.)

**PRESENT:** Jane Tabb, Vice President  
Patsy Noland, Commissioner  
Eric Bell, Commissioner  
Dale Manuel, Commissioner  
Debbie Keyser, County Administrator  
Stephanie Grove, Assistant Prosecuting Attorney  
Jennie Brockman, Director of Planning and Zoning  
Alex Beaulieu, Project Manager Planning and Zoning  
Jessica Carroll, Administrative Assistant

**RE: Work Session on the 2014 Draft Comprehensive Plan**

Commissioner Tabb called the meeting to order at 9:32 am and Commissioner Bell led the Pledge of Allegiance. Ms. Tabb stated President Pellish would be physically absent for this work session but was available by phone should he be needed. Ms. Brockman first reviewed the departmental memo submitted to the Commission which listed all of the changes made to the Draft 2014 Comprehensive Plan and Future Land Use Map during the December 11, 2014 work sessions. Ms. Brockman reminded the Commission there would be another work session held on Friday, January 9, and the Commission would then need to call a special meeting the following week to take action on the 2014 Draft Comprehensive Plan by January 14, 2015. It was the consensus of the Commission to meet at 10:00 a.m. on Tuesday, January 13, 2015 for final review of the document. The departmental memorandum following these minutes reflects the consensual changes made to the 2014 Draft Comprehensive Plan during this work session.

The work session adjourned at 12:40 p.m. on a motion by Mr. Manuel. Motion was seconded and unanimously approved.

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WALT PELLISH, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant



# 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:** County Commission  
**FROM:** Jennifer M. Brockman, AICP, Director, Planning and Zoning  
**DATE:** January 13, 2015  
**RE:** Comments Received on *Envision Jefferson 2035* Draft (inclusive of County Commission edits from 12/11/14, 01/06/15 and 01/09/15 Work Sessions)

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On December 11, 2014 and January 6 and 9, 2015, the County Commission met with Planning and Zoning staff to review and discuss the current draft *Envision Jefferson 2035 Comprehensive Plan*. During these work sessions, the County Commission reviewed the Plan's Overview; Sections 1, Land Use and Growth Management Element (pages 7-65), including the Future Land Use Map; Section 2, Economic Development, Employment, and Infrastructure Element (pages 66-121); Section 3, Cultural, Historic, Natural Resources and Recreation Element (pages 122-138); Section 4, Education and Public Libraries Element (pages 139-147); Section 5, Finance, Public Safety, and Governance Element (pages 148-159); Implementation Strategies and Implementation Tools (pages 160-166); as well as an overview of the Appendices.

Attached are the redlined edits to all of the pages 1-168 as well as changes to Appendix C, Workshop and Online Survey Summaries and Appendix H, Definitions and Acronyms (of the 10/14/14 version). Please note, all deletions are shown in blue and additions are shown in red. The recommended edits highlighted in yellow are County Commission changes. Changed text that is not highlighted are edits the staff recommended (the majority of which are editorial). For the sake of remaining transparent, staff is tracking any and all changes to the Plan including grammar, spelling, and punctuation. All of the Planning Commission's recommended proposed changes that were shown as redlined edits to the October 14, 2014 draft have been accepted and are no longer shown as edits.

The following is intended to provide a summary of the substantive edits made throughout the text but may not include all minor edits to grammar, spelling, and punctuation. They are organized by listing all County Commission initiated edits first, then all staff initiated edits and finally listing edits to the Future Land Use Map. Please refer to the actual document dated 01/13/15 to see the red-lined text for context. The following pages refer to the 01/13/15 draft of the Plan.

## Summary of County Commission Recommended Changes from 12/11/14, 1/6/15 and 1/9/15 Work Sessions:

- Page 7: added text from state code addressing general purpose of a Comp plan.
- Page 15: added reference to Future Land Development Map
- Page 17: added Future Land Development Map; also included 11x17 size in appendix F – Maps.
- Page 19: moved the following statement “All property owners within Jefferson County have the right to request a zoning map amendment.” from the discussion under **Urban Growth Boundary** (p. 21) to the discussion under **The Difference between Land Use Maps and Zoning Map**, to better reflect Recommendation #2.
- Pages 27, 28, 40, 41, 83, 108: Amended text to reflect the County Commission’s recommendation to eliminate the use of the LESA system and modify the CUP process for non-residential development in the Rural Zoning District
- Page 32: amended Recommendations #2 and 2.a to read:
  - #2: “Any property owner can initiate a zoning map amendment.”
  - #2.a: “The review of all zoning map amendment requests shall include consideration of the Future Land Use Map and Land Use policies created as part of this Plan.”
- Page 33: deleted Recommendation 5.f which references two-tiered impact fees.
- Page 34: amended Recommendation 8.a to read: “Encourage the clustering of development so that the developer retains their density while dedicating community facilities.”
- Page 36: delete the last sentence from Recommendation #13.b
- Pages 40&41: strengthened statement that cluster is the preferred form of residential development in the rural areas, that the cluster provisions require amending and clearly stating the retention of the by right 1 lot/15 acres, minor subdivision process (2 lots every 5 years), and parent to child provisions
- Page 44: amended Recommendation 4.b to reflect CC request to eliminate the LESA system.
- Page 45: deleted Recommendations #7, 7.a, and 7.b.
- Page 45: added new Recommendations #7 and 7.a:
- Page 45: added Recommendation #8.a: “Encourage the JCDA to employ a small farm agriculture agent.”
- Page 53: delete last sentence of second paragraph under **Viewsheds and Gateways**:
- Page 56: amended Recommendation #7 to include an example.
- Page 63: deleted last sentence of the third paragraph under **Impact Fees** referencing two-tiered impact fees.
- Page 67: amended Recommendation #8 to read: “~~Request the Partnership for Affordable Housing and the Eastern Board of Realtors collaborate in conducting~~ Encourage a periodic ‘housing market needs assessment’ to identify both the construction/housing market’s needs, the range of unmet housing types, and the supportive programs that should be established in Jefferson County and the Eastern Panhandle.”
- Page 68: amended recommendation 11.a to clarify “...~~West Virginia permitting process~~”.
- Page 69-70: Moved the entire section entitled “Intergovernmental Coordination” from Section 5.c to a new Section 1.F; added introductory sentences about Jefferson County Commission’s transparency; deleted provisions for sharing Human Resources staff and consolidating purchasing (previously pp. 156-157)

- Page 78: Added Recommendation #2a “Establish a working relationship with Washington Metropolitan Council of Governments and Loudoun County’s Transportation and Safety Commission to address highway transportation problem areas identified in both counties.”
- Page 80: combined Recommendation #11 and its subcategories to create a new Recommendation #10e “Coordinate with appropriate agencies to publicize available scholarship programs for students interested in the target industries to strengthen workforce development in Jefferson County.”
- Page 83: under **Agricultural Service Facilities**, added “There are no meat processing facilities in the County and nearby out of state facilities are limited to mass production which excludes small farmers from receiving this service.” And added to Recommendation 11 on page 89.
- Page 85: under **Transportation in the Rural Environment**, added discussion about the impact of farm equipment on the road system and clarified that cluster development is the preferred form of rural residential development
- Page 87: Added new Recommendations 1.b. “Create an educational pamphlet informing developers, realtors, and potential homeowners of the offsite impacts of living adjacent to farming activities.”
- Page 90: Added Recommendation 15.d “Encourage schools to use local agricultural products in cafeterias through partnerships with local farmers and CSAs.”
- Page 91: deleted a portion of Recommendation 17: “~~A reduction in the personal property tax for farm vehicles~~ as this provision already exists in state law.
- Page 92: Added Horse Racing to Title “Cultural, Rural, **Horse Racing**, and Gaming Tourism
- Page 95: Added Recommendation 1.b. “Coordinate with the Jefferson County Convention and Visitors Bureau (CVB) to maintain and promote a community calendar.”
- Page 95: reinstated language about rural landowners property rights to Recommendation 8.a. and re-worded Recommendation 8.b.
  - “When considering additional river recreation activities, **rural landowners’ property rights** and the quality of life of the individuals and families living along the waterways should be factored into proposed development plans.
  - **Encourage all river recreation activities to occur in a manner which supports options should support** the Chesapeake Bay Initiative.”
- Page 103: Modified Recommendation 1.b. “Provide and encourage mechanisms to have **consolidated one** water and sewer providers in the County”
- Page 103: Added Recommendation 3.d. “**Encourage the PSDs to promote cooperation with the local development community to work toward cost sharing on infrastructure projects.**”
- Page 104: Changed Recommendation 5.b. “**Pursue an amendment to the state code to allowEnable** residents who are required to connect to an extended water or sewer network, to continue to utilize existing individual well and septic systems for the lifetime of the home system if there are no public health issues.
- Page 105: Delete Recommendation #11 as the program no longer exists.
- Page 113: A paragraph was added identifying the limited access to Mission Road communities as a safety issues and discussion the need to additional points of access; Added Recommendation 5 and 5.a. regarding this issue (Page 124)

- Page 118: Paragraphs were added discussing the County’s inclusion in the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) and the needs to establish a working relationship with Loudoun County which is a different MPO but shares transportation issues with Jefferson County.
- Page 119: deleted language related to issues with taxi expansion in the County
- Page 123: Added new Recommendation 1.d. **“Recommend that the WVDOH consider Jefferson County’s rural economy when developing roadways and traffic circles; encourage wider roadways and traffic circles to accommodate agricultural machinery and equine vehicles.”**
- Page 124: Reformatted Recommendation 4 to create subcategories and added 4.b. and 4.c.:
  - **“Encourage early and effective communication between the County Commission and the DOH for proposed road improvements and projects in the County.”**
  - **“Encourage the DOH to identify preferred alternatives and required ROW and communicate with local planning staff as early as possible to minimize conflict with future development.”**
- Page 135: Added **“Natural Resources Conservation Services (NRCS)”** to Recommendation #2.
- Page 135: Added **“Collaborate with the NRCS to support and maintain an accurate map . . . .”** to Recommendation #5 regarding sinkholes and caves.
- Page 148: Amended the shortened version of Recommendation #2.b. to read, **“Encourage the County Commission to support excess levy initiatives.”**
- Page 148: Amended Recommendation #3 to read, **“Continue to work with the West Virginia Department of Education and the local State delegation to re-evaluate the funding formula related to state based educational aid schools in order to create a quality Jefferson County public school system.”**
- Page 149: Amended Recommendation #6 a follows: **“Continue and expand before and after care programs at the County’s public schools, including child care during school hours for school-age parents, by providing adequate space on site.”**
- Pages 149-150: Amended Recommendation #10 to include **“. . . . and specialized areas of higher education in a variety of disciplines in order to create a flexible, resilient workforce.”**
- Page 150: Modified Recommendations #10.a - #10.e to encourage the creation of stronger skilled trades programs in addition to college prep programs; deleted Recommendation #10.d; and modified Recommendation #11 and made it a new Recommendation #10.e.
- Page 150: deleted Recommendation #13 **“~~Work with state officials to identify programs and methods to provide competitive pay for teachers based on cost of living for the community in which they are employed.~~”**
- Page 152: deleted Recommendations #1, 1.a., 1.b., 7, and 8 regarding library operations and moved Recommendation #4 to be a part of Recommendations #2 as follows:
  - **“Continue to identify ways to affordably provide traditional and virtual library services; ~~such as a bookmobile service that can serve village areas, senior centers and underserved areas;~~ and educational entertainment options to residents of Jefferson County.”**
- Page 153: Changed heading of **“Finance and Public Safety, ~~and Governance~~ Element”** because the Governance Recommendations were deleted from the Plan.
- Page 154: Delete final paragraph about the two-tiered impact fee system previously deleted.

- Page 155: **Property Tax** text was modified to eliminate the proposed reduction of property tax for multiple properties and modified to support a reduction in property tax that meet affordable housing standards. Similar amendments occurred on Page 157 regarding Recommendation #14 (previously Recommendation #16 and 16.a).
- Page 156: Recommendation #5 was modified to read “Evaluate present funding for County facilities and programs, **and** pursue funding sources that can fund ongoing expenses, **and develop capital improvement plans to meet future needs of the County.**” and Recommendations #5.a-#5.d were deleted.
- Page 156-157: Recommendation #7 and # 8 regarding fire and ambulance fees were deleted and a new Recommendation #7 was created “**Explore all funding options to support and enhance emergency services.**”
- Page 157: Recommendation #9 was amended “**Explore all funding options for expansion of and improvements to water and sewer projects in Jefferson County. Implement a Capacity Improvement Fee (CIF) for water and sewer projects as provided for in the Local Powers Act.**”
- Page 157: Recommendation #11 was deleted “~~Consider the development of transportation designated funding to support future roadway funding.~~”
- Page 157: “~~family-operated~~” was deleted from Recommendation #13 regarding farmland preservation.
- Page 157: Recommendation 15 (previously #17) was combined with #15.a to read
  - ~~“Explore options Coordinate with the Jefferson County Historic Landmarks Commission to develop and implement a tax credit or reduction of property taxes for those improving and investing in designated historic structures while maintaining the historic character of the structures.~~
  - ~~“Pursue state enabling legislation related to historic tax credits.”~~
- Page 159: Amend Recommendation #3 “**Explore funding resources to provide, by 2035, sufficient funding from all available resources to enable fire and ambulance service to all areas of the County within a reasonable timeframe by 2035.**”
- Page 159: Amend Recommendation #4 “Consider the merger of countywide and municipal police services or training activities under a unified agency **to maximize resources.**”
- Page 159: Delete Recommendations #5, #9, #10
- Page 159: Amend Recommendation #12 and 13 to read
  - ~~“Continue to support and implement a local Flood Plain Management Program, adhering to all Federal Emergency Management Agency (FEMA) requirements, to reduce homeowners’ insurance premiums and increase public safety. Provide greater awareness of local Emergency Management and Hazard Mitigation Planning efforts, including notifications and procedures related to hazardous materials incidents.~~
  - **a. Support the updating of FEMA floodplain maps to accurately reflect floodplain boundaries through the federal Letter of Map Amendment (LOMA) process. Ensure that local pay is competitive for police, fire, and EMS based on cost of living for the community that they are employed in.**”
- Pages 160-161 Delete all of Section 5.D Governance

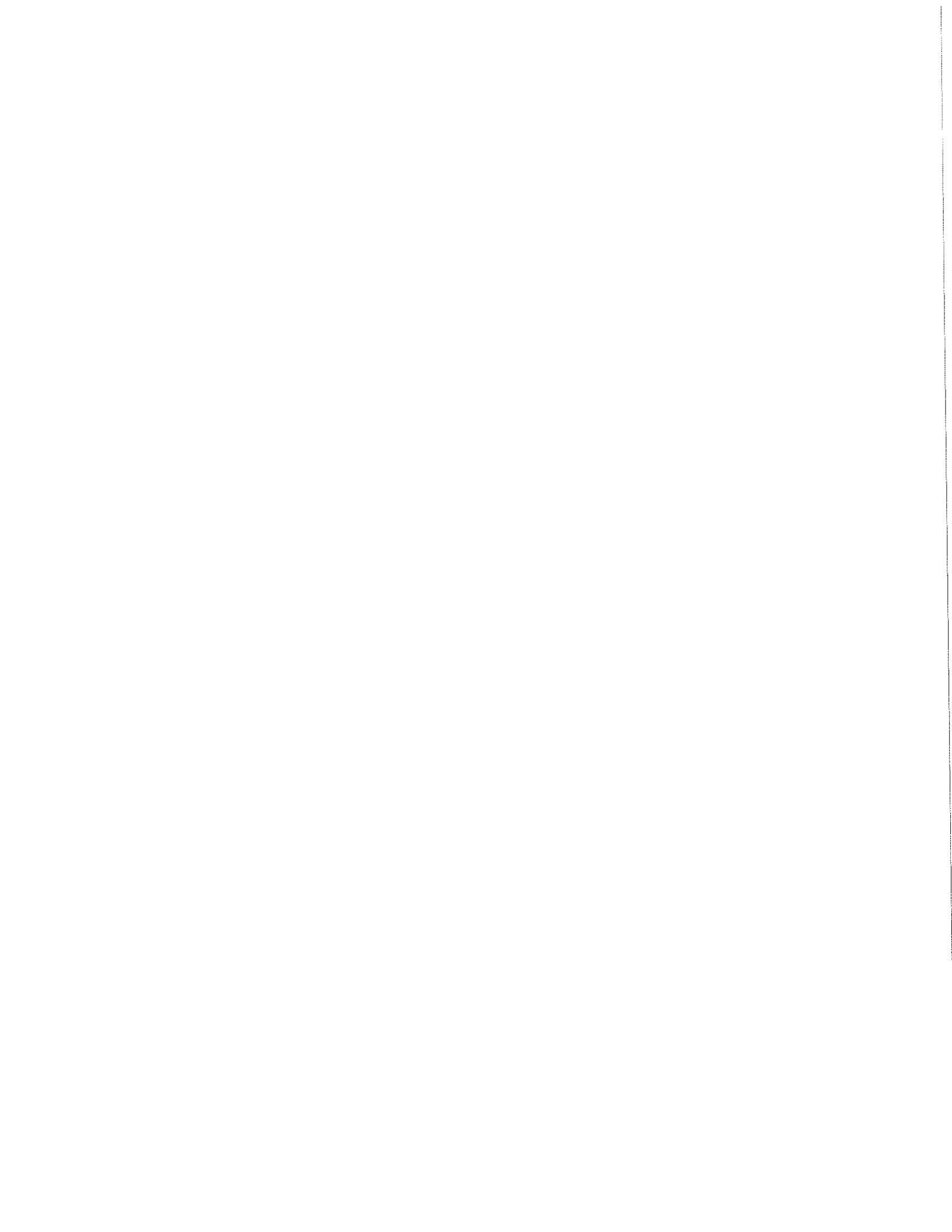
## Staff Edits to Plan text

- Pages 12 & 13: delete lists; information duplicated in Appendix C on page 201. Added Planning Commission and County Commission work sessions and public hearings to the list of **Public Workshops, Surveys, and Open Houses**, in Appendix C.
- Page 18: clarified the relationship of the plan text and future land use map to owner initiated zoning map amendments.
- Pages 20-22: Reorganized the discussion of the Urban Growth Boundaries and added discussion of Ranson and Charles Town UGBs as “b” and “c” where Shepherdstown GMB discussion occurs, including discussion of Ranson UGB expansion.
- Page 23: modified discussion of Shepherdstown PGA to reflect changes to the Future Land Use Map.
- Page 25: addition of text addressing Shenandoah Junction PGA/School Based Growth Area (staff created as the result of 12/11/14 CC discussion and recommended change to Future Land Use Map).
- Page 27: strengthened the language about retaining exiting land rights under **Retention of Existing Zoning Map Classifications** and referenced the Growth Areas from the 2004 Plan to reflect the addition of that boundary to the Future Land Use Map.
- Page 30: relocated Recommendation #7.b from page 31 to the body of the document on page 27 - **Section 1.A: Urban Level Development**.
- Page 34: deleted Recommendation 7.b; moved text to page 31. Also added language from Rural Land Use Planning Recommendations #7 and #7a, as revised, to the Infrastructure Recommendation, referencing urban water and sewer extensions (page 105).
- Page 36: amended Recommendations 14, 14.a, and 14.b to reflect adoption of new commercial and industrial zoning categories and need for additional residential categories.
- Page 44: modified Recommendation #4.c. related to proposed changes to the cluster provision to be less specific as these details are part of a future zoning ordinance text amendment.
- Page 48&49: broadened the discussion of the village expansion areas depicted on the future land use map and clarified the intend for growth in these areas
- Page 68: deleted Recommendation #11.c because the same recommendation is referenced in the Village recommendations (Rec. #5).
- Page 73: Re-ordered Jefferson County Target Industries to be in alphabetical order.
- Page 75, 80, and other areas: added references to APUS where Shepherd is referenced
- Page 78: amended Recommendation #6 to exclude the term “economic gardening”:
- Page 85: delete second sentence referencing prepared meals tax:
- Page 87: delete Recommendation 4.a. as it is a land use issue and is addressed that section.
- Page 88: amended Recommendation #6.c (shortened):
- Page 90-91: reformatted Recommendation 17 to list the strategies separately.
- Page 106: amended text in third paragraph to reference the term “ridesharing” rather than “car/van pooling”; added ridesharing to the definitions.
- Page 141: deleted the word “countywide” from Recommendation #6.i because it isn’t a countywide trail, it’s a trail system; edited Recommendation #6.g. and #6.j. to remove discussion and shorten text of recommendations related to various trail facilities.

- Page 142: amended Recommendation #7 regarding a blueway plan to clarify how this concept applies to Jefferson County.
- Page 142: moved Recommendation #7.c to create a new recommendation 8.c.
- Page 142: edited Recommendation #8.e. to remove discussion and shorten text of recommendation regarding an equine park facility.
- Page 143: edited Recommendation #8.g. to remove discussion and shorten text of recommendation regarding multi-field sports facility.
- Pages 144, 145 and 148-150: These sections were edited significantly because the recommendations included much of the discussion that should have been included in the text on pages 144 and 145. Therefore the text was moved from the recommendations, leaving shortened recommendations and edited to fit into the text format on pages 144 and 145. Paragraphs created include discussion of campus settings for schools; pedestrian accessibility to schools, finding of schools and the role of the school system in supporting workforce development.

## **Future Land Use Map Edits from 12/11/14 and 1/9/15 Work Sessions**

- Expanded Shepherdstown PGA boundary to include two lots that belong to Harry Catrow (~25.83 acres) off of Route 45. Maintain future land use classification as low density residential (yellow).
- Expanded Shepherdstown PGA boundary to include 3.85 acre parcel that belongs to Charles Carter off of Route 45. Change future land use classification to Residential Commercial (magenta).
- Created a new PGA and village expansion boundary to incorporate Shenandoah Junction area from Flowing Springs to railroad tracks (called: Shenandoah Junction PGA / school based growth area). Within the new PGA, changed future land use classification for parcels closest to schools from agricultural to medium density residential (orange).
- Removed PGA around parcels off of Route 9/Luther Jones/Wiltshire Road area.
- Placed colored asterisks on each of the two Quarry Redevelopment areas with a note referencing back to the text (page 21-22).
- Placed an asterisk identifying the Northport parcel with a note referencing back to the text (page 117). Revised purple asterisk title to reflect “Northport Station at Jefferson Orchard”
- Changed Breckenridge subdivision parcels (south of Job Corps Road and Walker property) to reflect Medium Density Residential (orange).
- Changed Gibson farm & adjoining rural parcels on Route 230 to reflect Future Large Lot Residential (pixelated light green).
- Changed Walker & Shade Tree Lane parcels to reflect medium density (orange).
- Changed Stonecrest parcels shown as Rural off Old Country Club Road to reflect Low Density Residential (yellow).
- Created a Village Expansion Boundary around the 19.63 acre parcel north of the current Manning’s village boundary.
- Changed all parcels within the Mannings Village Expansion boundary to reflect residential/commercial (yellow & red stripe).
- Changed land use classification for Torlone’s to reflect Neighborhood Commercial (pixelated red)
- Changed land use classification for Foodway Supermarket (formerly Weber’s Market) off of Mission Road (~4.09 acres) to reflect Neighborhood Commercial (pixelated red).
- Updated Note #2: “Use of this map is to be in combination with the text and land use policies of the Envision Jefferson 2035 Comprehensive Plan when considering Zoning Map Amendments and future land use decisions.”
- Added a black outline of 2004 growth area, entitled “2004 Growth Area (for reference purposes)



## **Minutes**

### **Jefferson County Commission**

**Thursday, January 8, 2015**

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A meeting of the Jefferson County Commission was held on Thursday, January 2, 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 Eric Bell, Dale Manuel, Patsy Noland, Walter Pellish, and Jane Tabb. Also present were Debbie Keyser, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jim Eddy, Bailiff. (An audio tape of the Thursday, January 8, 2015 meeting is available through the Jefferson County Commission Office.)

#### **PLEDGE OF ALLEGIANCE**

Commissioner Bell led the Pledge of Allegiance.

#### **COUNTY COMMISSION ORGANIZATION**

##### **A. Selection of President**

- Ms. Noland offered her nomination to Jane Tabb to serve as President of the Jefferson County Commission for calendar year 2015. Hearing no other nominations, Ms. Tabb was unanimously selected as President.

##### **B. Selection of Vice President**

- Mr. Pellish offered his nomination to Patsy Noland to serve as Vice President of the Jefferson County Commission for calendar year 2015. Hearing no other nominations, Ms. Noland was unanimously selected as Vice President.

##### **C. Committee Assignments**

<b>Organization</b>	<b>Commissioner 2015</b>
Affordable Housing	Manuel
Approval of Bills	Bell
Board of Health	Bell
Building Repair & Security/Courthouse Committee	Manuel
Community Corrections/Day Report	Manuel/Bell
Development Authority	Pellish
E-911 Council	Pellish
Extension Service	Tabb
Farmland Protection Board	Tabb
Jefferson County Convention & Visitors Bureau	Noland
Jefferson County Emergency Services Agency / Fire & Rescue	Tabb
Historic Landmarks Commission	Bell
Homeland Security/Local Emerg. Planning Committee	Tabb/Manuel
Legislative Liaison	Manuel/Noland
Mental Health Center	Noland
MPO Interstate Council	Noland/Manuel
PanTran	Bell
Parks and Recreation	Manuel/Pellish
Planning Commission	Manuel
Public Service District Liaison	Tabb/Bell
Region 9	Noland/Bell
Solid Waste Authority	Pellish
Telemon Board	citizen volunteer
Water Advisory Committee	Manuel
Workforce Investment Act Liaison	Bell

**APPROVAL OF MINUTES**

**Motion by Ms. Noland to approve the December 11, 2014 Comprehensive Plan and Land Use Maps Workshop Minutes as presented. Motion seconded and unanimously approved.**

Motion by Mr. Manuel to approve the December 18, 2014 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

**APPROVAL OF PAYROLL**

Motion by Ms. Tabb to approve the Payroll for December 18, 2014 in the amount of \$232,402.84. Motion seconded and unanimously approved.

**APPROVAL OF ACCOUNTS PAYABLE**

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073563	412	COMCAST		\$ -	\$ 98.63	\$ 98.63
073563	425	COMCAST		\$ -	\$ 610.24	\$ 610.24
073564	717	AUTOZONE		\$ -	\$ 1,146.00	\$ 1,146.00
073565	425	B-K OFFICE SUPPLY INC		\$ -	\$ 85.62	\$ 85.62
073566	425	BOLAND SERVICES		\$ -	\$ 720.00	\$ 720.00
073567	716	BLUE SPRUCE FARM		\$ -	\$ 1,200.00	\$ 1,200.00
073568	700	COURTNEY & SONS TOWING		\$ -	\$ 75.00	\$ 75.00
073569	700	DAVIS & STANTON		\$ -	\$ 94.00	\$ 94.00
073570	425	FIRE SAFETY EQUIP		\$ -	\$ 100.00	\$ 100.00
073571	700	GALLS,LLC/QUATERMASTER L		\$ -	\$ 121.55	\$ 121.55
073571	700	GALLS,LLC/QUATERMASTER L		\$ -	\$ 462.50	\$ 462.50
073572	424	GES PROPERTY PROS LLC		\$ -	\$ 425.00	\$ 425.00
073572	425	GES PROPERTY PROS LLC		\$ -	\$ 2,075.00	\$ 2,075.00
073573	717	JERRY'S LEESBURG FORD		\$ -	\$ 127.50	\$ 127.50
073574	700	LAW ENFORCEMENT SYS INC		\$ -	\$ 168.00	\$ 168.00
073575	716	LAUNDRY EQUIPMENT SERVIC		\$ -	\$ 506.49	\$ 506.49
073576	412	JUDITH A MATLICK		\$ -	\$ 114.65	\$ 114.65
073577	700	MES-MARYLAND		\$ -	\$ 783.00	\$ 783.00
073578	425	M & G CARPET INSTALLATIO		\$ -	\$ 250.00	\$ 250.00
073579	716	MATILDA BAY FARM		\$ -	\$ 1,200.00	\$ 1,200.00
073580	412	SHAY MCNEIL		\$ -	\$ 192.08	\$ 192.08
073581	412	OFFICEMAX		\$ -	\$ 33.24	\$ 33.24
073582	424	PATRIOT FIRE AND SECURIT		\$ -	\$ 270.00	\$ 270.00
073583	716	SPECIALTY BUS SUPPLIES		\$ -	\$ 138.00	\$ 138.00
073584	700	WALTER F STEPHENS, JR IN		\$ -	\$ 260.25	\$ 260.25
073585	716	VALLEY PET CEMETERY		\$ -	\$ 387.00	\$ 387.00
073586	716	WV BOARD VETERINARY MED		\$ -	\$ 50.00	\$ 50.00
073587	716	WV BOARD VETERINARY MED		\$ -	\$ 50.00	\$ 50.00
073588	716	WV BOARD VETERINARY MED		\$ -	\$ 50.00	\$ 50.00

073589	716	WV BOARD VETERINARY MED		\$ -	\$ 50.00	\$ 50.00
073590	716	WV BOARD VETERINARY MED		\$ -	\$ 50.00	\$ 50.00
073591	716	WV BOARD VETERINARY MED		\$ -	\$ 50.00	\$ 50.00
<b>TOTAL</b>						<b>\$ 11,943.75</b>

**Motion by Ms. Noland to approve the accounts payable for December 24, 2014 in the amount of \$11,943.75. Motion unanimously approved.**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
73594	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ -	\$ 6,529.20	\$ 6,529.20
73595	ALLOC	BOLIVAR/HARPERS FERRY		\$ -	\$ 14,625.00	\$ 14,625.00
73596	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
73597	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
73598	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
73599	401	201 N. GEORGE ST LLC		\$ -	\$ 9,638.92	\$ 9,638.92
73600	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
73601	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
73602	PAYROLL	VA DEPT OF TAXATION		\$ -	\$ 248.44	\$ 248.44
73603	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
73603	ALLOC	OLD CHARLES TOWN LIBRARY		\$ -	\$ 14,625.00	\$ 14,625.00
73604	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
73605	PAYROLL	COLONIAL LIFE		\$ -	\$ 774.27	\$ 774.27
73606	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
73607	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 5,870.82	\$ 5,870.82
73608	ALLOC	EASTERN PANHANDLE TRANSI		\$ -	\$ 2,568.75	\$ 2,568.75
73609	PAYROLL	GUARDIAN		\$ -	\$ 1,915.52	\$ 1,915.52
73609	PAYROLL	GUARDIAN		\$ -	\$ 1,711.05	\$ 1,711.05
73610	PAYROLL	VOYA FINANCIAL		\$ -	\$ 3,040.00	\$ 3,040.00
73611	ALLOC	JEFF CO DEVELOPMENT AUTH		\$ -	\$ 33,223.50	\$ 33,223.50

73612	ALLOC	JEFFERSON CO EMERGENCY		\$ -	\$ 361,890.50	\$ 361,890.50
73613	ALLOC	JEFFERSON DAY REPORT CNT		\$ -	\$ 25,000.00	\$ 25,000.00
73614	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,870.00	\$ 5,870.00
73615	PAYROLL	COMPTROLLER OF MARYLAND		\$ -	\$ 1,066.66	\$ 1,066.66
73616	PAYROLL	HIGHMARK WV		\$ -	\$ 164,706.94	\$ 164,706.94
73617	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
73618	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
73619	ALLOC	JEFF CO PARKS &		\$ -	\$ 62,332.25	\$ 62,332.25
73620	425	RCS SECURITY		\$ -	\$ 618.00	\$ 618.00
73621	ALLOC	SHEPHERDSTOWN PUB LIBRAR		\$ -	\$ 14,625.00	\$ 14,625.00
73622	ALLOC	SOUTH JEFFERSON PUBLIC		\$ -	\$ 14,625.00	\$ 14,625.00
73623	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 44,729.62	\$ 44,729.62
73623	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,461.10	\$ 10,461.10
73623	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 43,395.07	\$ 43,395.07
73624	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 46,657.26	\$ 46,657.26
73624	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.66	\$ 1.66
73625	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 23,533.46	\$ 23,533.46
73625	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 16,002.79	\$ 16,002.79
73626	405	THOMSON REUTERS - WEST	52685	\$ 2,215.99	\$ -	\$ 2,215.99
73627	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 117,294.53	\$ 117,294.53
73627	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 37,702.02	\$ 37,702.02
73627	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 1.63	\$ 1.63
73627	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 5.08	\$ 5.08
73628	ALLOC	WVU		\$ -	\$ 3,488.75	\$ 3,488.75
73629	PAYROLL	WV CPRB/LOAN DIVISION		\$ -	\$ 249.75	\$ 249.75
73630	PAYROLL	WVCORP		\$ -	\$ 32,606.50	\$ 32,606.50
73631	402	XEROX BUSINESS SRVCS LLC		\$ -	\$ 200.00	\$ 200.00

						\$	1,128,005.56
TOTAL						\$	1,128,005.56
				\$ 2,215.99	\$ 1,125,789.57	\$	1,128,005.56
TOTAL							

**Motion by Ms. Noland to approve the accounts payable for December 31, 2014 in the amount of \$1,128,005.56. Motion unanimously approved.**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
				\$ -	\$ 4,000.00	\$ 4,000.00
073633	428	ACCURATE SYSTEMS INC		\$ -	\$ 189.90	\$ 189.90
073634	425	COMCAST		\$ -	\$ 10.47	\$ 10.47
073635	700	ROBERT AMICK		\$ -	\$ 939.03	\$ 939.03
073636	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ -	\$ 43.00
073637	413	APPLE VALLEY OFF.PRODUCT	52470	\$ 43.00	\$ -	\$ 43.00
073638	406	ANGELA L BANKS		\$ -	\$ 180.04	\$ 180.04
073639	700	JEANNA HOLLER		\$ -	\$ 29.06	\$ 29.06
073640	401	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
073640	403	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073640	404	RICOH USA, INC		\$ -	\$ 87.21	\$ 87.21
073640	405	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073640	406	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073640	425	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073640	433	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073640	440	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
073640	700	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073640	712	RICOH USA, INC		\$ -	\$ 1,390.46	\$ 1,390.46
073641	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 151.12	\$ 151.12
073642	402	JEFFERSON PUBLISH CO INC		\$ -	\$ 5,000.00	\$ 5,000.00
073643	711	J.H. CONSULTING LLC		\$ -	\$ 7.83	\$ 7.83
073644	700	ROBIN MAHONY		\$ -	\$ 21,146.17	\$ 21,146.17
073645	ALLOC	JEFF CO PARKS &		\$ -	\$ 132.00	\$ 132.00
073646	425	RCS SECURITY		\$ -	\$ -	\$ 35.00
073647	402	RECORD MANAGEMENT SOLUTN	52467	\$ 35.00	\$ -	\$ 35.00
073648	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 7,457.00	\$ 7,457.00
073649	704	ST/WV REGIONAL JAIL &		\$ -	\$ 109,720.50	\$ 109,720.50
073649	704	ST/WV REGIONAL JAIL &		\$ -	\$ 75.47	\$ 75.47
073650	401	STAPLES CREDIT PLAN		\$ -	\$ 1,374.00	\$ 1,374.00
073651	712	TELTRONIC		\$ -	\$ 227.00	\$ 227.00
073652	403	UNITED SYSTEMS & SOFTWAR		\$ -	\$ 322.20	\$ 322.20
073653	PAYROLL	UNICARE EAP		\$ -	\$ 23,475.67	\$ 23,475.67
073654	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ -	\$ 1,319.78
073655	402	XEROX CORPORATION	52468	\$ 1,319.78	\$ -	\$ 1,319.78

TOTAL						\$ 177,684.11
TOTAL			\$ 1,397.78	\$ 176,286.33		\$ 177,684.11

**Motion by Mr. Manuel to approve the accounts payable for January 8, 2015 in the amount of \$177,684.11. Motion unanimously approved.**

**PUBLIC COMMENT:**

David Tabb, resident – shared historical family photographs with the Commission and spoke about his concerns over the physical state of the Courthouse.

**PRESENTATIONS**

2. Ralph Lorenzetti, Prosecuting Attorney – requested a discussion with the Commissioners regarding position changes and a proposed new employee for the Prosecuting Attorney’s Office.

3. Peter Chakmakian, Attorney for Arcadia Communities, Inc. – requested a time extension regarding the Tolling of Bonding Agreement expiration for the Harvest Hills Subdivision.

- Action on this item was postponed to allow time for Engineering staff and the representative from Arcadia Communities to research and provide further documentation as requested by the Commission.

4. Tamra Trafford, JCESA Employee Liaison – requested a discussion with the Commission regarding the conduct of certain JCESA board members. Ms. Trafford also requested the Commission rescind the appointments of Jack Wysong, Fire representative, and Pete Kelley, President; however, Ms. Grove stated the Commission may not have the power to remove members if not explicitly stated in the Ordinance to Dissolve and Reconstruct the Jefferson County Emergency Services Agency.

5. Interviews and Appointments to the Jefferson County Building Commission for one unexpired five-year term ending July 27, 2019.

- Ms. Noland offered her nomination for Mr. Jeff Haymaker.
- Mr. Bell offered his nomination for Mr. Kelvin Upson.
- **Mr. Haymaker received the majority vote with three votes (Commissioners Manuel, Noland, and Tabb) and was appointed to the Jefferson County Building Commission for one five year term ending July 27, 2019.**

6. Barbara Miller, Director of Jefferson County Homeland Security and Emergency Management – provided the Commission with an update on the Emergency Operations Plan Contract and the Jefferson County Government Operations Plan (COOP) Update

- **Motion by Ms. Noland to approve the contract with J.H. Consulting, LLC. in the amount of \$6,700 for the Emergency Operations Plan update. Motion unanimously approved.**
- **Motion by Mr. Manuel to approve the Jefferson County Government Continuity of Operations Plan, as presented. Motion unanimously approved.**

7. Request for compensation during temporary assignment for Sandy Slusher McDonald from Deputy County Administrator to Interim Administrator.

- **Motion by Ms. Tabb to enter into Executive Session, citing §6-9A-4 to discuss matters of personnel. Motion unanimously approved.**
  - No further action was taken on this topic, and it was the consensus of the Commission to add it to the agenda for the January 15, 2015 regular meeting.

8. Ambulance Fee Exoneration/Modification Request

- **Motion by Ms. Noland to deny the ambulance fee exoneration request for Sharon Hanson as presented by the ambulance fee collector. Motion unanimously approved.**
- **Motion by Mr. Manuel to approve the ambulance fee exoneration request for Deborah Swartz as presented by the ambulance fee collector. Motion unanimously approved.**

9. Comprehensive Plan Update – Ms. Keyser reminded the Commission of the January 9, 2015 work session on the 2014 Draft Comprehensive Plan.

10. Legislative Updates – Mr. Manuel stated he was closely monitoring a proposal for the Public Service District to no longer be regulated under the West Virginia Public Service Commission and would provide updates when available.

### **COUNTY ADMINISTRATOR REPORTS**

➤ FOIA Policy

- **Motion by Mr. Manuel to approve the County’s FOIA policy as presented for a six-month trial period. Motion unanimously approved.**
- HRA Update – Ms. Keyser stated the County’s former HRA plan would be expiring on September 30, 2015. Any employees with a balance remaining in their accounts would need to use these monies by the deadline. Ms. Keyser stated Ms. Gran from the Finance Department would be issuing letters to all employees with remaining balances to “use it or lose it” by the September 30, 2015 deadline.
- **Motion by Ms. Tabb to approve the termination of the County’s HRA program, effective September 30, 2015. Motion unanimously approved.**

**FINANCE DIRECTOR REPORTS**

- Review of Proposed FY16 Budget Worksheet – it was the consensus of the Commission to approve the FY16 Budget worksheet as presented by the Mr. Stanton. The Commission also requested Mr. Stanton research the financial repercussions of a County-wide hiring freeze for FY16 during the January 15, 2015 regular meeting.
- Ambulance Fee Monies – Mr. Stanton requested the Commission’s consent to release the remaining ambulance fee monies to JCESA; however, it was the consensus of the Commission to release these funds at a later date once JCESA has begun hiring new staff.

11. The Commission recessed at 12:27 pm.  
The Commission reconvened at 7:00 pm.

12. Horse Racing Summit – Round Table Discussion

**SPECIAL SESSION:**

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

At a Special Session of the County Commission of said County and State continued and held at the County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414 on January 8, 2015 at 7:00 pm (An audio file of the January 8, 2015 meeting is available through the Jefferson County Commission Office.)

**PRESENT:** Jane Tabb, President  
Patsy Noland, Vice President  
Eric Bell, Commissioner  
Dale Manuel, Commissioner  
Walt Pellish, Commissioner  
Senator Herb Snyder  
Delegate Stephen Skinner  
Delegate Paul Espinosa

Dr. Doug Allara, President, WV Thoroughbred Breeder's Association  
Phil Real, Lobbyist for the Charles Town HBPA  
Carol Fulk, Lobbyist, WV Thoroughbred Breeder's Association  
Carol Holden, President, WV Breeder's Classic  
Terry Meyocks, National Manager, Jockey's Guild  
Randy Funkhouser, President, Charles Town HBPA  
Erich Zimny, Vice President of Racing Operations, Hollywood Casino at Charles  
Town Races  
Jessica Carroll, Administrative Assistant

**RE: 2015 Horse Racing Summit**

Ms. Tabb opened the meeting at 7:04 pm and welcomed the attendees and the audience. Dr. Doug Allara provided the audience with a history of Jefferson County's horse racing and breeding industries, and provided insight into the economic repercussions the County would experience should the State choose to cut purse funding. Senator Herb Snyder and Delegates Paul Espinosa and Stephen Skinner offered their legislative perspectives, agreeing that all citizens potentially impacted by a diminished purse fund should work together to present a unified front to the legislature for maximum impact. Also discussed were ways in which the community could stay informed and be involved in any new legislative developments relating to the potential reduction in purse funds. Randy Funkhouser, President of the Charles Town Horseman's Benevolent and Protective Association, presented the Commission with a Resolution to support sustained funding of purse monies. It was the consensus of the Commission to discuss the Resolution during their regularly scheduled Commission meeting for January 15, 2015. The Commission then provided their closing comments and thanked the audience and the participants for their attendance.

13. The Commission meeting adjourned at 8:42 pm.

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JANE TABB, 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 January 9, 2015 at 9:30 am (An audio file of the January 9, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President  
Patsy Noland, Vice President  
Eric Bell, Commissioner  
Dale Manuel, Commissioner  
Walt Pellish, Commissioner  
Stephanie Grove, Assistant Prosecuting Attorney  
Jennie Brockman, Director of Planning and Zoning  
Alex Beaulieu, Project Manager Planning and Zoning  
Jessica Carroll, Administrative Assistant

RE: **Work Session on the 2014 Draft Comprehensive Plan**

Commissioner Tabb called the meeting to order at 9:34 am. Ms. Brockman stated she and Ms. Beaulieu would be making all edits to the 2014 Draft Comprehensive Plan on Saturday, January 10, 2015 and would send the clean, County Commission edited draft to the Commissioners via e-mail by Saturday afternoon. Ms. Brockman also stated the most recent draft would be available on the County's website and would be sent to the public via the County's e-mail alerts system. Hard copies would be made available to the Commissioners on the morning of Monday, January 12, 2015 so they would have time to review the document prior to the January 13, 2015 special session. Ms. Brockman stated the Planning Commission was aware the Plan would be forwarded back to them by January 14, 2015 and would be holding a special session on Tuesday, January 27, 2015 to review the changes made to the document by the County Commission. Ms. Brockman stated the Planning Commission had 45 days to take action on the document. If the Planning Commission does not take action by the 45 day deadline, the document would be approved as presented; however, if the Planning Commission chooses to make recommendations or changes, the County Commission would have an additional 45 days to review the document and take further action. The departmental memorandum following these minutes reflects the consensual changes made to the 2014 Draft Comprehensive Plan during this work session.

The work session adjourned at 12:42 p.m., and President Tabb stated the Commission would reconvene at 10:00 a.m. on Tuesday, January 13, 2015.

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JANE TABB, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant



# 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

### MEMORANDUM

**TO:** County Commission  
**FROM:** Jennifer M. Brockman, AICP, Director, Planning and Zoning  
**DATE:** January 13, 2015  
**RE:** Comments Received on *Envision Jefferson 2035* Draft (inclusive of County Commission edits from 12/11/14, 01/06/15 and 01/09/15 Work Sessions)

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On December 11, 2014 and January 6 and 9, 2015, the County Commission met with Planning and Zoning staff to review and discuss the current draft *Envision Jefferson 2035 Comprehensive Plan*. During these work sessions, the County Commission reviewed the Plan's Overview; Sections 1, Land Use and Growth Management Element (pages 7-65), including the Future Land Use Map; Section 2, Economic Development, Employment, and Infrastructure Element (pages 66-121); Section 3, Cultural, Historic, Natural Resources and Recreation Element (pages 122-138); Section 4, Education and Public Libraries Element (pages 139-147); Section 5, Finance, Public Safety, and Governance Element (pages 148-159); Implementation Strategies and Implementation Tools (pages 160-166); as well as an overview of the Appendices.

Attached are the redlined edits to all of the pages 1-168 as well as changes to Appendix C, Workshop and Online Survey Summaries and Appendix H, Definitions and Acronyms (of the 10/14/14 version). Please note, all deletions are shown in blue and additions are shown in red. The recommended edits highlighted in yellow are County Commission changes. Changed text that is not highlighted are edits the staff recommended (the majority of which are editorial). For the sake of remaining transparent, staff is tracking any and all changes to the Plan including grammar, spelling, and punctuation. All of the Planning Commission's recommended proposed changes that were shown as redlined edits to the October 14, 2014 draft have been accepted and are no longer shown as edits.

The following is intended to provide a summary of the substantive edits made throughout the text but may not include all minor edits to grammar, spelling, and punctuation. They are organized by listing all County Commission initiated edits first, then all staff initiated edits and finally listing edits to the Future Land Use Map. Please refer to the actual document dated 01/13/15 to see the red-lined text for context. The following pages refer to the 01/13/15 draft of the Plan.

## Summary of County Commission Recommended Changes from 12/11/14, 1/6/15 and 1/9/15 Work Sessions:

- Page 7: added text from state code addressing general purpose of a Comp plan.
- Page 15: added reference to Future Land Development Map
- Page 17: added Future Land Development Map; also included 11x17 size in appendix F – Maps.
- Page 19: moved the following statement “All property owners within Jefferson County have the right to request a zoning map amendment.” from the discussion under **Urban Growth Boundary** (p. 21) to the discussion under **The Difference between Land Use Maps and Zoning Map**, to better reflect Recommendation #2.
- Pages 27, 28, 40, 41, 83, 108: Amended text to reflect the County Commission’s recommendation to eliminate the use of the LESA system and modify the CUP process for non-residential development in the Rural Zoning District
- Page 32: amended Recommendations #2 and 2.a to read:
  - #2: “Any property owner can initiate a zoning map amendment.”
  - #2.a: “The review of all zoning map amendment requests shall include consideration of the Future Land Use Map and Land Use policies created as part of this Plan.”
- Page 33: deleted Recommendation 5.f which references two-tiered impact fees.
- Page 34: amended Recommendation 8.a to read: “Encourage the clustering of development so that the developer retains their density while dedicating community facilities.”
- Page 36: delete the last sentence from Recommendation #13.b
- Pages 40&41: strengthened statement that cluster is the preferred form of residential development in the rural areas, that the cluster provisions require amending and clearly stating the retention of the by right 1 lot/15 acres, minor subdivision process (2 lots every 5 years), and parent to child provisions
- Page 44: amended Recommendation 4.b to reflect CC request to eliminate the LESA system.
- Page 45: deleted Recommendations #7, 7.a, and 7.b.
- Page 45: added new Recommendations #7 and 7.a:
- Page 45: added Recommendation #8.a: “Encourage the JCDA to employ a small farm agriculture agent.”
- Page 53: delete last sentence of second paragraph under **Viewsheds and Gateways**:
- Page 56: amended Recommendation #7 to include an example.
- Page 63: deleted last sentence of the third paragraph under **Impact Fees** referencing two-tiered impact fees.
- Page 67: amended Recommendation #8 to read: “~~Request the Partnership for Affordable Housing and the Eastern Board of Realtors collaborate in conducting~~ Encourage a periodic ‘housing market needs assessment’ to identify both the construction/housing market’s needs, the range of unmet housing types, and the supportive programs that should be established in Jefferson County and the Eastern Panhandle.”
- Page 68: amended recommendation 11.a to clarify “...~~West Virginia permitting process~~”.
- Page 69-70: Moved the entire section entitled “Intergovernmental Coordination” from Section 5.c to a new Section 1.F; added introductory sentences about Jefferson County Commission’s transparency; deleted provisions for sharing Human Resources staff and consolidating purchasing (previously pp. 156-157)

- Page 78: Added Recommendation #2a “Establish a working relationship with Washington Metropolitan Council of Governments and Loudoun County’s Transportation and Safety Commission to address highway transportation problem areas identified in both counties.”
- Page 80: combined Recommendation #11 and its subcategories to create a new Recommendation #10e “Coordinate with appropriate agencies to publicize available scholarship programs for students interested in the target industries to strengthen workforce development in Jefferson County.”
- Page 83: under **Agricultural Service Facilities**, added “There are no meat processing facilities in the County and nearby out of state facilities are limited to mass production which excludes small farmers from receiving this service.” And added to Recommendation 11 on page 89.
- Page 85: under **Transportation in the Rural Environment**, added discussion about the impact of farm equipment on the road system and clarified that cluster development is the preferred form of rural residential development
- Page 87: Added new Recommendations 1.b. “Create an educational pamphlet informing developers, realtors, and potential homeowners of the offsite impacts of living adjacent to farming activities.”
- Page 90: Added Recommendation 15.d “Encourage schools to use local agricultural products in cafeterias through partnerships with local farmers and CSAs.”
- Page 91: deleted a portion of Recommendation 17: “~~A reduction in the personal property tax for farm vehicles~~ as this provision already exists in state law.
- Page 92: Added Horse Racing to Title “Cultural, Rural, **Horse Racing**, and Gaming Tourism
- Page 95: Added Recommendation 1.b. “Coordinate with the Jefferson County Convention and Visitors Bureau (CVB) to maintain and promote a community calendar.”
- Page 95: reinstated language about rural landowners property rights to Recommendation 8.a. and re-worded Recommendation 8.b.
  - “When considering additional river recreation activities, **rural landowners’ property rights and** the quality of life of the individuals and families living along the waterways should be factored into proposed development plans.
  - **Encourage all river recreation activities to occur in a manner which supports options should support** the Chesapeake Bay Initiative.”
- Page 103: Modified Recommendation 1.b. “Provide and encourage mechanisms to have **consolidated one** water and sewer providers in the County”
- Page 103: Added Recommendation 3.d. “Encourage the PSDs to promote cooperation with the local development community to work toward cost sharing on infrastructure projects.”
- Page 104: Changed Recommendation 5.b. “Pursue an amendment to the state code to **allowEnable** residents who are required to connect to an extended water or sewer network, to continue to utilize existing individual well and septic systems for the lifetime of the home system if there are no public health issues.
- Page 105: Delete Recommendation #11 as the program no longer exists.
- Page 113: A paragraph was added identifying the limited access to Mission Road communities as a safety issues and discussion the need to additional points of access; Added Recommendation 5 and 5.a. regarding this issue (Page 124)

- Page 118: Paragraphs were added discussing the County’s inclusion in the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) and the needs to establish a working relationship with Loudoun County which is a different MPO but shares transportation issues with Jefferson County.
- Page 119: deleted language related to issues with taxi expansion in the County
- Page 123: Added new Recommendation 1.d. **“Recommend that the WVDOH consider Jefferson County’s rural economy when developing roadways and traffic circles; encourage wider roadways and traffic circles to accommodate agricultural machinery and equine vehicles.”**
- Page 124: Reformatted Recommendation 4 to create subcategories and added 4.b. and 4.c.:
  - **“Encourage early and effective communication between the County Commission and the DOH for proposed road improvements and projects in the County.”**
  - **“Encourage the DOH to identify preferred alternatives and required ROW and communicate with local planning staff as early as possible to minimize conflict with future development.”**
- Page 135: Added **“Natural Resources Conservation Services (NRCS)”** to Recommendation #2.
- Page 135: Added **“Collaborate with the NRCS to support and maintain an accurate map . . . .”** to Recommendation #5 regarding sinkholes and caves.
- Page 148: Amended the shortened version of Recommendation #2.b. to read, **“Encourage the County Commission to support excess levy initiatives.”**
- Page 148: Amended Recommendation #3 to read, **“Continue to work with the West Virginia Department of Education and the local State delegation to re-evaluate the funding formula related to state based educational aid schools in order to create a quality Jefferson County public school system.”**
- Page 149: Amended Recommendation #6 a follows: **“Continue and expand before and after care programs at the County’s public schools, including child care during school hours for school-age parents, by providing adequate space on site.”**
- Pages 149-150: Amended Recommendation #10 to include **“. . . . and specialized areas of higher education in a variety of disciplines in order to create a flexible, resilient workforce.”**
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  - **“Continue to identify ways to affordably provide traditional and virtual library services; ~~such as a bookmobile service that can serve village areas, senior centers and underserved areas;~~ and educational entertainment options to residents of Jefferson County.”**
- Page 153: Changed heading of **“Finance and Public Safety, ~~and Governance~~ Element”** because the Governance Recommendations were deleted from the Plan.
- Page 154: Delete final paragraph about the two-tiered impact fee system previously deleted.

- Page 155: **Property Tax** text was modified to eliminate the proposed reduction of property tax for multiple properties and modified to support a reduction in property tax that meet affordable housing standards. Similar amendments occurred on Page 157 regarding Recommendation #14 (previously Recommendation #16 and 16.a).
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- Page 157: Recommendation #9 was amended “**Explore all funding options for expansion of and improvements to water and sewer projects in Jefferson County. Implement a Capacity Improvement Fee (CIF) for water and sewer projects as provided for in the Local Powers Act.**”
- Page 157: Recommendation #11 was deleted “**Consider the development of transportation designated funding to support future roadway funding.**”
- Page 157: “**family-operated**” was deleted from Recommendation #13 regarding farmland preservation.
- Page 157: Recommendation 15 (previously #17) was combined with #15.a to read
  - “**Explore options** ~~Coordinate with the Jefferson County Historic Landmarks Commission~~ to develop **and implement** a tax credit ~~or reduction of property taxes~~ for those improving and investing in designated historic structures while maintaining the historic character of the structures.
  - ~~Pursue state enabling legislation related to historic tax credits.”~~
- Page 159: Amend Recommendation #3 “**Explore funding resources to provide, by 2035,** sufficient funding **from all available resources** to enable fire and ambulance service to all areas of the County within a reasonable timeframe **by 2035.**”
- Page 159: Amend Recommendation #4 “Consider the merger of countywide and municipal police services or training activities under a unified agency **to maximize resources.**”
- Page 159: Delete Recommendations #5, #9, #10
- Page 159: Amend Recommendation #12 and 13 to read
  - “**Continue to support and implement a local Flood Plain Management Program, adhering to all Federal Emergency Management Agency (FEMA) requirements, to reduce homeowners’ insurance premiums and increase public safety. Provide greater awareness of local Emergency Management and Hazard Mitigation Planning efforts, including notifications and procedures related to hazardous materials incidents.**
  - a. **Support the updating of FEMA floodplain maps to accurately reflect floodplain boundaries through the federal Letter of Map Amendment (LOMA) process. Ensure that local pay is competitive for police, fire, and EMS based on cost of living for the community that they are employed in.**”
- Pages 160-161 Delete all of Section 5.D Governance

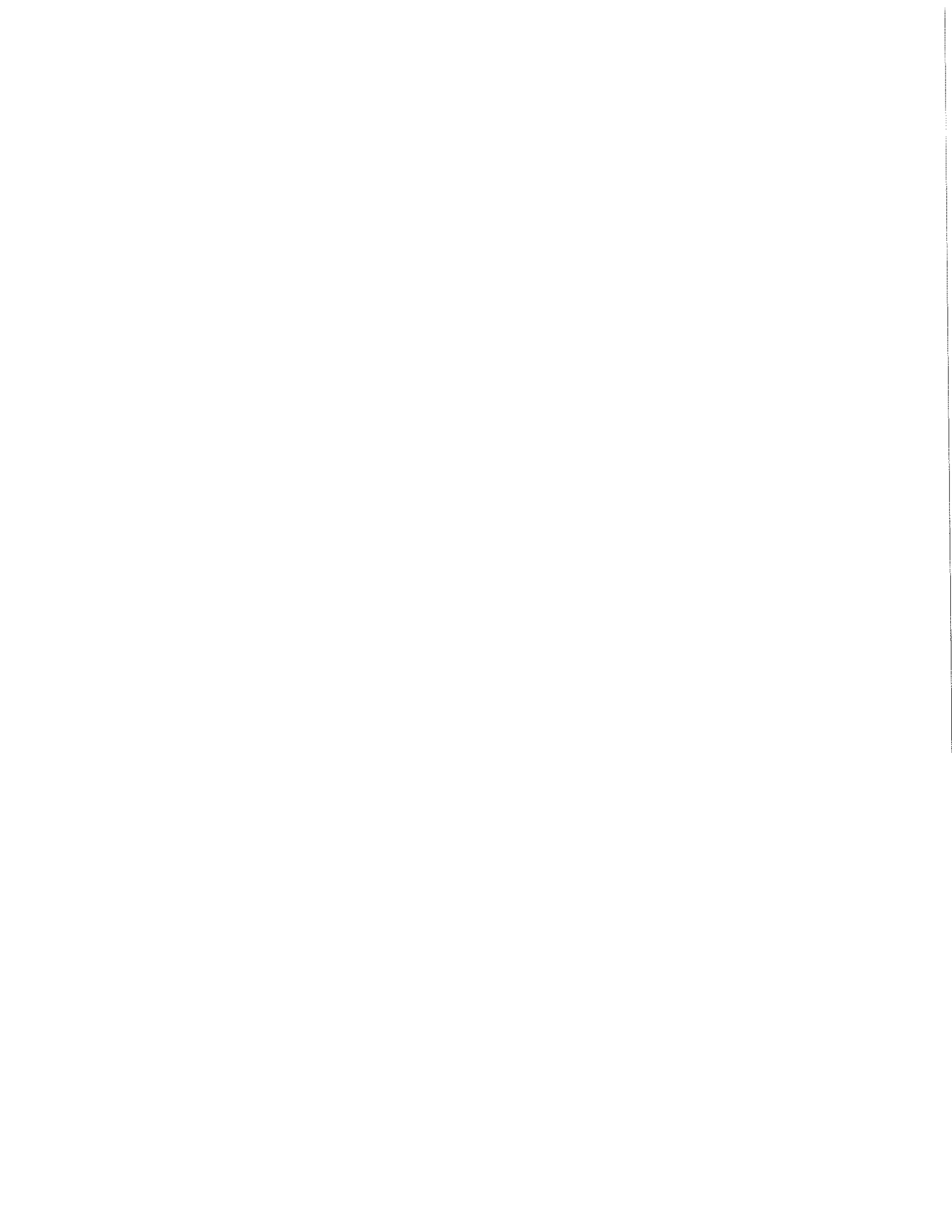
## Staff Edits to Plan text

- Pages 12 & 13: delete lists; information duplicated in Appendix C on page 201. Added Planning Commission and County Commission work sessions and public hearings to the list of **Public Workshops, Surveys, and Open Houses**, in Appendix C.
- Page 18: clarified the relationship of the plan text and future land use map to owner initiated zoning map amendments.
- Pages 20-22: Reorganized the discussion of the Urban Growth Boundaries and added discussion of Ranson and Charles Town UGBs as “b” and “c” where Shepherdstown GMB discussion occurs, including discussion of Ranson UGB expansion.
- Page 23: modified discussion of Shepherdstown PGA to reflect changes to the Future Land Use Map.
- Page 25: addition of text addressing Shenandoah Junction PGA/School Based Growth Area (staff created as the result of 12/11/14 CC discussion and recommended change to Future Land Use Map).
- Page 27: strengthened the language about retaining exiting land rights under **Retention of Existing Zoning Map Classifications** and referenced the Growth Areas from the 2004 Plan to reflect the addition of that boundary to the Future Land Use Map.
- Page 30: relocated Recommendation #7.b from page 31 to the body of the document on page 27 - **Section 1.A: Urban Level Development**.
- Page 34: deleted Recommendation 7.b; moved text to page 31. Also added language from Rural Land Use Planning Recommendations #7 and #7a, as revised, to the Infrastructure Recommendation, referencing urban water and sewer extensions (page 105).
- Page 36: amended Recommendations 14, 14.a, and 14.b to reflect adoption of new commercial and industrial zoning categories and need for additional residential categories.
- Page 44: modified Recommendation #4.c. related to proposed changes to the cluster provision to be less specific as these details are part of a future zoning ordinance text amendment.
- Page 48&49: broadened the discussion of the village expansion areas depicted on the future land use map and clarified the intend for growth in these areas
- Page 68: deleted Recommendation #11.c because the same recommendation is referenced in the Village recommendations (Rec. #5).
- Page 73: Re-ordered Jefferson County Target Industries to be in alphabetical order.
- Page 75, 80, and other areas: added references to APUS where Shepherd is referenced
- Page 78: amended Recommendation #6 to exclude the term “economic gardening”:
- Page 85: delete second sentence referencing prepared meals tax:
- Page 87: delete Recommendation 4.a. as it is a land use issue and is addressed that section.
- Page 88: amended Recommendation #6.c (shortened):
- Page 90-91: reformatted Recommendation 17 to list the strategies separately.
- Page 106: amended text in third paragraph to reference the term “ridesharing” rather than “car/van pooling”; added ridesharing to the definitions.
- Page 141: deleted the word “countywide” from Recommendation #6.i because it isn’t a countywide trail, it’s a trail system; edited Recommendation #6.g. and #6.j. to remove discussion and shorten text of recommendations related to various trail facilities.

- Page 142: amended Recommendation #7 regarding a blueway plan to clarify how this concept applies to Jefferson County.
- Page 142: moved Recommendation #7.c to create a new recommendation 8.c.
- Page 142: edited Recommendation #8.e. to remove discussion and shorten text of recommendation regarding an equine park facility.
- Page 143: edited Recommendation #8.g. to remove discussion and shorten text of recommendation regarding multi-field sports facility.
- Pages 144, 145 and 148-150: These sections were edited significantly because the recommendations included much of the discussion that should have been included in the text on pages 144 and 145. Therefore the text was moved from the recommendations, leaving shortened recommendations and edited to fit into the text format on pages 144 and 145. Paragraphs created include discussion of campus settings for schools; pedestrian accessibility to schools, finding of schools and the role of the school system in supporting workforce development.

## Future Land Use Map Edits from 12/11/14 and 1/9/15 Work Sessions

- Expanded Shepherdstown PGA boundary to include two lots that belong to Harry Catrow (~25.83 acres) off of Route 45. Maintain future land use classification as low density residential (yellow).
- Expanded Shepherdstown PGA boundary to include 3.85 acre parcel that belongs to Charles Carter off of Route 45. Change future land use classification to Residential Commercial (magenta).
- Created a new PGA and village expansion boundary to incorporate Shenandoah Junction area from Flowing Springs to railroad tracks (called: Shenandoah Junction PGA / school based growth area). Within the new PGA, changed future land use classification for parcels closest to schools from agricultural to medium density residential (orange).
- Removed PGA around parcels off of Route 9/Luther Jones/Wiltshire Road area.
- Placed colored asterisks on each of the two Quarry Redevelopment areas with a note referencing back to the text (page 21-22).
- Placed an asterisk identifying the Northport parcel with a note referencing back to the text (page 117). Revised purple asterisk title to reflect “Northport Station at Jefferson Orchard”
- Changed Breckenridge subdivision parcels (south of Job Corps Road and Walker property) to reflect Medium Density Residential (orange).
- Changed Gibson farm & adjoining rural parcels on Route 230 to reflect Future Large Lot Residential (pixelated light green).
- Changed Walker & Shade Tree Lane parcels to reflect medium density (orange).
- Changed Stonecrest parcels shown as Rural off Old Country Club Road to reflect Low Density Residential (yellow).
- Created a Village Expansion Boundary around the 19.63 acre parcel north of the current Manning’s village boundary.
- Changed all parcels within the Mannings Village Expansion boundary to reflect residential/commercial (yellow & red stripe).
- Changed land use classification for Torlone’s to reflect Neighborhood Commercial (pixelated red)
- Changed land use classification for Foodway Supermarket (formerly Weber’s Market) off of Mission Road (~4.09 acres) to reflect Neighborhood Commercial (pixelated red).
- Updated Note #2: “Use of this map is to be in combination with the text and land use policies of the Envision Jefferson 2035 Comprehensive Plan when considering Zoning Map Amendments and future land use decisions.”
- Added a black outline of 2004 growth area, entitled “2004 Growth Area (for reference purposes)



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 January 13, 2015 at 10:00 am (An audio file of the January 10, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President  
Patsy Noland, Vice President  
Eric Bell, Commissioner  
Dale Manuel, Commissioner  
Walt Pellish, Commissioner  
Stephanie Grove, Assistant Prosecuting Attorney  
Jennie Brockman, Director of Planning and Zoning  
Alex Beaulieu, Project Manager Planning and Zoning  
Jessica Carroll, Administrative Assistant

RE: **Work Session on the 2014 Draft Comprehensive Plan**

Commissioner Tabb called the meeting to order at 10:02 a.m. Ms. Tabb opened the meeting by stating if the Commission did not make a decision on the 2014 Draft Comprehensive Plan by the end of the work session, the Commission would reconvene at 10:00 a.m. on Thursday, January 14, 2015 to conclude any unfinished business and take action on the 2014 Draft Comprehensive Plan. Ms. Brockman then reviewed the changes made to the draft document by the Commission during the January 6 and January 9, 2015 work sessions. The following motions were made during the work session:

- **Motion by Ms. Noland to amend Recommendation #2 and 2.a, 2.b, 2.c, and 2.d to read:**
  - ***#2: "Recognize that the County Commission has the authority to make land use decisions including Zoning Map Amendments based upon the finding of consistency with the Future Land Use Guide and the recommendations of this Plan; the County Commission may determine that petitions or decisions for zoning map amendments are consistent with the Comprehensive Plan if any of the following conditions are met after the entire Plan is taken into consideration:"***
  - ***#2.a: "Economic wellbeing of the County; or"***
  - ***#2.b: "Error or under scrutinized property on the Future Land Use Guide; or"***
  - ***#2.c: "Change in neighborhood; or"***
  - ***#2.d: "Any other circumstances that the governing body determines should have been considered when drafting the Future Land Use Guide"***

Motion passes on a vote of 4-1 with Mr. Manuel opposing.

- **Motion by Mr. Manuel to amend Ms. Noland's motion to include 2.e to state, "Environmental impacts are considered." Motion unanimously approved.**

To review the consensual changes made to the 2014 Draft Comprehensive Plan during this work session, please refer to the Planning and Zoning departmental memorandum attached to these minutes.

The work session adjourned at 1:12 p.m, and President Tabb stated the Commission would reconvene at 10:00 a.m. on Wednesday, January 14, 2015 to take action on the Plan.

---

JANE TABB, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant



# 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**

**FROM: Jennifer M. Brockman, AICP, Director, Planning and Zoning**

**DATE: January 27, 2015**

**RE: County Commission's redlined draft of the Envision Jefferson 2035 Comprehensive Plan**

\*\*\*\*\*

On December 11, 2014 and January 6, 9, 13, and 14, 2015, the County Commission met with staff to review and discuss the current draft *Envision Jefferson 2035 Comprehensive Plan*. Attached are the redlined edits as directed by the County Commission.

The following is intended to provide a summary of the substantive edits made throughout the text but may not include all minor edits to grammar, spelling, and punctuation. The list includes all County Commission initiated and staff initiated edits and separately lists edits to the Future Land Use Map. Please refer to the document dated 01/14/15 to see the red-lined text for context. The following pages refer to the 01/14/15 draft of the Plan.

#### **Summary of Recommended Changes as a result of the County Commission work sessions:**

- Page 10: added paragraph regarding County Commission meetings and efforts to improve customer service through making data and resources available to the public.
- Page 13: deleted lists; information duplicated in Appendix C on page 201. Added Planning Commission and County Commission work sessions and public hearings to the list of **Public Workshops, Surveys, and Open Houses** in Appendix C.
- Page 14: added discussion as to the purpose of the Goals and Objectives
- Page 15: added reference to Future Land Development Map
- Page 15: added reference to seventh PGA regarding Residential Areas
- Page 17: added Future Land Development Map; also included 11x17 size in appendix F – Maps.
- Page 18: clarified the relationship of the plan text and future land use guide to owner initiated zoning map amendments; updated all references to the Future Land Use Map to reflect Future Land Use *Guide*; reference changed throughout the document.
- Page 19: moved the following statement “All property owners within Jefferson County have the right to request a zoning map amendment.” from the discussion under **Urban Growth Boundary** (p. 21) to the discussion under **The Difference between Land Use Maps and Zoning Map**, to better reflect Recommendation #2 on page 33.
- Page 22: reorganized discussion of the UGBs and added discussion related to Ranson and Charles Town UGBs.
- Page 25: added discussion related to Shenandoah Junction PGA/School Based Growth Area
- Page 26: added discussion related to Residential Preferred Growth Area

- Pages 27, 28, 29, 41, 42, 84, 86, 109: Amended text to reflect the County Commission’s recommendation to eliminate the use of the LESA system and modify the CUP process for non-residential development in the Rural Zoning District
- Page 28: strengthened the language about retaining existing land rights under **Retention of Existing Zoning Map Classifications** and referenced Growth Areas from the 2004 Plan to reflect the addition of that boundary to the Future Land Use Guide.
- Page 30: added discussion pertaining to Future Land Use Guide
- Page 31: relocated Recommendation #7.b from page 35 to the body of the document on pages 31-32 – **Section 1.A Urban Level Development Area**.
- Page 33: amended Recommendations #2 and 2.a, .b, .c, .d, and .e to read:
  - #2: “Recognize that the County Commission has the authority to make land use decisions including Zoning Map Amendments based upon the finding of consistency with the Future Land Use Guide and the recommendations of this Plan; the County Commission may determine that petitions or decisions for zoning map amendments are consistent with the Comprehensive Plan if any of the following conditions are met after the entire Plan is taken into consideration:.”
  - #2.a: “Economic well-being of the County; or”
  - #2.b: “Error or under scrutinized property on the Future Land Use Guide; or”
  - #2.c: “Change in neighborhood; or”
  - #2.d: “Any other circumstance that the governing body determines should have been considered when drafting the Future Land Use Guide; and/or”
  - #2.e: “Environmental impacts are considered.”
- Page 34: amended Recommendation 8.a to read: “Encourage the clustering of development so that the developer retains their density while dedicating community facilities.”
- Page 35: deleted recommendation 7.b
- Page 36: amended recommendation 8.a
- Page 37: delete the last sentence from Recommendation #13.b
- Page 38: amended recommendations 14, 14.a, and 15 to reflect new commercial and industrial zoning categories and the need for additional residential categories.
- Pages 41 & 42: strengthened statement that cluster is the preferred form of residential development in the rural areas, that the cluster provisions require amending and clearly stating the retention of the by right 1 lot/15 acres, minor subdivision process (2 lots every 5 years), and parent and child provisions.
- Page 42: added footnote referencing Zoning Ordinance/minor subdivision process
- Page 45: amended Recommendation 4.b to reflect CC request to eliminate the LESA system.
- Page 45: modified Recommendation #4.c related to proposed changes to the cluster provision to be less specific as these details will be part of a future Zoning Ordinance text amendment.
- Page 46: deleted Recommendations #7, 7.a, and 7.b.
- Page 46: added new Recommendations #7 and 7.a
- Page 46: deleted recommendation 8
- Page 49: broadened the discussion of the village expansion areas depicted on the future land use guide and clarified the intent for growth in these areas; changed recommendation 2.b on page 51 to reflect text.

- Page 57: amended Recommendation #7 to include an example.
- Page 68/69: amended Recommendation #8 to read: ~~“Request the Partnership for Affordable Housing and the Eastern Board of Realtors collaborate in conducting~~ Encourage a periodic ‘housing market needs assessment’ to identify both the construction/housing market’s needs, the range of unmet housing types, and the supportive programs that should be established in Jefferson County and the Eastern Panhandle.”
- Page 69: deleted recommendation 11.c
- Pages 70 & 71: Moved the entire section entitled “Intergovernmental Coordination” from Section 5.c to create a new Section 1.F; added introductory sentences about Jefferson County Commission’s transparency; deleted provisions for sharing Human Resources staff and consolidating purchasing (previously pp. 156-157)
- Page 79: Added Recommendation #2.a ~~“Establish a working relationship with Washington Metropolitan Council of Governments and Loudoun County’s Transportation and Safety Commission to address highway transportation problem areas identified in both counties.”~~
- Page 81: combined Recommendation #11 and its subcategories to create a new Recommendation #10.e ~~“Coordinate with appropriate agencies to publicize available scholarship programs for students interested in the target industries to strengthen workforce development in Jefferson County.”~~
- Page 84: under **Agricultural Service Facilities**, added ~~“There are no meat processing facilities in the County and nearby out of state facilities are limited to mass production which excludes small farmers from receiving this service.”~~ And added to Recommendation 11 on page 90.
- Page 86: under **Transportation in the Rural Environment**, added discussion about the impact of farm equipment on the road system and clarified that cluster development is the preferred form of rural residential development
- Page 88: added new Recommendation 1.b. ~~“Create an educational pamphlet informing developers, realtors, and potential homeowners of the offsite impacts of living adjacent to farming activities.”~~
- Page 88: deleted recommendation 4.a as it is a land use issue and is addressed in that section:
  - ~~“Develop methods to ensure the maximum lot yield on the residue is calculated using the permitted densities as found in the rural zoning classification.”~~
- Page 91: added Recommendation 15.d ~~“Encourage schools to use local agricultural products in cafeterias through partnerships with local farmers and CSAs.”~~
- Pages 91 & 92: restructured Recommendation 17 to include sub-recommendations rather than one long recommendation; deleted the last sub-recommendation 17.e: ~~“A reduction in the personal property tax for farm vehicles~~ as this provision already exists in state law.
- Page 93: added Horse Racing to title “Cultural, Rural, **Horse Racing**, and Gaming Tourism”
- Page 96: added Recommendation 1.b. ~~“Coordinate with the Jefferson County Convention and Visitors Bureau (CVB) to maintain and promote a community calendar.”~~
- Page 96: reinstated language about rural landowners’ property rights to Recommendation 8.a. and re-worded Recommendation 8.b.
  - “When considering additional river recreation activities, **rural landowners’ property rights** and the quality of life of the individuals and families living along the waterways should be factored into proposed development plans.

- Page 104: modified Recommendation 1.b. “Provide and encourage mechanisms to have **consolidated one** water and sewer providers in the County”
- Page 105: added Recommendation 3.d. “**Encourage the PSDs to promote cooperation with the local development community to work toward cost sharing on infrastructure projects.**”
- Page 105: changed Recommendation 5.b. “**Pursue an amendment to the state code to allowEnable** residents who are required to connect to an extended water or sewer network, to continue to utilize existing individual well and septic systems for the lifetime of the home system if there are no public health issues.
- Page 106: deleted Recommendation #11 as the program no longer exists.
- Page 106: modified language in Recommendation #12.
- Page 114: add paragraph identifying the limited access to Mission Road communities as a safety issues and discussion the need to additional points of access; Added Recommendation 5 and 5.a. regarding this issue (Page 125)
- Page 119: added discussion related to the County’s inclusion in the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) and the needs to establish a working relationship with Loudoun County which is a different MPO but shares transportation issues with Jefferson County.
- Page 124: added new Recommendation 1.d. “**Recommend that the WVDOH consider Jefferson County’s rural economy when developing roadways and traffic circles; encourage wider roadways and traffic circles to accommodate agricultural machinery and equine vehicles.**”
- Page 125: reformatted Recommendation 4 to create subcategories and added 4.b. and 4.c.:
  - “**Encourage early and effective communication between the County Commission and the DOH for proposed road improvements and projects in the County.**”
  - “**Encourage the DOH to identify preferred alternatives and required ROW and communicate with local planning staff as early as possible to minimize conflict with future development.**”
- Page 136: added “**Natural Resources Conservation Services (NRCS)**” to Recommendation #2.
- Page 136: added “**Collaborate with the NRCS to support and maintain an accurate map . . .**” to Recommendation #5 regarding sinkholes and caves.
- Pages 144-145: relocated several Education Recommendations that were not recommendations to the text of the document (shown in red on pages 144 – 145).
- Page 147: amended Recommendation #3 to read, “Continue to work with the West Virginia Department of Education and the local State delegation to re-evaluate the funding formula related to state based educational aid schools **in order to create a quality Jefferson County public school system.**” Deleted Recommendation 3.a.
- Page 147: amended Recommendation #6 a follows: “Continue and expand before and after care programs at the County’s public schools, **including child care during school hours for school-age parents, by providing adequate space on site.**”
- Pages 147-148: amended Recommendation #10 to include “ . . . . **and specialized areas of higher education in a variety of disciplines in order to create a flexible, resilient workforce.**”

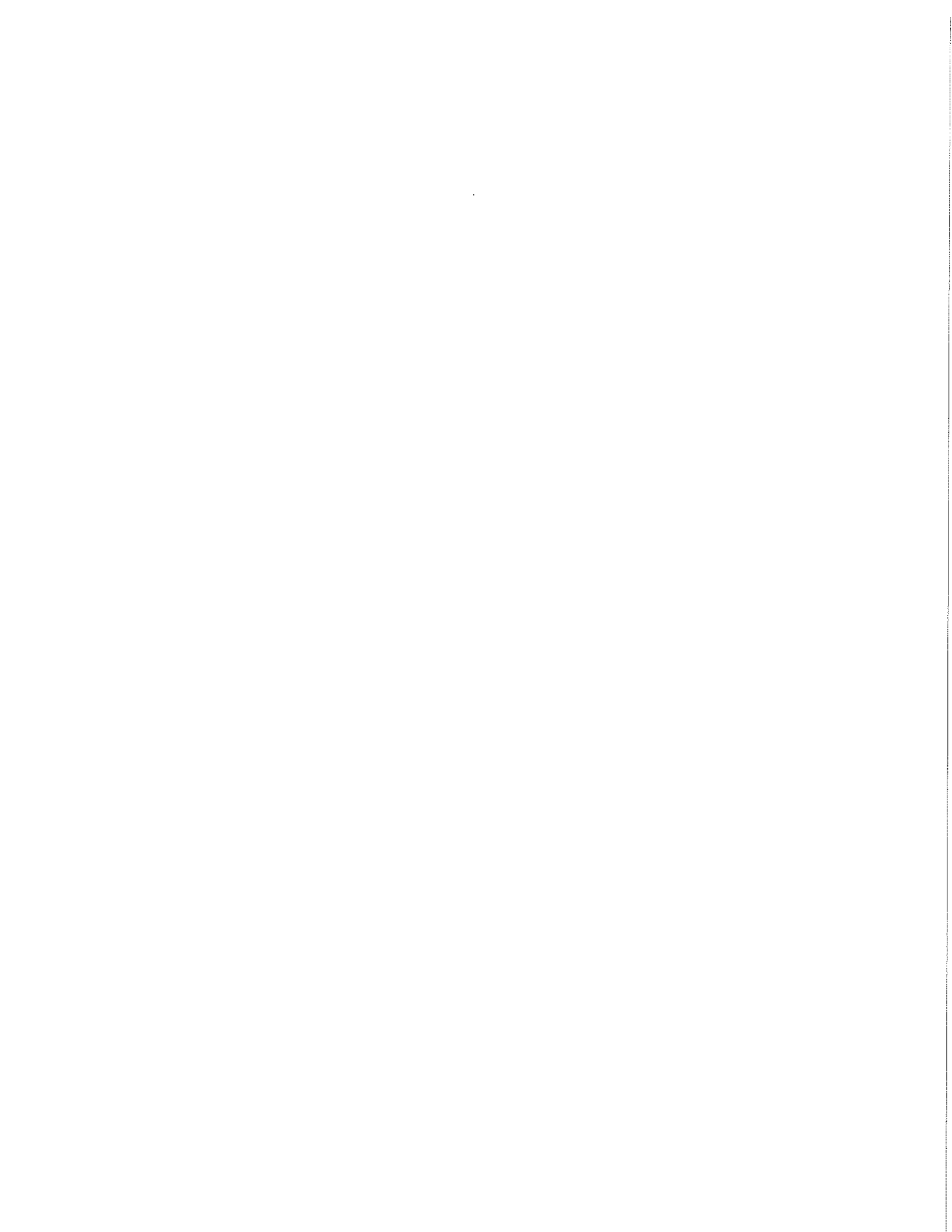
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- Page 150: deleted Recommendations #1, 1.a., 1.b., 7, and 8 regarding library operations and moved Recommendation #4 to be a part of Recommendation #1 (old #2) as follows:
  - ~~“Continue to identify ways to affordably provide traditional and virtual library services; such as a bookmobile service that can serve village areas, senior centers and underserved areas; and educational entertainment options to residents of Jefferson County.”~~
- Page 151: changed heading of “Finance and Public Safety, ~~and Governance~~ Element” because the Governance Recommendations were deleted from the Plan.
- Page 152: deleted final paragraph about the two-tiered impact fee system (to remain consistent with other edits/deletions to this topic).
- Page 153: **Property Tax** text was modified to eliminate the proposed reduction of property tax for multiple properties and modified to support a reduction in property tax that meet affordable housing standards. Similar amendments occurred on Page 155 regarding Recommendation #14.
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- Page 154: Recommendations #7 and # 8 regarding fire and ambulance fees were deleted and a new Recommendation #7 was created ~~“Explore all funding options to support and enhance emergency services.”~~
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- Page 155: amended Recommendation 13 to read:
  - ~~“Explore options ~~Coordinate with the Jefferson County Historic Landmarks Commission~~ to develop **and implement** a tax credit ~~or reduction of property taxes~~ for those improving and investing in designated historic structures while maintaining the historic character of the structures.~~
  - ~~“Pursue state enabling legislation related to historic tax credits.”~~
- Page 157: amended Recommendation #3 ~~“Explore funding resources to provide, by 2035, sufficient funding from all available resources to enable fire and ambulance service to all areas of the County within a reasonable timeframe by 2035.”~~
- Page 157: amended Recommendation #4 “Consider the merger of countywide and municipal police services or training activities under a unified agency **to maximize resources.**”
- Page 157: deleted Recommendations #5, #9, #10:

- ~~#5: “Consider the creation of paid fire and rescue staff positions in the Charles Town/Ranson area and in Shepherdstown.”~~
- ~~#9: “Encourage cross training of county fire, EMS, and police/sheriff staff in a variety of functions.”~~
- ~~#10: “Regularly update the County’s 911 response center to ensure that it is able to adjust to technological changes and advancements.”~~
- Page 157: amended Recommendations #9 and 9.a to read
  - ~~“Continue to support and implement a local Flood Plain Management Program, adhering to all Federal Emergency Management Agency (FEMA) requirements, to reduce homeowners’ insurance premiums and increase public safety. Provide greater awareness of local Emergency Management and Hazard Mitigation Planning efforts, including notifications and procedures related to hazardous materials incidents.~~
  - a. Support the updating of FEMA floodplain maps to accurately reflect floodplain boundaries through the federal Letter of Map Amendment (LOMA) process. ~~Ensure that local pay is competitive for police, fire, and EMS based on cost of living for the community that they are employed in.”~~
- Pages 158-159: deleted all of Section 5.D Governance.

## Future Land Use Map Edits County Commission Work Sessions:

- Changed title of map to Future Land Use **Guide**
- Expanded Shepherdstown PGA boundary to include two lots that belong to Harry Catrow (~25.83 acres) off of Route 45. Maintain future land use classification as low density residential (yellow).
- Expanded Shepherdstown PGA boundary to include 3.85 acre parcel that belongs to Charles Carter off of Route 45. Change future land use classification to Residential Commercial (magenta).
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- Created a new residential PGA boundary to incorporate core residential area bounded by Old Country Club Road, Flowing Springs Road, Job Corps Road, Shepherdstown Pike (WV 230) to the railroad tracks.
- Removed PGA around parcels off of Route 9/Luther Jones/Wiltshire Road area.
- Placed colored asterisks on each of the two Quarry Redevelopment areas with a note referencing back to the text (page 21-22).
- Placed an asterisk identifying the Northport parcel with a note referencing back to the text (page 117). Revised purple asterisk title to reflect “Northport Station at Jefferson Orchard”
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- Changed land use classification for Torlone’s to reflect Neighborhood Commercial (pixelated red)
- Changed land use classification for Foodway Supermarket (formerly Weber’s Market) off of Mission Road (~4.09 acres) to reflect Neighborhood Commercial (pixelated red).
- Added a black outline of 2004 growth area, entitled “2004 Growth Area”
- Updated Note #2: “Use of this map is to be in combination with the text and land use **polieies recommendations** of the Envision Jefferson 2035 Comprehensive Plan when considering Zoning Map Amendments and future land use decisions.”

**\*\*\*Please be advised that the notes on the map will be updated to reflect correct page numbers referencing back to the text once the final edits are accepted. Note #2 will also be revised to reflect the CC’s recommended change to read: “Use of this map is to be in combination with the text and land use **polieies recommendations** of the Envision Jefferson 2035 Comprehensive Plan when considering Zoning Map Amendments and future land use decisions.”**



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 January 14, 2015 at 10:00 am (An audio file of the January 14, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President  
Patsy Noland, Vice President  
Eric Bell, Commissioner  
Dale Manuel, Commissioner  
Walt Pellish, Commissioner  
Stephanie Grove, Assistant Prosecuting Attorney  
Jennie Brockman, Director of Planning and Zoning  
Alex Beaulieu, Project Manager Planning and Zoning  
Jessica Carroll, Administrative Assistant

RE: **Work Session on the 2014 Draft Comprehensive Plan**

Commissioner Tabb called the meeting to order at 10:04 a.m. Ms. Brockman reviewed the changes made by the Commission during the January 13, 2015 work session and spent considerable time discussing the Goals and Objectives portion of the Plan. Ms. Brockman stated the Planning Commission would be holding a Special Session on Tuesday, January 27, 2015 to review the Plan as edited by the County Commission. Ms. Brockman also stated the Planning Commission would hold an additional special session during the last Tuesday of February where they would be presented with a final, clean copy (without tracked changes) to vote on the end product. If the Planning Commission has no changes, the Plan will be approved as is; however, if the Planning Commission has changes, the Plan will be sent back to the County Commission and they may either accept or reject the changes recommended by the Planning Commission.

- **Motion by Mr. Manuel to insert the following wording on page 14 of the Plan as reviewed and edited by County legal counsel:**

***“The Goals and Objectives found in the Appendix were developed after the existing conditions, data, trends analysis and issues analysis were completed and agreed upon by the County Commission to provide direction to the Steering Committee as they continued the public input process for the purpose of developing the Recommendations of this plan. As the recommendations were developed, occasionally a strategy identified in the Goals and Objectives may have been determined by the County Commission to require modification and the Recommendations may appear to be in conflict with the Goals and objectives. If such a conflict exists, the Recommendations are the final product of the plan and are to be relied upon to provide guidance to the Planning Commission and County Commission in their land use and development decision making process. As such, the Goals and Objectives are a resource to reflect the evolution of the thought process throughout the development of this Plan, but the Recommendations specify the end goal.”***

**Motion unanimously approved.**

- **Motion by Mr. Manuel to recommend approval of the final draft of Envision Jefferson Comprehensive Plan as edited/amended in the version dated 1/14/2015 and forward to the Planning Commission for final consideration. Motion unanimously approved.**

To review the consensual changes made to the 2014 Draft Comprehensive Plan during this work session, please refer to the Planning and Zoning departmental memorandum attached to these minutes.

The work session adjourned at 11:19 a.m. on a motion by Mr. Manuel. Motion was unanimously approved.

---

JANE TABB, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant



# 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**  
**FROM: Jennifer M. Brockman, AICP, Director, Planning and Zoning**  
**DATE: January 27, 2015**  
**RE: County Commission's redlined draft of the Envision Jefferson 2035 Comprehensive Plan**

\*\*\*\*\*

On December 11, 2014 and January 6, 9, 13, and 14, 2015, the County Commission met with staff to review and discuss the current draft *Envision Jefferson 2035 Comprehensive Plan*. Attached are the redlined edits as directed by the County Commission.

The following is intended to provide a summary of the substantive edits made throughout the text but may not include all minor edits to grammar, spelling, and punctuation. The list includes all County Commission initiated and staff initiated edits and separately lists edits to the Future Land Use Map. Please refer to the document dated 01/14/15 to see the red-lined text for context. The following pages refer to the 01/14/15 draft of the Plan.

### Summary of Recommended Changes as a result of the County Commission work sessions:

- Page 10: added paragraph regarding County Commission meetings and efforts to improve customer service through making data and resources available to the public.
- Page 13: deleted lists; information duplicated in Appendix C on page 201. Added Planning Commission and County Commission work sessions and public hearings to the list of **Public Workshops, Surveys, and Open Houses** in Appendix C.
- Page 14: added discussion as to the purpose of the Goals and Objectives
- Page 15: added reference to Future Land Development Map
- Page 15: added reference to seventh PGA regarding Residential Areas
- Page 17: added Future Land Development Map; also included 11x17 size in appendix F – Maps.
- Page 18: clarified the relationship of the plan text and future land use guide to owner initiated zoning map amendments; updated all references to the Future Land Use Map to reflect Future Land Use *Guide*; reference changed throughout the document.
- Page 19: moved the following statement “All property owners within Jefferson County have the right to request a zoning map amendment.” from the discussion under **Urban Growth Boundary** (p. 21) to the discussion under **The Difference between Land Use Maps and Zoning Map**, to better reflect Recommendation #2 on page 33.
- Page 22: reorganized discussion of the UGBs and added discussion related to Ranson and Charles Town UGBs.
- Page 25: added discussion related to Shenandoah Junction PGA/School Based Growth Area
- Page 26: added discussion related to Residential Preferred Growth Area

- Pages 27, 28, 29, 41, 42, 84, 86, 109: Amended text to reflect the County Commission’s recommendation to eliminate the use of the LESA system and modify the CUP process for non-residential development in the Rural Zoning District
- Page 28: strengthened the language about retaining existing land rights under **Retention of Existing Zoning Map Classifications** and referenced Growth Areas from the 2004 Plan to reflect the addition of that boundary to the Future Land Use Guide.
- Page 30: added discussion pertaining to Future Land Use Guide
- Page 31: relocated Recommendation #7.b from page 35 to the body of the document on pages 31-32 – **Section 1.A Urban Level Development Area.**
- Page 33: amended Recommendations #2 and 2.a, .b, .c, .d, and .e to read:
  - #2: “Recognize that the County Commission has the authority to make land use decisions including Zoning Map Amendments based upon the finding of consistency with the Future Land Use Guide and the recommendations of this Plan; the County Commission may determine that petitions or decisions for zoning map amendments are consistent with the Comprehensive Plan if any of the following conditions are met after the entire Plan is taken into consideration.”
  - #2.a: “Economic well-being of the County; or”
  - #2.b: “Error or under scrutinized property on the Future Land Use Guide; or”
  - #2.c: “Change in neighborhood; or”
  - #2.d: “Any other circumstance that the governing body determines should have been considered when drafting the Future Land Use Guide; and/or”
  - #2.e: “Environmental impacts are considered.”
- Page 34: amended Recommendation 8.a to read: “Encourage the clustering of development so that the developer retains their density while dedicating community facilities.”
- Page 35: deleted recommendation 7.b
- Page 36: amended recommendation 8.a
- Page 37: delete the last sentence from Recommendation #13.b
- Page 38: amended recommendations 14, 14.a, and 15 to reflect new commercial and industrial zoning categories and the need for additional residential categories.
- Pages 41 & 42: strengthened statement that cluster is the preferred form of residential development in the rural areas, that the cluster provisions require amending and clearly stating the retention of the by right 1 lot/15 acres, minor subdivision process (2 lots every 5 years), and parent and child provisions.
- Page 42: added footnote referencing Zoning Ordinance/minor subdivision process
- Page 45: amended Recommendation 4.b to reflect CC request to eliminate the LESA system.
- Page 45: modified Recommendation #4.c related to proposed changes to the cluster provision to be less specific as these details will be part of a future Zoning Ordinance text amendment.
- Page 46: deleted Recommendations #7, 7.a, and 7.b.
- Page 46: added new Recommendations #7 and 7.a
- Page 46: deleted recommendation 8
- Page 49: broadened the discussion of the village expansion areas depicted on the future land use guide and clarified the intent for growth in these areas; changed recommendation 2.b on page 51 to reflect text.

- Page 57: amended Recommendation #7 to include an example.
- Page 68/69: amended Recommendation #8 to read: “~~Request the Partnership for Affordable Housing and the Eastern Board of Realtors collaborate in conducting~~ Encourage a periodic ‘housing market needs assessment’ to identify both the construction/housing market’s needs, the range of unmet housing types, and the supportive programs that should be established in Jefferson County and the Eastern Panhandle.”
- Page 69: deleted recommendation 11.c
- Pages 70 & 71: Moved the entire section entitled “Intergovernmental Coordination” from Section 5.c to create a new Section 1.F; added introductory sentences about Jefferson County Commission’s transparency; deleted provisions for sharing Human Resources staff and consolidating purchasing (previously pp. 156-157)
- Page 79: Added Recommendation #2.a “~~Establish a working relationship with Washington Metropolitan Council of Governments and Loudoun County’s Transportation and Safety Commission to address highway transportation problem areas identified in both counties.~~”
- Page 81: combined Recommendation #11 and its subcategories to create a new Recommendation #10.e “~~Coordinate with appropriate agencies to publicize available scholarship programs for students interested in the target industries to strengthen workforce development in Jefferson County.~~”
- Page 84: under **Agricultural Service Facilities**, added “~~There are no meat processing facilities in the County and nearby out of state facilities are limited to mass production which excludes small farmers from receiving this service.~~” And added to Recommendation 11 on page 90.
- Page 86: under **Transportation in the Rural Environment**, added discussion about the impact of farm equipment on the road system and clarified that cluster development is the preferred form of rural residential development
- Page 88: added new Recommendation 1.b. “~~Create an educational pamphlet informing developers, realtors, and potential homeowners of the offsite impacts of living adjacent to farming activities.~~”
- Page 88: deleted recommendation 4.a as it is a land use issue and is addressed in that section:
  - “~~Develop methods to ensure the maximum lot yield on the residue is calculated using the permitted densities as found in the rural zoning classification.~~”
- Page 91: added Recommendation 15.d “~~Encourage schools to use local agricultural products in cafeterias through partnerships with local farmers and CSAs.~~”
- Pages 91 & 92: restructured Recommendation 17 to include sub-recommendations rather than one long recommendation; deleted the last sub-recommendation 17.e: “~~A reduction in the personal property tax for farm vehicles~~ as this provision already exists in state law.
- Page 93: added Horse Racing to title “Cultural, Rural, **Horse Racing**, and Gaming Tourism”
- Page 96: added Recommendation 1.b. “~~Coordinate with the Jefferson County Convention and Visitors Bureau (CVB) to maintain and promote a community calendar.~~”
- Page 96: reinstated language about rural landowners’ property rights to Recommendation 8.a. and re-worded Recommendation 8.b.
  - “When considering additional river recreation activities, **rural landowners’ property rights** and the quality of life of the individuals and families living along the waterways should be factored into proposed development plans.

- Page 104: modified Recommendation 1.b. “Provide and encourage mechanisms to have **consolidated one** water and sewer providers in the County”
- Page 105: added Recommendation 3.d. “**Encourage the PSDs to promote cooperation with the local development community to work toward cost sharing on infrastructure projects.**”
- Page 105: changed Recommendation 5.b. “**Pursue an amendment to the state code to allowEnable** residents who are required to connect to an extended water or sewer network, to continue to utilize existing individual well and septic systems for the lifetime of the home system if there are no public health issues.
- Page 106: deleted Recommendation #11 as the program no longer exists.
- Page 106: modified language in Recommendation #12.
- Page 114: add paragraph identifying the limited access to Mission Road communities as a safety issues and discussion the need to additional points of access; Added Recommendation 5 and 5.a. regarding this issue (Page 125)
- Page 119: added discussion related to the County’s inclusion in the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) and the needs to establish a working relationship with Loudoun County which is a different MPO but shares transportation issues with Jefferson County.
- Page 124: added new Recommendation 1.d. “**Recommend that the WVDOH consider Jefferson County’s rural economy when developing roadways and traffic circles; encourage wider roadways and traffic circles to accommodate agricultural machinery and equine vehicles.**”
- Page 125: reformatted Recommendation 4 to create subcategories and added 4.b. and 4.c.:
  - “**Encourage early and effective communication between the County Commission and the DOH for proposed road improvements and projects in the County.**”
  - “**Encourage the DOH to identify preferred alternatives and required ROW and communicate with local planning staff as early as possible to minimize conflict with future development.**”
- Page 136: added “**Natural Resources Conservation Services (NRCS)**” to Recommendation #2.
- Page 136: added “**Collaborate with the NRCS to support and maintain an accurate map . . . .**” to Recommendation #5 regarding sinkholes and caves.
- Pages 144-145: relocated several Education Recommendations that were not recommendations to the text of the document (shown in red on pages 144 – 145).
- Page 147: amended Recommendation #3 to read, “Continue to work with the West Virginia Department of Education and the local State delegation to re-evaluate the funding formula related to state based educational aid schools **in order to create a quality Jefferson County public school system.**” Deleted Recommendation 3.a.
- Page 147: amended Recommendation #6 a follows: “Continue and expand before and after care programs at the County’s public schools, **including child care during school hours for school-age parents, by providing adequate space on site.**”
- Pages 147-148: amended Recommendation #10 to include “. . . . **and specialized areas of higher education in a variety of disciplines in order to create a flexible, resilient workforce.**”

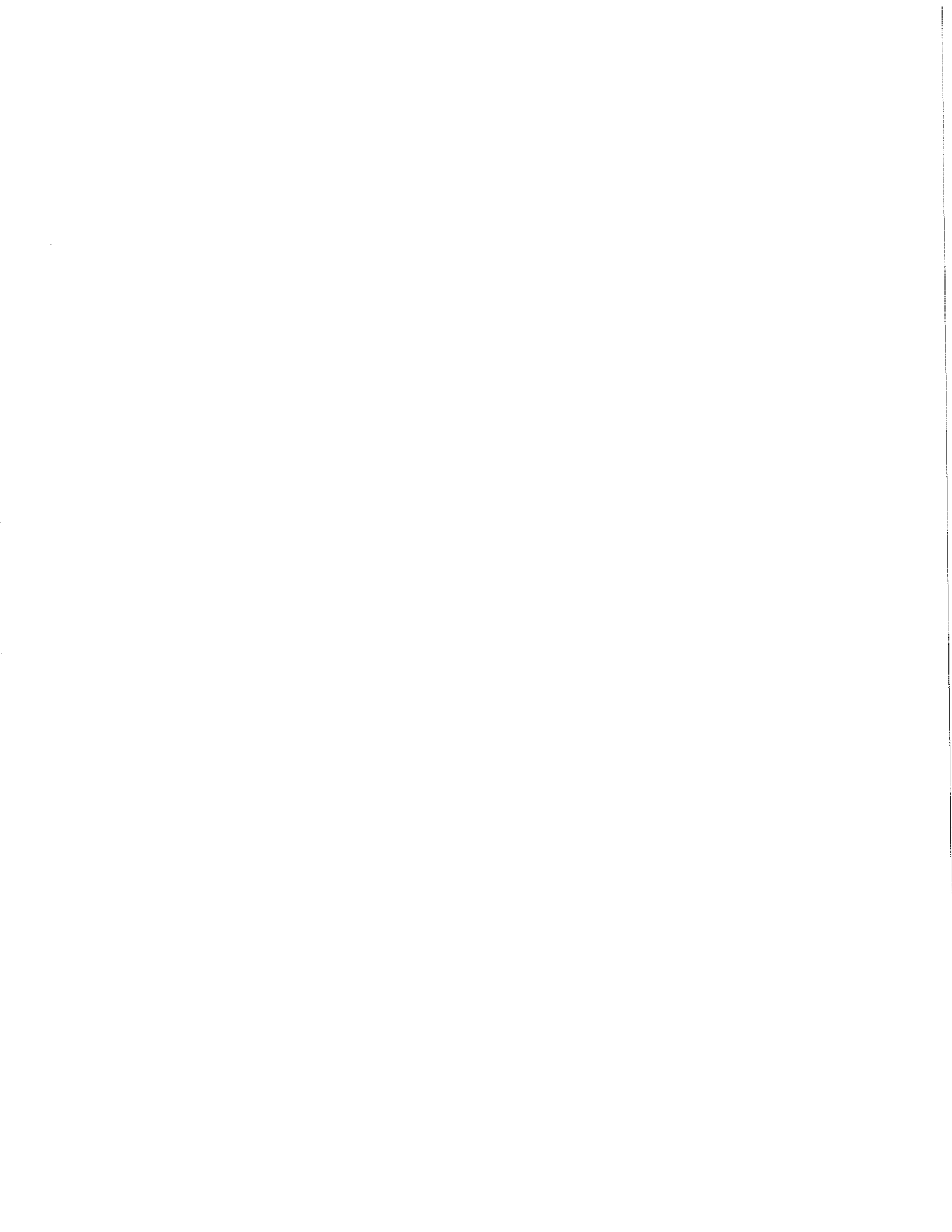
- Page 148: Modified Recommendations #10.a - #10.e to encourage the creation of stronger skilled trades programs in addition to college prep programs; deleted Recommendation #10.d; and modified Recommendation #11 and made it a new Recommendation #10.e.
- Page 148: deleted Recommendation #13 ~~“Work with state officials to identify programs and methods to provide competitive pay for teachers based on cost of living for the community in which they are employed.”~~
- Page 150: deleted Recommendations #1, 1.a., 1.b., 7, and 8 regarding library operations and moved Recommendation #4 to be a part of Recommendation #1 (old #2) as follows:
  - ~~“Continue to identify ways to affordably provide traditional and virtual library services; such as a bookmobile service that can serve village areas, senior centers and underserved areas; and educational entertainment options to residents of Jefferson County.”~~
- Page 151: changed heading of “Finance and Public Safety, ~~and Governance~~ Element” because the Governance Recommendations were deleted from the Plan.
- Page 152: deleted final paragraph about the two-tiered impact fee system (to remain consistent with other edits/deletions to this topic).
- Page 153: **Property Tax** text was modified to eliminate the proposed reduction of property tax for multiple properties and modified to support a reduction in property tax that meet affordable housing standards. Similar amendments occurred on Page 155 regarding Recommendation #14.
- Page 154: Recommendation #5 was modified to read “Evaluate present funding for County facilities and programs, ~~and~~ pursue funding sources that can fund ongoing expenses, ~~and develop capital improvement plans to meet future needs of the County.~~” and Recommendations 5.a - 5.d were deleted.
- Page 154: Recommendations #7 and # 8 regarding fire and ambulance fees were deleted and a new Recommendation #7 was created ~~“Explore all funding options to support and enhance emergency services.”~~
- Page 154: amended Recommendation #8 (old #9): ~~“Explore all funding options for expansion of and improvements to water and sewer projects in Jefferson County. Implement a Capacity Improvement Fee (CIF) for water and sewer projects as provided for in the Local Powers Act.”~~
- Page 154: Recommendation #11 was deleted ~~“Consider the development of transportation designated funding to support future roadway funding.”~~
- Page 155: amended Recommendation 13 to read:
  - ~~“Explore options Coordinate with the Jefferson County Historic Landmarks Commission to develop and implement a tax credit or reduction of property taxes for those improving and investing in designated historic structures while maintaining the historic character of the structures.~~
  - ~~“Pursue state enabling legislation related to historic tax credits.”~~
- Page 157: amended Recommendation #3 ~~“Explore funding resources to provide, by 2035, sufficient funding from all available resources to enable fire and ambulance service to all areas of the County within a reasonable timeframe by 2035.”~~
- Page 157: amended Recommendation #4 “Consider the merger of countywide and municipal police services or training activities under a unified agency to maximize resources.”
- Page 157: deleted Recommendations #5, #9, #10:

- ~~#5: “Consider the creation of paid fire and rescue staff positions in the Charles Town/Ranson area and in Shepherdstown.”~~
- ~~#9: “Encourage cross training of county fire, EMS, and police/sheriff staff in a variety of functions.”~~
- ~~#10: “Regularly update the County’s 911 response center to ensure that it is able to adjust to technological changes and advancements.”~~
- Page 157: amended Recommendations #9 and 9.a to read
  - “Continue to support and implement a local Flood Plain Management Program, adhering to all Federal Emergency Management Agency (FEMA) requirements, to reduce homeowners’ insurance premiums and increase public safety. ~~Provide greater awareness of local Emergency Management and Hazard Mitigation Planning efforts, including notifications and procedures related to hazardous materials incidents.~~
  - a. Support the updating of FEMA floodplain maps to accurately reflect floodplain boundaries through the federal Letter of Map Amendment (LOMA) process. ~~Ensure that local pay is competitive for police, fire, and EMS based on cost of living for the community that they are employed in.”~~
- Pages 158-159: deleted all of Section 5.D Governance.

## Future Land Use Map Edits County Commission Work Sessions:

- Changed title of map to Future Land Use **Guide**
- Expanded Shepherdstown PGA boundary to include two lots that belong to Harry Catrow (~25.83 acres) off of Route 45. Maintain future land use classification as low density residential (yellow).
- Expanded Shepherdstown PGA boundary to include 3.85 acre parcel that belongs to Charles Carter off of Route 45. Change future land use classification to Residential Commercial (magenta).
- Created a new PGA and village expansion boundary to incorporate Shenandoah Junction area from Flowing Springs to railroad tracks (called: Shenandoah Junction PGA / school based growth area). Within the new PGA, changed future land use classification for parcels closest to schools from agricultural to medium density residential (orange).
- Created a new residential PGA boundary to incorporate core residential area bounded by Old Country Club Road, Flowing Springs Road, Job Corps Road, Shepherdstown Pike (WV 230) to the railroad tracks.
- Removed PGA around parcels off of Route 9/Luther Jones/Wiltshire Road area.
- Placed colored asterisks on each of the two Quarry Redevelopment areas with a note referencing back to the text (page 21-22).
- Placed an asterisk identifying the Northport parcel with a note referencing back to the text (page 117). Revised purple asterisk title to reflect “Northport Station at Jefferson Orchard”
- Changed Breckenridge subdivision parcels (south of Job Corps Road and Walker property) to reflect Medium Density Residential (orange).
- Changed Gibson farm & adjoining rural parcels on Route 230 to reflect Future Large Lot Residential (pixelated light green).
- Changed Walker & Shade Tree Lane parcels to reflect medium density (orange).
- Changed Stonecrest parcels shown as Rural off Old Country Club Road to reflect Low Density Residential (yellow).
- Created a Village Expansion Boundary around the 19.63 acre parcel north of the current Manning’s village boundary.
- Changed all parcels within the Mannings Village Expansion boundary to reflect residential/commercial (yellow & red stripe).
- Changed land use classification for Torlone’s to reflect Neighborhood Commercial (pixelated red)
- Changed land use classification for Foodway Supermarket (formerly Weber’s Market) off of Mission Road (~4.09 acres) to reflect Neighborhood Commercial (pixelated red).
- Added a black outline of 2004 growth area, entitled “2004 Growth Area”
- Updated Note #2: “Use of this map is to be in combination with the text and land use **polieies recommendations** of the Envision Jefferson 2035 Comprehensive Plan when considering Zoning Map Amendments and future land use decisions.”

**\*\*\*Please be advised that the notes on the map will be updated to reflect correct page numbers referencing back to the text once the final edits are accepted. Note #2 will also be revised to reflect the CC’s recommended change to read: “Use of this map is to be in combination with the text and land use **polieies-recommendations** of the Envision Jefferson 2035 Comprehensive Plan when considering Zoning Map Amendments and future land use decisions.”**



## Minutes

### Jefferson County Commission

Thursday, January 15, 2015

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A meeting of the Jefferson County Commission was held on Thursday, January 15, 2015 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 Eric Bell, Dale Manuel, Patsy Noland, Walt Pellish, and Jane Tabb. Also present were Debbie Keyser, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jimmy Eddy, Bailiff. (An audio file of the Thursday, January 15, 2015 meeting is available through the Jefferson County Commission Office.)

#### PLEDGE OF ALLEGIANCE

Commissioner Manuel led the Pledge of Allegiance.

#### APPROVAL OF PURCHASE ORDERS

Motion by Mr. Manuel to approve the Purchase Orders for January 15, 2015 to include purchase order numbers 52334, 52335, and 52653 in the amount of \$32,827.13. Motion unanimously approved.

#### PAYROLL APPROVAL

Motion by Ms. Noland to approve the Payroll for December 31, 2014 in the amount of \$242,551.02. Motion seconded and unanimously approved.

#### APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
073658	424	AT&T/IL		\$ -	\$ 0.29	\$ 0.29
073659	712	AT&T/GA		\$ -	\$ 44.69	\$ 44.69
073660	425	BLUE RIDGE GARAGE DOORS		\$ -	\$ 187.50	\$ 187.50
073661	425	B-K OFFICE SUPPLY INC		\$ -	\$ 36.30	\$ 36.30

073662	424	BOLAND SERVICES	52629	\$ 270.00	\$ -	\$ 270.00
073662	425	BOLAND SERVICES	52367	\$ 1,325.00	\$ -	\$ 1,325.00
073662	425	BOLAND SERVICES		\$ -	\$ 6,300.00	\$ 6,300.00
073663	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
073664	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
073665	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
073666	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
073667	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
073668	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
073669	424	CHARLES TOWN UTILITIES		\$ -	\$ 50.89	\$ 50.89
073669	425	CHARLES TOWN UTILITIES		\$ -	\$ 830.69	\$ 830.69
073670	405	MARCIA LYNN CHANDLER		\$ -	\$ 496.65	\$ 496.65
073671	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
073672	425	COVENANT BUILDING MAINT		\$ -	\$ 6,478.58	\$ 6,478.58
073673	425	DAYCON		\$ -	\$ 3,095.84	\$ 3,095.84
073674	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
073675	424	J.C.EHRLICH		\$ -	\$ 30.00	\$ 30.00
073675	425	J.C.EHRLICH		\$ -	\$ 606.42	\$ 606.42
073676	425	FIRE SAFETY EQUIP		\$ -	\$ 1,894.50	\$ 1,894.50
073677	717	FISHER AUTO PARTS		\$ -	\$ 335.41	\$ 335.41
073678	717	GUTTMAN OIL CO		\$ -	\$ 8,160.90	\$ 8,160.90
073679	PAYROLL	VOYA FINANCIAL		\$ -	\$ 2,590.00	\$ 2,590.00
073680	425	JEFF CO PUBLIC SER DEPT		\$ -	\$ 191.34	\$ 191.34
073681	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 128.50	\$ 128.50
073681	402	JEFFERSON PUBLISH CO INC		\$ -	\$ 218.36	\$ 218.36
073682	405	THE JOURNAL		\$ -	\$ 528.60	\$ 528.60
073683	425	JEFFERSON UTILITIES INC		\$ -	\$ 559.76	\$ 559.76
073684	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,870.00	\$ 5,870.00
073685	424	KONE INC.		\$ -	\$ 370.50	\$ 370.50
073685	425	KONE INC.		\$ -	\$ 1,111.50	\$ 1,111.50
073686	405	MATTHEW BENDER & CO		\$ -	\$ 274.31	\$ 274.31
073687	404	MONROE SYS FOR BUSINESS		\$ -	\$ 355.40	\$ 355.40
073687	406	MONROE SYS FOR BUSINESS		\$ -	\$ 296.20	\$ 296.20
073688	712	MORGAN AWARDS LLC		\$ -	\$ 19.50	\$ 19.50
073689	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
073690	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
073691	402	PIFER OFFICE SUPPLY, INC		\$ -	\$ 59.40	\$ 59.40
073692	403	POSTMASTER CHARLES TOWN		\$ -	\$ 92.00	\$ 92.00
073693	424	POTOMAC EDISON/OH		\$ -	\$ 1,564.56	\$ 1,564.56
073693	425	POTOMAC EDISON/OH		\$ -	\$ 16,330.93	\$ 16,330.93

073693	425	POTOMAC EDISON/OH		\$ -	\$ 3,429.37	\$ 3,429.37
073694	717	PARSONS OPEQUON MOTORS		\$ -	\$ 544.97	\$ 544.97
073695	424	ROACH OIL COMPANY		\$ -	\$ 1,709.57	\$ 1,709.57
073695	425	ROACH OIL COMPANY		\$ -	\$ 1,108.02	\$ 1,108.02
073696	405	TRACY P. RICE, RPR		\$ -	\$ 218.25	\$ 218.25
073697	403	RECORD MANAGEMENT SOLUTN	51476	\$ 60.00	\$ -	\$ 60.00
073698	405	SPECIALTY BUS SUPPLIES	52683	\$ 1,574.14	\$ -	\$ 1,574.14
073699	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 43,914.08	\$ 43,914.08
073699	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,270.18	\$ 10,270.18
073699	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 42,065.55	\$ 42,065.55
073700	425	SHERWIN-WILLIAMS		\$ -	\$ 53.70	\$ 53.70
073701	425	SPECTRUM FIRE PROTECTION		\$ -	\$ 200.00	\$ 200.00
073702	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 12,367.65	\$ 12,367.65
073702	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 7,520.52	\$ 7,520.52
073703	425	CAPITAL TRISTATE		\$ -	\$ 101.04	\$ 101.04
073704	717	TRI STATE TIRES		\$ -	\$ 30.00	\$ 30.00
073705	424	US POSTAL SERVICE		\$ -	\$ 20,000.00	\$ 20,000.00
073707	401	UNITED BANKCARD CENTER		\$ -	\$ 349.52	\$ 349.52
073707	401	UNITED BANKCARD CENTER		\$ -	\$ 90.12	\$ 90.12
073707	402	UNITED BANKCARD CENTER		\$ -	\$ 34.95	\$ 34.95
073707	403	UNITED BANKCARD CENTER		\$ -	\$ 54.77	\$ 54.77
073707	403	UNITED BANKCARD CENTER		\$ -	\$ 197.76	\$ 197.76
073707	403	UNITED BANKCARD CENTER		\$ -	\$ 257.63	\$ 257.63
073707	405	UNITED BANKCARD CENTER		\$ -	\$ 9.99	\$ 9.99
073707	405	UNITED BANKCARD CENTER		\$ -	\$ 152.57	\$ 152.57
073707	405	UNITED BANKCARD CENTER		\$ -	\$ 27.99	\$ 27.99
073707	405	UNITED BANKCARD CENTER		\$ -	\$ 1,700.84	\$ 1,700.84
073707	405	UNITED BANKCARD CENTER		\$ -	\$ 139.00	\$ 139.00
073707	415	UNITED BANKCARD CENTER		\$ -	\$ 83.82	\$ 83.82
073707	424	UNITED BANKCARD CENTER		\$ -	\$ 108.42	\$ 108.42
073707	424	UNITED BANKCARD CENTER		\$ -	\$ 174.20	\$ 174.20
073707	424	UNITED BANKCARD CENTER		\$ -	\$ 11,436.52	\$ 11,436.52
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 56.92	\$ 56.92
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 10.75	\$ 10.75
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 13.58	\$ 13.58
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 224.56	\$ 224.56
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 20.47	\$ 20.47
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 349.51	\$ 349.51
073707	428	UNITED BANKCARD CENTER		\$ -	\$ 3,700.00	\$ 3,700.00
073707	428	UNITED BANKCARD CENTER		\$ -	\$ 109.54	\$ 109.54

073707	428	UNITED BANKCARD CENTER		\$ -	\$ 955.42	\$ 955.42
073707	433	UNITED BANKCARD CENTER		\$ -	\$ 54.77	\$ 54.77
073707	439	UNITED BANKCARD CENTER		\$ -	\$ 54.77	\$ 54.77
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 93.20	\$ 93.20
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 34.27	\$ 34.27
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 10.00	\$ 10.00
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 59.02	\$ 59.02
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 53.50	\$ 53.50
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 38.14	\$ 38.14
073707	GRANT	UNITED BANKCARD CENTER		\$ -	\$ 628.37	\$ 628.37
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 899.00	\$ 899.00
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 1,220.28	\$ 1,220.28
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 119.00	\$ 119.00
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 455.00	\$ 455.00
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 46.88	\$ 46.88
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 21.18	\$ 21.18
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 440.26	\$ 440.26
073707	711	UNITED BANKCARD CENTER		\$ -	\$ 83.00	\$ 83.00
073707	711	UNITED BANKCARD CENTER		\$ -	\$ 1,148.23	\$ 1,148.23
073707	711	UNITED BANKCARD CENTER		\$ -	\$ 186.70	\$ 186.70
073707	712	UNITED BANKCARD CENTER		\$ -	\$ 137.00	\$ 137.00
073707	712	UNITED BANKCARD CENTER		\$ -	\$ 39.99	\$ 39.99
073707	712	UNITED BANKCARD CENTER		\$ -	\$ 6,731.38	\$ 6,731.38
073707	716	UNITED BANKCARD CENTER		\$ -	\$ 158.99	\$ 158.99
073707	717	UNITED BANKCARD CENTER		\$ -	\$ 28.36	\$ 28.36
073707	717	UNITED BANKCARD CENTER		\$ -	\$ 675.00	\$ 675.00
073707	900	UNITED BANKCARD CENTER		\$ -	\$ 123.55	\$ 123.55
073708	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 655.77	\$ 655.77
073709	712	WV ENHANCED 911 COUNCIL		\$ -	\$ 50.00	\$ 50.00
073710	401	WV BUREAU OF EMPLOYMENT		\$ -	\$ 2,295.44	\$ 2,295.44
073711	439	XEROX CORPORATION	52329	\$ 569.86	\$ -	\$ 569.86
<b>TOTAL</b>						<b>\$ 246,076.85</b>
<b>TOTAL</b>				<b>\$ 3,799.00</b>	<b>\$ 242,277.85</b>	<b>\$ 246,076.85</b>

**Motion by Ms. Noland to approve the Accounts Payable for January 15, 2015 in the amount of \$246,076.85. Motion seconded and unanimously approved.**

## **PUBLIC COMMENT:**

David Tabb, resident – expressed his concerns over the Commission’s use of Robert’s Rules of Order for small boards and questioned their procedure for appointing a president and vice president during the January 8, 2015 Regular Meeting.

## **PRESENTATIONS**

1. Lynn Fields, Deputy Probate Clerk – requested the approval or closure of Estates for the quarter.

- **Motion by Ms. Noland to convene as a Fiduciary Review Board to discuss probate matters. Motion unanimously approved.**
- **Motion by Ms. Noland to approve the newly opened estates and the closure of estates as presented by Ms. Fields. Motion unanimously approved.**
- **Motion by Ms. Noland to close the session as a Fiduciary Review Board. Motion unanimously approved.**

2. Daniel Lutz, Citizen – requested a discussion with the Commission regarding the substandard Internet service and telecommunication services provided to Jefferson County subscribers.

- **Motion by Mr. Manuel to request the Jefferson County Prosecuting Attorney look into joining the class action lawsuit against Frontier Communications and research options to ensure better service from all internet service providers in the County. Motion unanimously approved.**

3. Interviews and appointment to the Jefferson County Parks and Recreation Commission for one unexpired term ending June 30, 2015.

- Mr. Manuel offered his nomination for Mr. Jim Lee, and Mr. Lee received four votes (Commissioners Manuel, Tabb, Noland, and Pellish).
- Mr. Bell offered his nomination to Mr. their nomination for Mr. William Manning and received one vote (Commissioner Bell).

After receiving the majority vote, Mr. Jim Lee was appointed to the Jefferson County Parks and Recreation Commission for one unexpired term ending June 30, 2015.

4. Tom Reilly, IT Consultant – provided the Commission with an IT update.

5. The Commission recessed for break at 10:45 am.  
The Commission reconvened at 11:00 am.
6. Public Hearing and approval of the Resolution for Jefferson County's participation in the Eastern Panhandle HOME Consortium of West Virginia.
  - **Motion by Mr. Manuel to open the Public Hearing regarding Jefferson County's participation in the Eastern Panhandle HOME Consortium of West Virginia. Motion unanimously approved.**

The following people made public comment:

Nancy Strine, Community Development Administrator for the City of Martinsburg - Ms. Strine provided the Commission and the audience with an explanation of the services provided by the Eastern Panhandle HOME Consortium of West Virginia and a description of the use of funds provided to the Consortium.

Marie Galazzi, resident and council member for the HOME Consortium Council – Ms. Galazzi also spoke about the benefits of the Council and the Partnership for Affordable Housing in Jefferson County.

- **Motion by Mr. Manuel to close the public hearing. Motion unanimously approved.**
  - **Motion by Ms. Noland to approve the Resolution for Jefferson County's participation in the Eastern Panhandle HOME Consortium of West Virginia. Motion unanimously approved.**
7. Todd Fagan, Director of GIS/Addressing – requested a reclassification of a position within his office.
    - **Motion by Mr. Manuel to approve the new position description of GIS Analyst as presented and reclassify Jessica Gormont from GIS Technician, Grade III-Step H, to GIS Analyst, Grade IV – Step C at her current salary. Motion unanimously approved.**
  8. Peter Chakmakian, Attorney for Arcadia Communities, Inc. – requested a time extension on the Tolling of Bond agreement for Harvest Hills Subdivision (JCPC File No. 01-42) – this item was postponed until a future meeting to allow time for representatives from Arcadia Communities, Inc. to gather information as requested by the Commission.
  9. Roger Goodwin, Chief County Engineer and Jennie Brockman, Director of Planning and Zoning – provided the Commission with Permit Fee Schedule presentation.

- **Motion by Mr. Manuel to approve the permit fee schedules for the offices of Planning and Zoning and Engineering as presented. Motion withdrawn.**
- **Motion by Mr. Manuel to postpone action on this item and readdress the topic during the February 5, 2015 regular meeting. Motion unanimously approved.**

10. The Commission recessed for lunch at 12:27 pm.  
The Commission reconvened at 1:30 pm.

11. Discussion of appointment of Interim County Administrator

- **Motion by Ms. Tabb to go into Executive Session citing §6-9A-4 to discuss matters of personnel. Motion fails on a vote of 2-3 with Mr. Bell, Mr. Manuel, and Mr. Pellish.**
- **Motion by Ms. Noland to appoint Ms. Leslie Smith as Interim County Administrator. Motion fails on a vote of 2-3 with Mr. Bell, Mr. Manuel, and Mr. Pellish opposing.**
- **Motion by Mr. Pellish to appoint Mr. Tim Stanton as Interim County Administrator. Motion withdrawn.**
- **Motion by Mr. Manuel to appoint Ms. Sandy McDonald as Interim County Administrator. Motion withdrawn.**
- **Motion by Ms. Noland to enter into Executive Session citing §6-9A-4 to discuss matters of personnel. Motion passes on a vote of 4-1 with Mr. Manuel opposing.**
  - It was the consensus of the Commission to come out of Executive Session and continue the discussion during the afternoon session.
- **Motion by Mr. Bell to enter into Executive Session citing §6-9A-4 to discuss matters of personnel. Motion unanimously approved.**
- **Motion by Ms. Tabb to come out of Executive Session. Motion unanimously approved.**
- **Motion by Mr. Bell to appoint Ms. Stephanie Grove as Interim County Administrator at the current County Administrator salary. Motion unanimously approved.**

12. Tethering of Dogs – Ms. Tabb requested legal counsel research this topic further to see if it is discussed within the state code and whether the Commission has any authority on this matter.
13. Review Resolution of Support provided to the County Commission by Randy Funkhouser of the HBPA during the January 8, 2015 Horse Racing Summit – it was the consensus of the Commission to send a letter of thanks to those who participated in the Horse Racing Summit. The Commission also agreed to postpone any premature action on the Resolution until a bill came through the legislature.
14. Comprehensive Plan Review Update – no updates were necessary and no action was taken.
15. Legislative Updates – Ms. Noland and Mr. Manuel provided the audience and the Commission with a legislative update, stating it would be a very ambitious session with 224 Senate Bills and 56 House Bills on topics such as judicial reform, FOIA costs, library funding, workforce development, and legislation to allow emergency medical technicians to administer potentially life-saving medication in the event of a drug overdose.

### **COUNTY ADMINISTRATOR REPORTS**

County Administrator Updates – Ms. Keyser provided the Commission with an update on tasks which were to be transferred to County staff members in the wake of her resignation. She stated Sally Gran from the Finance Department would take over the Wellness meetings, Sandy McDonald, Deputy County Administrator and Russ Burgess, IT staff member, would complete the work on the County's new website, Tim Stanton, Finance Director and Bill Polk, Director of Maintenance would head the Space Needs Committee, and the Interim County Administrator or Tim Stanton would take care of Elected Officials meetings as needed.

### **FINANCIAL DIRECTOR REPORTS**

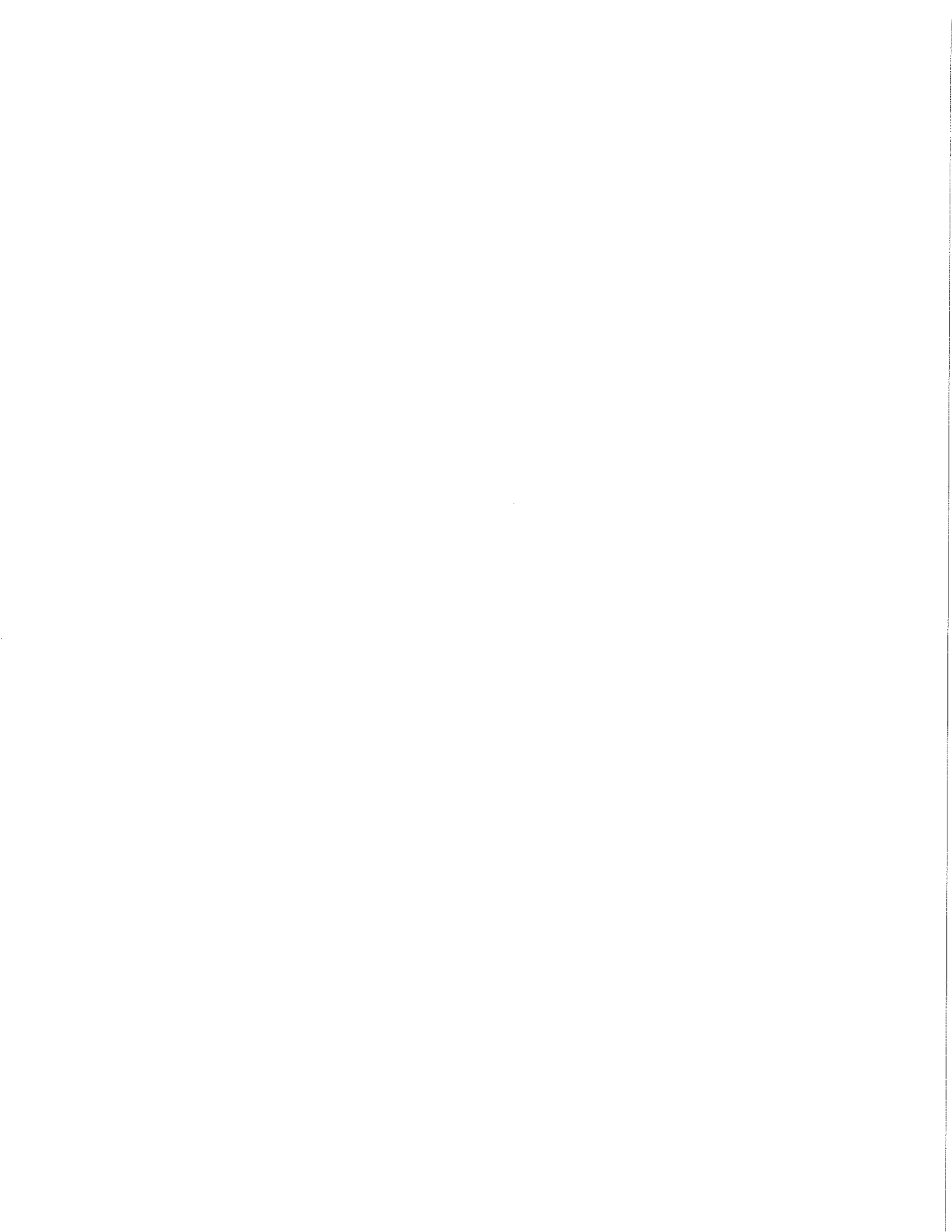
- Set dates and times for FY16 Budget Review – it was the consensus of the Commission to meet during the following dates and times for departmental budget presentations:
  - Wednesday, February 11, 2015 from 9:30 a.m. – 4:00 p.m.
  - Thursday, February 12, 2015 from 9:30 a.m. – 12:00 p.m.
  - Friday, February 13, 2015 from 1:30 p.m. – 4:00 p.m. (tentative)
  - Tuesday, February 17 from 9:30 a.m. – 12:00 p.m. or as needed.
- Potential Hiring Freeze – Commissioner Pellish stated he would draft a proposal for a County-wide hiring freeze for FY16 to discuss at the January 29, 2015 regular meeting.

16. Recognition Awards – recognition awards were given to County employees who played key roles in the implementation of projects such as Computer Aided Dispatch (CAD) at the Emergency Communications Center and collection of the Ambulance Fee at the County Commission office.
17. Service Awards – service awards were given to employees for their years of service with the County.
18. The Commission recessed at 3:15 p.m. on a motion by Ms. Noland. Motion was seconded and unanimously approved.

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JANE TABB, 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 January 22, 2015 at 9:30 am (An audio file of the January 22, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President  
Patsy Noland, Vice President  
Eric Bell, Commissioner  
Dale Manuel, Commissioner  
Walt Pellish, Commissioner  
Stephanie Grove, Interim County Administrator  
Jessica Carroll, Administrative Assistant

RE: **Review of Applications for the position of County Administrator**

Commissioner Tabb called the meeting to order at 9:32 am and Commissioner Noland led the Pledge of Allegiance. Ms. Tabb stated the purpose of the Special Session was to review the applications and resumes received for the County Administrator position.

- **Motion by Mr. Pellish to enter into Executive Session citing §6-9A-4 to discuss matters of personnel. Motion unanimously approved.**
- **Motion by Ms. Tabb to come out of Executive Session. Motion unanimously approved.**

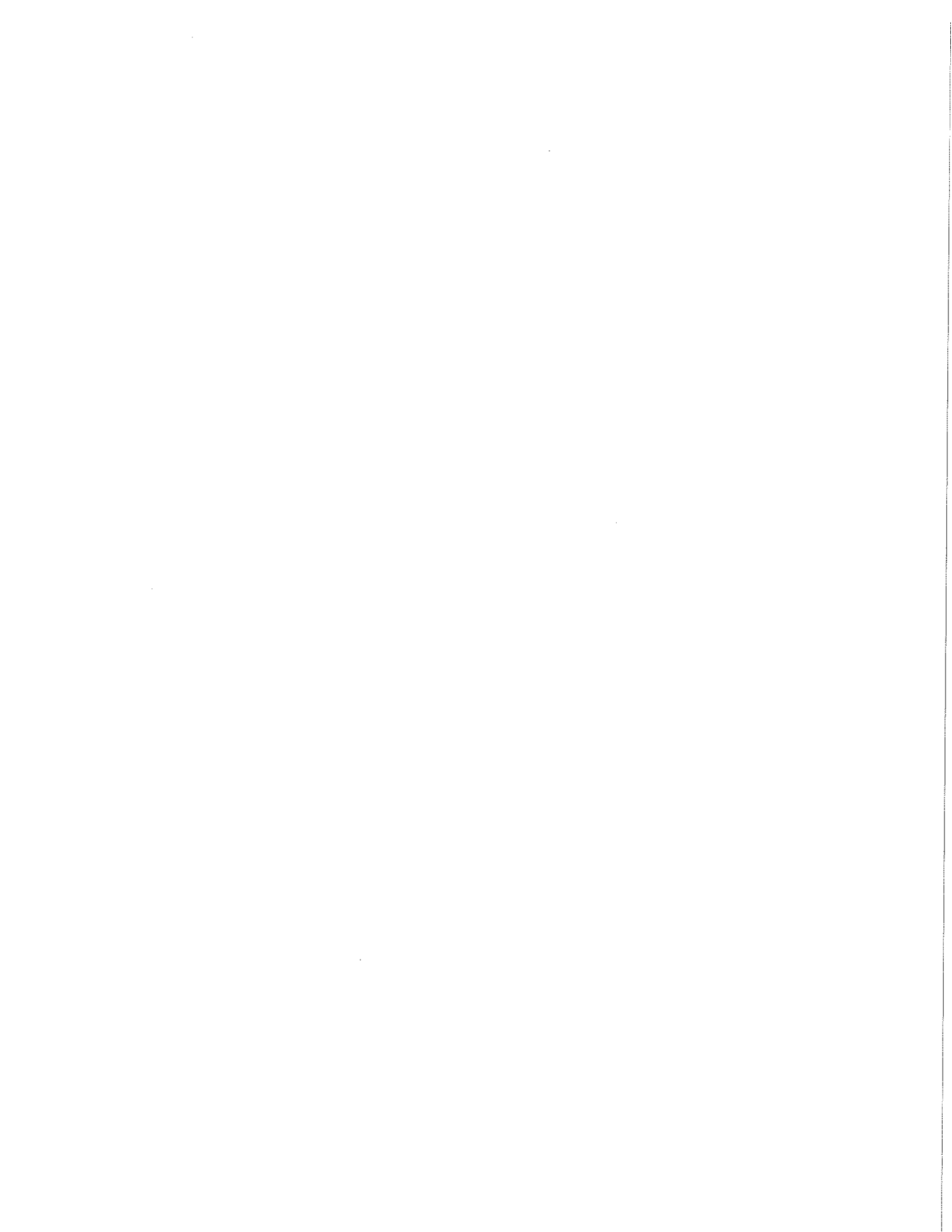
It was the consensus of the Commission to schedule interviews with the selected applicants and to continue to receive applications and resumes from those interested in the position.

The special session adjourned at 10:12 a.m. on a motion by Ms. Noland. Motion was unanimously approved.

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JANE TABB, PRESIDENT

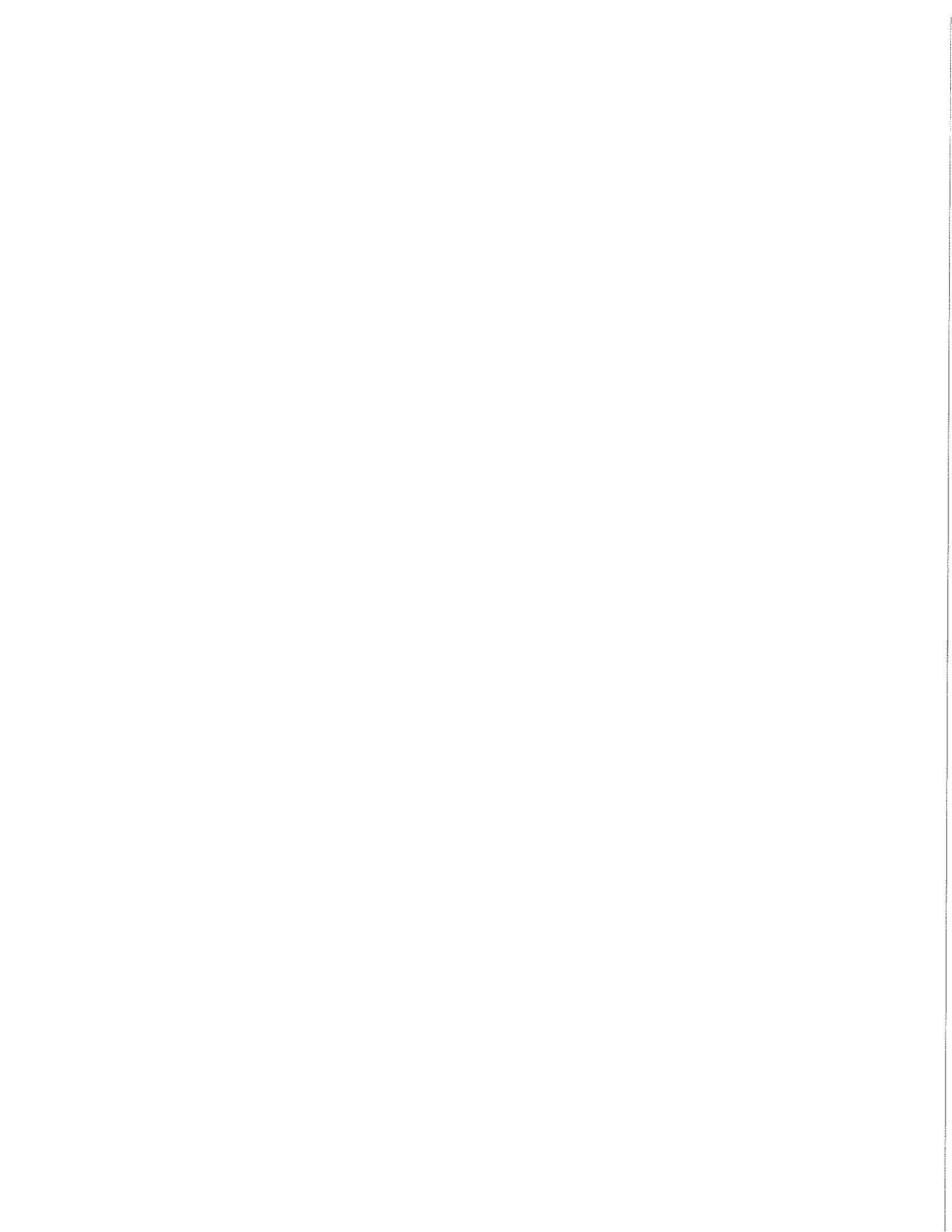
Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant



Payroll Approval

Checks Dated: 1 - 15 - 15

DESCRIPTION	Fund 001 CO.	Fund 003 Dog	Total
Gross Wages	\$ 367,089.07		\$ 367,089.07
6.2% Tax Payable OASDI	\$ 21,957.04		\$ 21,957.04
1.45% Tax Payable HI	\$ 5,135.09		\$ 5,135.09
Fed Withholding	\$ 42,065.55		\$ 42,065.55
WV State Withholding	\$ 15,799.53	\$ -	\$ 15,799.53
PERS Retirement Deduct	\$ 12,652.64		\$ 12,652.64
Hosp. Pre-Tax	\$ 10,316.50		\$ 10,316.50
Cancer/ICU Pre-Taxed	\$ 1,272.09		\$ 1,272.09
Cancer/ICU Not Pre-Taxed	\$ 904.31		\$ 904.31
Optional Life Not Pre-Taxed	\$ 514.25		\$ 514.25
Christmas Club	\$ 5,870.00		\$ 5,870.00
Wage Attach #1	\$ 1,339.39		\$ 1,339.39
Wage Attach #2	\$ 83.25		\$ 83.25
Wage Attach #3	\$ 212.31		\$ 212.31
Wage Attach #4	\$ 154.83		\$ 154.83
DSRS Retirement Deduct 8.5%	\$ 5,241.15		\$ 5,241.15
457 - Nationwide	\$ 749.00		\$ 749.00
457I - ING	\$ 2,590.00		\$ 2,590.00
MD State Tax	\$ 351.55		\$ 351.55
D/VF	\$ 1,354.76		\$ 1,354.76
VA. State Tax	\$ 6.59		\$ 6.59
COLONIAL(PLUS)	\$ 258.09		\$ 258.09
<b>Total Deductions</b>	<b>\$ 128,827.92</b>	<b>\$ -</b>	<b>\$ 128,827.92</b>
<b>Net Wages Total</b>	<b>\$ 238,261.15</b>	<b>\$ -</b>	<b>\$ 238,261.15</b>
Pay Dates	15-Jan-2015		



**AGENDA REQUEST FORM**  
**www.jeffersoncountywv.org**



Name: Pete Dougherty

Department or Organization: JCSO

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

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

*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*): Grant Application

Please provide the County Commission with a description of your request or presentation, including any background information: **Sheriff requests the Commission's approval to apply for a \$40,500 reimbursable grant from West Virginia Homeland Security Grant Program. This is a reimbursable grant that will allow the JC Sheriff's Office to acquire 18 Motorola APX1000 UHF Portable Radios along with some chargers and extra batteries. The radios will be used by the Deputy Sheriff Reserves. These radio will assist the Sheriff's Office particularly in times of major events thereby enhancing our ability to communicate with members of the Reserves. A residual benefit of this grant is that some of the radios currently used by the Reserves will be available to the Sheriff's Deputies thereby reducing the need for future radio purchases.**

**Please note: This is a reimbursable grant meaning the funds to make the initial purchase will have to be paid by the County. Once the purchase is made and the invoice is paid the funds will be reimbursed to the County by the State.**

[Click here to enter text.](#)

Is this a funding request?  Y/N with funds reimbursed  
If so, how much? \$40,500

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I move to approve the Sheriff's request to apply for a reimbursable grant to fund radios for the Jefferson County Deputy Sheriff Reserves.

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: pdougherty@jcsdvw.com Phone Number: 3047283205

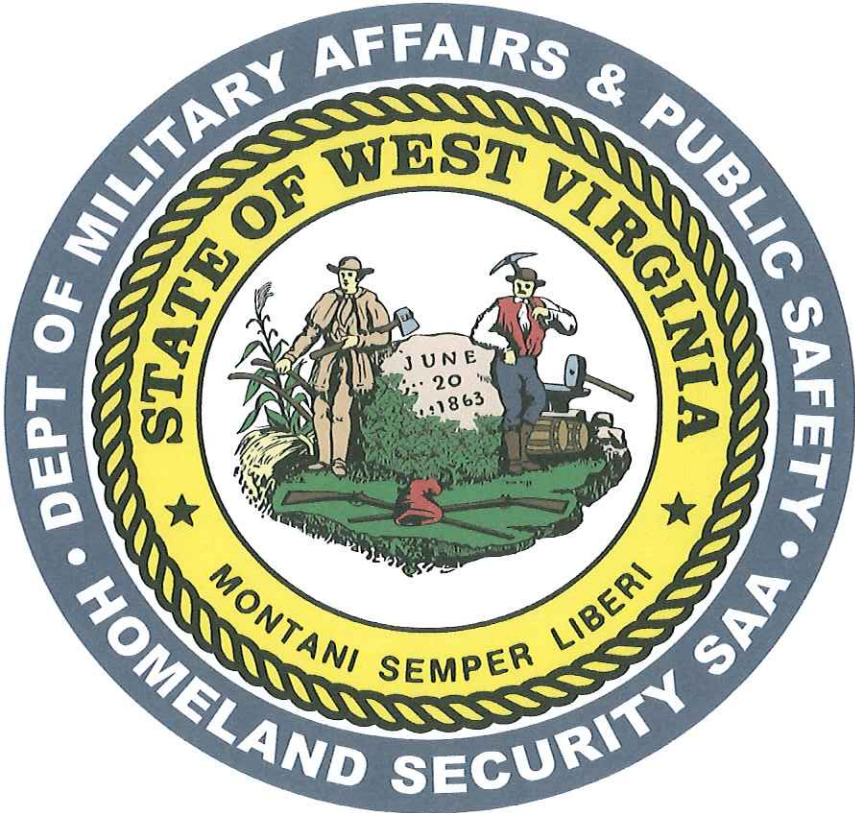
**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS**

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# WEST VIRGINIA

## HOMELAND SECURITY GRANT PROGRAM

2013 Sub-grant Application



**WEST VIRGINIA**  
**Homeland Security State Administrative Agency**  
**(SAA)**

**HOMELAND SECURITY GRANT**  
**PROGRAM**

**REQUEST FOR PROPOSALS**

Should you have any grant related questions please contact:

Michael W. Cutlip, Homeland Security Grant Manager (304) 558-2930 [michael.w.cutlip@wv.gov](mailto:michael.w.cutlip@wv.gov)

Edward Holsclaw, II, Homeland Security Grant Specialist (304) 558-2930 [edward.a.holsclaw@wv.gov](mailto:edward.a.holsclaw@wv.gov)

Should you have any programmatic related questions please contact:

David Hoge, SAA Director (304) 558-2930 [david.k.hoge@wv.gov](mailto:david.k.hoge@wv.gov)

**WEST VIRGINIA**  
Homeland Security State Administrative Agency  
(SAA)  
**HOMELAND SECURITY GRANT  
PROGRAM**

**GRANT APPLICATION  
SUBMISSION CHECKLIST**

Prior to submitting the application, use this checklist to ensure that the following tasks have been completed.

- The application has been completely filled out.  
*SAA reserves the right to not consider an application for funding if any part is incomplete.*
- Format of the project description (page 7) must follow the same outline shown on page 6 of the application and is as detailed as possible.
- Math has been double-checked, is accurate and rounded to the nearest whole dollar amount.
- Authorized Official has signed page 1 of the grant application. That page, with the ORIGINAL SIGNATURE, must be returned with the COMPLETE application, UNSTAPLED/UNBOUND, to this office. ONE ORIGINAL ONLY – NO COPIES
- Applicant has been listed as the State Agency, County Commission, or Municipality.
- An Eligibility Certification has been completed, signed and returned for the applicant and all recipient agencies.
- Certifications regarding lobbying; debarment, suspension and other responsibility matters; and drug-free workplace requirements have been completed by the applicant and signed and ORIGINAL returned.
- Appropriate goals and objectives from the State Homeland Security Strategy have been identified and included in the application.

<p><b>WEST VIRGINIA</b>  Homeland Security State Administrative Agency  (SAA)  <b>HOMELAND SECURITY GRANT  PROGRAM</b></p>	<p><b>GRANT APPLICATION  INSTRUCTIONS</b></p>
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**COMPLETED APPLICATION MUST INCLUDE:**

- Applicant:** Name, address, phone and fax number of the agency applying for funds.
- Project Director:** Name, address, phone, fax and email of the individual charged with the implementation and day-to-day operations of the project. **This person cannot also be listed as the Fiscal Officer.**
- Fiscal Officer:** Name, address, phone, fax and email of the person responsible for the fiscal records/reports of the project. **This person cannot also be listed as the Authorized Official or the Project Director.**
- Funds Requested:** Funds requested from the Homeland Security State Administrative Agency (SAA) by the applicant agency.
- Project Matching Funds:** Funds committed by the applicant agency, if any. If not, enter zero (0).
- Project Period:** Time needed to implement and complete the project.
- Certification:** Authorized Official: Typed or printed name, title and **original** signature of the State Agency Head, County Commission President, Mayor/City Manager or agency head. This is the individual who would be authorized to enter into a contractual agreement with the SAA.

The Authorized Official must sign where indicated on **page 1** of the grant application before submission.

**RETURN ONE COMPLETED ORIGINAL APPLICATION TO:**

**WV Dept. of Military Affairs & Public Safety  
1900 Kanawha Blvd. East, Capitol Complex  
Building 1, Room W-400  
Charleston, WV 25305**

**WEST VIRGINIA**  
Homeland Security State Administrative Agency  
(SAA)  
HOMELAND SECURITY GRANT  
PROGRAM

**GRANT APPLICATION**  
PAGE 1

1. **Applicant:** Jefferson County Commission  
**Address:** PO Box 250  
Charles Town, WV 25414  
**Phone/Fax:** 304-728-3284 / 304-728-3299

5. **Grant Funds Requested:** \$ 40,500  
**Project Matching**  
**Funds (if any):** \$ \_\_\_\_\_

2. **Project Director:** Sgt Robert S. Sell  
Lt. Thomas H. Hansen  
**Address:** 102 Industrial Blvd  
Kearneysville, WV 25430  
**Phone/Fax:** 304-728-3205 / 304-728-3299  
**Email:** thansen@jeffersoncountywv.org

6. **Type of Agency:**  
 State  County  Municipality  
 \_\_\_\_\_

3. **Fiscal Officer:** Vivian Fields  
**Address:** PO Box 250  
Charles town, WV 25414  
**Phone/Fax:** \_\_\_\_\_  
**Email:** vfields@jeffersoncountywv.org

7. **Project Period:**  
**# of Months Needed To Complete Project** 5

4. **SAA Use Only**

8. **SAA Use Only**

Major Program: HSGPLE  
Program: LE\_LIRP  
Program Period: LE 2013

9. **Project Title and Brief Description:** The purchase and implementation of portable radios for the Jefferson County Deputy Sheriff Reserve (JCDSR). The JCDSR is a wholly volunteer organization whose members patrol Jefferson County to assist the Jefferson County Sheriff's Office. The purchased radios will allow more of the JCDSR to go on duty at any given time. With the current number of radios assigned to the JCDSR it is limiting as to how many JCDSR Reserve Deputies can be put into the field.

**10. Certification:**

To the best of my knowledge, the information contained in this application is true and correct. The submission thereof has been duly authorized by any governing body, and the applicant will comply with all of the attached Special Conditions and Assurances if the sub-grant is awarded.

**Authorized Official:** Jane Tabb  
TYPED OR PRINTED NAME OF  
AGENCY HEAD

**Title:** President

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

<b>WEST VIRGINIA</b> <b>Homeland Security State Administrative Agency</b> <b>(SAA)</b>  <b>HOMELAND SECURITY GRANT</b> <b>PROGRAM</b>	<b>BUDGET INSTRUCTIONS</b>  <b>PAGE 2</b>
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Homeland Security Program (HSP) allowable costs are divided into the categories of (1) Planning; (2) Equipment; (3) Training; (4) Exercises. Below is basic information. **For specific information, please see the Federal guidelines.**

**Planning**

Planning activities are central to homeland security initiatives and can be used to prioritize needs, build capabilities, update preparedness strategies, allocate resources, and deliver preparedness programs across disciplines. This may include activities such as conducting planning sessions, supporting assessment activities, and hiring contractors to write/revise emergency operations plans.

**Equipment**

Funds may be used for equipment acquisitions. Approved equipment must be on the Authorized Equipment Listing (AEL) <https://www.llis.dhs.gov/knowledgebase/authorizedequipmentlist>. Only equipment on the AEL will be considered for funding. Communications equipment is required to be compatible with the SAFECOM P25 trunked radio hierarchy and the WV Statewide Interoperable Radio Network. Per Executive Order 5-14 all communications equipment requests must be reviewed and approved by the Statewide Interoperability Coordinator (SWIC).

**Training**

Allowable training-related costs include the establishment, support, conduct, and attendance of training. Allowable training topics include, but are not limited to: CBRNE and terrorism, catastrophic events, health preparedness, cyber security, agriculture/food safety, intelligence gathering and analysis, citizen and community preparedness, volunteer management, and other training needs identified in the State Homeland Security Strategy. Training should address a capability gap identified through the Threat and Hazard Identification and Risk Assessment (THIRA), an After Action Report/Improvement Plan, or contribute to building a capability that will be evaluated through an exercise. Training conducted should support the development and testing of the jurisdiction's emergency operations plan or specific annexes.

**Exercises**

Exercises conducted must be managed and executed in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP). Information and a toolkit can be found at <https://www.llis.dhs.gov/HSEEP>. All exercises must be NIMS compliant and should support the development, conduct, and evaluation of the jurisdiction's emergency operations plan or specific annexes, standard operating guidelines, and/or internal procedures and checklists. Exercises may involve the practice of equipment usage to develop proficiencies. Agencies conducting exercises must submit AARs/IPs to the State Administrative Agency upon completion of the assessment.

**Budget Instructions**  
**Page 2 (Continued)**

**Match**

Match is not required, but sub-grantees are encouraged to leverage any available state and/or local funds (matching) with awarded SAA funds, provided however, that those matching funds adhere to all federal and state matching requirements.

**Federal Employer Identification Number (F.E.I.N.).**

Utilize the F.E.I.N. of the agency. This number must be entered into the appropriate space. The number should be obtainable from the state or local agency's administrative office.

**FUNDING STRATEGY:**

Enter the amount received or anticipated for each source.



<b>WEST VIRGINIA</b> Homeland Security State Administrative Agency (SAA) <b>HOMELAND SECURITY GRANT          PROGRAM</b>	<b>ITEMIZATION OF FUNDS BY CATEGORY</b>  <b>PAGE 3-2</b> <b>(EQUIPMENT ONLY)</b>
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Budget Category	Matching Funds	Federal HSP Funds	Approved (SAA Use Only)
<p><b>Equipment: (Itemized List)</b>            Please see Authorized Equipment List (AEL)  <a href="http://www.llis.dhs.gov/knowledgebase/authorizedequipmentlist">www.llis.dhs.gov/knowledgebase/authorizedequipmentlist</a></p> <p>Communications equipment is required to be compatible with the SAFECOM P25 trunked radio hierarchy and the WV Statewide Interoperable Radio Network (<a href="http://www.sirn.wv.gov/Pages/default.aspx">http://www.sirn.wv.gov/Pages/default.aspx</a>). Per Executive Order 5-14 all communications equipment requests must be reviewed and approved by the Statewide Interoperability Coordinator.</p> <p><u>Requirement: Must list the AEL # beside each piece of equipment.</u></p>			
<b>Motorola APX1000 UHF Portable Radio with Display</b> <b>Model#: H84QDF9PW6AN</b>			
<b>AEL #: 06CP-01-PORT</b>			
<b>Price Per Unit: \$2,026.34</b>	<b>Quantity: 18</b>	<b>36,474.00</b>	
<b>Motorola SW Key Supplemental Data</b> <b>Model #: QA01749AB</b>			
<b>AEL #: 06CP-03-PRAC</b>			
<b>Price Per Unit: \$0.00</b>	<b>Quantity: 18</b>	<b>0.00</b>	
<b>Add: 9600 Trunking or 3600 Digital Trunking</b> <b>Model #: QA02756AA</b>			
<b>AEL #: 06CP-03-PRAC</b>			
<b>Price Per Unit: \$0.00</b>	<b>Quantity: 18</b>	<b>0.00</b>	
<b>2 Year Extended Warranty</b> <b>Model #: H8858K</b>			
<b>AEL #: 06CP-03-PRAC</b>			
<b>Price Per Unit: \$0.00</b>	<b>Quantity: 18</b>	<b>0.00</b>	
<b>Total This Page</b>		<b>36,474.00</b>	

\* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.\*

**WEST VIRGINIA**  
**Homeland Security State Administrative Agency**  
**(SAA)**  
**HOMELAND SECURITY GRANT**  
**PROGRAM**

**ITEMIZATION OF FUNDS BY CATEGORY**  
**PAGE 3-3**  
**(TRAINING ONLY)**

Budget Category	Matching Funds	Federal HSP Funds	Approved (SAA Use Only)
<b>Equipment: (Itemized List) (Continued)</b>			
110 VAC 50/60 HZ US IMPRES SUC Model #: WPLN4232A			
AEL #: 06CP-03-PRAC			
Price Per Unit: \$16.00	Quantity: 18	288.00	
IMPRES Remote Speaker Mic, IP57 Model #: PMMN4065A			
AEL #: 06CP-03-PRAC			
Price Per Unit: \$24.00	Quantity: 18	432.00	
IMPRES MULTI CHARGER WITH DISPLAY FOR XTS2500 Model #: WPLN4130A			
AEL #: 06CP-03-PRAC			
Price Per Unit: \$1,040.00	Quantity: 3	3,120.00	
IMPRES Li-Ion 1900 mAh slim Li-Ion submersible battery, IP67 Model #: NNTN8128AR			
AEL #: 06CP-03-PRAC			
Price Per Unit: \$93.00	Quantity: 2	186.00	
<b>Total This Page</b>		<b>4,026.00</b>	
<b>Total Previous Page</b>		<b>36,474.00</b>	
<b>Grand Total</b>		<b>40,500.00</b>	

\* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.\*



**WEST VIRGINIA**  
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**HOMELAND SECURITY GRANT  
 PROGRAM**

**ITEMIZATION OF FUNDS BY CATEGORY**

**PAGE 3-5**

Budget Category	Matching Funds	Federal HSP Funds	Approved (SAA Use Only)
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<p><u>Exercises: (Itemized List)</u></p>			
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<b>TOTAL MATCHING FUNDS (If Applicable):</b>			
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<b>TOTAL FEDERAL HSP FUNDS:</b>		<b>\$40,500</b>	
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<b>TOTAL APPROVED PROJECT:</b>			
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\* All funds must be rounded to the nearest whole dollar amount.

<b>WEST VIRGINIA</b> Homeland Security State Administrative Agency (SAA)  <b>HOMELAND SECURITY GRANT          PROGRAM</b>	<b>BUDGET SUMMARY</b>  <b>PAGE 4</b>
---	--

<b>Applicant:</b> Jefferson County Commission	<b>Federal Employer Identification Number (FEIN):</b> 55-6000333
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Category	HSP Funds (A) *	Matching Funds (B) **	Total Funds (A + B)
Planning			
Equipment	\$40,500		\$40,500
Training			
Exercises			
<b>Total Budget</b>	<b>\$40,500</b>		<b>\$40,500</b>

FUNDING STRATEGY	
Funding Source(s)	Amount
Sub-Grant Funds:	\$40,500
Matching Funds (If Applicable):	\$
Other Funding (If Applicable):	\$
<b>Total:</b>	<b>\$40,500</b>

\* Total of column A shall be placed in the space on page 1 – item number 5, for Funds Requested.

\*\* Total of column B shall be placed in the space on page 1 – item number 5, for Project Matching Funds.

*All funds must be rounded to the nearest whole dollar amount.*

<b>WEST VIRGINIA</b> Homeland Security State Administrative Agency (SAA)  <b>HOMELAND SECURITY GRANT PROGRAM</b>	<b>BUDGET NARRATIVE</b>  <b>PAGE 5</b>
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Provide a justification and explanation of the budget items shown on pages 3 and 4 of this application. This should contain specific criteria and data used to arrive at estimates and/or costs for all items listed. In completing the project budget narrative, please identify data by the budget category involved (i.e. Planning, Equipment, Training, and/or Exercises).

**Applications submitted which do not provide a sufficient narrative may be subject to exclusion. Use additional pages as necessary.**

**PLANNING:**

**EQUIPMENT:**

**1.** The Jefferson County Sheriff's Office (JCSO) will apply \$37,380.00 to purchase eighteen (18) Motorola APX1000 UHF Portable Radios with Display along with chargers and remote speaker/microphones to equip the Jefferson County Deputy Sheriff's Reserve (JCDSR) with additional portable radios. These additional portable radios will enable the JCDSR to further support the JCSO and also the City and Town Police Departments within Jefferson County. The JCDSR currently have 8 portable radios assigned to this wholly volunteer organization. These 8 radios are, on many occasions, not enough radios to allow all the members of the JCDSR working or supporting local functions (ex: parades, festivals, local city/town days etc.) to have a portable radio with them which is a safety issue. To have a uniformed JCDSR member walking around in public without any means of communication with Jefferson County Police Dispatch Center (JCECC) is a definite officer safety problem. The Motorola APX1000 UHF Portable Radios meets the requirement to be compatible with the SAFECOM P25 trunked radio hierarchy and the WV Statewide Interoperable Radio Network

**2.** The JCSO will apply \$3120.00 to purchase 3 Motorola IMPRES Multi Chargers for the Motorola XTS2500 portable radios that are currently used by the JCSO and the JCDSR. These Multi Chargers will allow the JCSO to charge 15 (5 per charger) portable radios at a time and also give a status of the portable radio battery and refurbish them. These chargers will allow the JCSO to keep their portable radio batteries longer and in better working order.

**TRAINING:**

**EXERCISES:**

<b>WEST VIRGINIA</b> <b>Homeland Security State Administrative Agency</b> <b>(SAA)</b>  <b>HOMELAND SECURITY GRANT</b> <b>PROGRAM</b>	<b>PROJECT DESCRIPTION</b>  <b>PAGE 7</b>
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**PROBLEM STATEMENT**

**A. Problem(s):** The JCDSR currently have 8 portable radios assigned to this wholly volunteer organization.

**B. Justification:** The 8 assigned radios are, on many occasions, not enough radios to allow all the members of the JCDSR working or supporting local functions (ex: parades, festivals, local city/town days etc.) to have a portable radio with them which is a safety issue. To have a uniformed JCDSR member walking around in public without any means of communication with Jefferson County Police Dispatch Center (JCECC) is a definite officer safety problem.

**GOAL(S):** The Goals of this grant are as follows;

1. Order the portable radios and chargers from an authorized vendor using approved purchase criteria.
2. Upon delivery of the portable radios, the Jefferson County Sheriff's Office will issue on hand receipt the radios to the command structure of the JCDSR.
3. The JCDSR command structure will in-turn issue the radios to each member currently needing an assigned radio and make available the remaining radios for daily sign-out by working JCDSR members.
4. The chargers will be installed in the locations required by the JCDSO for utilization of its members for their assigned XTS2500 portable radios.

**OBJECTIVE(S)**

1. The purchase of 18 Motorola APX1000 UHF Portable Radios.
2. Issue, and implementation the Motorola APX1000 UHF Portable Radios

**IMPLEMENTATION (Key Activities/Milestones)**

The major activity of this grant will be the purchase, issue and implementation of 18 Motorola APX1000 UHF Portable Radios for the Jefferson County Deputy Sheriff's Reserve.

**PROJECT ASSESSMENT / EVALUATION**

When the radios are received and issued to the appropriate Deputy Sheriff Reserve and the dispatch system executed the proper user identifiers will be that the purchased radios have linked up with and compatible with the SAFECOM P25 trunked radio hierarchy and the WV Statewide Interoperable Radio Network and functioning properly.

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**SPECIAL CONDITIONS AND ASSURANCES**

**PAGE 8**

This program is conditioned upon and subject to compliance with the following Special Conditions and Assurances. By attaching a signature to page one (1), item ten (10), of this grant application, the applicant certifies and assures that it will comply with the following Special Conditions and Assurances, Regulations, Policies, Guidelines and Requirements of the SAA, as further clarified in the Administrative Manual for this program; U.S. Department of Homeland Security; and all other relevant Federal/State Regulations, Policies and Guidelines. These Special Conditions and Assurances apply to all HSP federal and matching funds expended for purposes associated with this project.

All correspondence to the SAA, which is required and/or occurs as a result or action of any of the following Special Conditions and Assurances, or as a result of the administration of any SAA grant program, should be addressed to:

WV Dept. of Military Affairs & Public Safety  
1900 Kanawha Blvd., East Capitol Complex  
Building 1, Room W-400  
Charleston, WV 25305

**1. LAWS OF WEST VIRGINIA:**

This application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by the SAA.

**2. LEGAL AUTHORITY:**

The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizes the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

**3. RELATIONSHIP:**

The relationship of the sub-grantee to the SAA shall be that of an independent contractor, not that of a joint enterprise. The sub-grantee shall have no authority to bind the SAA for any obligation or expense without the express prior written approval from the SAA.

**4. OPERATIONAL WITHIN 90 DAYS:**

If the project is not operational within 90 days of the specified project starting date, the grantee must submit a statement to SAA explaining the delay in implementation. Upon receipt of the 90-day letter, SAA may cancel the project and redistribute the funds to other project areas and/or eligible applicants.

**5. WRITTEN APPROVAL OF CHANGES:**

The sub-grantee must obtain prior written approval from SAA for all project changes (programmatic, fiscal or otherwise).

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**6. CIVIL RIGHTS COMPLIANCE:**

Sub-Grantee will comply with all federal civil rights laws, including Title VI of the Civil Rights Act, as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

**7. PRESS RELEASE:**

Release of information pertaining to this sub-grant must include the following information:

1. grant amount;
2. State involvement (WV Homeland Security State Administrative Agency, SAA); and,
3. Federal involvement (U.S. Dept. of Homeland Security).

**8. COMPLIANCE WITH FEDERAL RULES AND REGULATIONS:**

Sub-Grantee will comply with all applicable OMB Circulars (A-21, A-87, A-102, A-110, A-122, A-133) as well as 44 CFR Part 13, 2 CFR Part 215, and Federal Acquisition Regulations Part 31.2

**9. ACCESS TO RECORDS, EQUIPMENT, TRAINING & EXERCISES:**

SAA, through any authorized representative, shall have access to and the right to examine all records, books, papers, documents, equipment, training, and/or exercises related to the sub-grant and to relevant books and records of contractors.

**10. CONFLICT OF INTEREST:**

No public official or employee of the sub-grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can be expected to result in any benefit to that individual or that individual's immediate family.

**11. POLITICAL ACTIVITY:**

The restrictions of the Hatch Act, Pub. L. 93-433, 5 U.S.C. Chapter III, (as amended), concerning the political activity of government employees are applicable to state grantee staff members and other state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by Title I grants. Under a 1975 amendment to the Hatch Act, such state and local government employees may take an active part in political management and campaigns, except they may not be candidates for office.

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**12. RELEASE OF INFORMATION:**

All records, papers and other documents kept by recipients of grant funds are required to be made available to the SAA. These records and other documents submitted to the SAA and its grantees, including plans and application for funds, reports, etc., are subsequently required to be made available to the U.S. Department of Homeland Security under the terms and conditions of the Federal Freedom of Information Act, 5. U.S.C. §552.

The SAA recognizes that some information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national or state security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under federal control is subject to requests made pursuant to the Freedom of Information Act, 5. U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the Federal Division of Homeland Security FOIA Office, and may likely fall within one or more of the available exemptions under the Act.

Sub-Grantees must consult applicable state and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive in nature. Applicants may also consult the SAA regarding concerns or questions about the release of potentially sensitive information under state and local laws.

**13. NATIONAL AND STATE EVALUATION EFFORTS:**

The Sub-grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

**14. OBLIGATION OF PROJECT FUNDS:**

Funds may not, without prior written approval from the SAA, be obligated prior to the effective start date or subsequent to the termination date of the project period. All invoices must be dated within the approved sub-grant period.

**15. USE OF FUNDS:**

Funds awarded through the SAA may be expended **ONLY** for the purposes and activities specifically covered by the sub-grantee's approved project description and budget.

**16. ELEMENTS OF A VIABLE CONTINUITY CAPABILITY:**

The Continuity Plan is the roadmap for the implementation and management of the Continuity Program. The National Continuity Policy: Federal Continuity Directive 1 and Federal Continuity Directive 2 outline the following ten (10) overarching continuity requirements: Essential Functions, Orders of Succession, Delegations of Authority, Continuity Facilities, Continuity Communications, Vital Records Management, Human Capital, Tests-Training-Exercises, Devolution of Control & Direction, and Reconstitution. *If utilizing subgrant funding for the development of a Continuity Plan, the Plan must address each of these ten (10) elements in order to be eligible to be reimbursed for approved/allowable costs.*

In order to be eligible for funding to support an existing / in development Continuity Plan, the plan must contain the elements specified by the SAA in the Grant Eligibility Criteria.

**17. ALLOWABLE AND UNALLOWABLE COSTS:**

Allowable and unallowable costs incurred under this grant shall be determined in accordance with the general principles and standards for selected cost items set forth in the pertinent Program Guidance or the Office of Grant Operations Financial Guide and OMB Circular A-87.

**18. NON-SUPLANTING:**

Federal funds must be used to supplement existing funds for program activities and may not replace (supplant) non-Federal funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from Federal grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The sub-grantee hereby certifies that Federal funds made available under this grant will not be used to supplant state and local funds. Approved full-time positions must hire an additional individual to "backfill" the position.

**19. MATCHING CONTRIBUTION:**

If matching funds are allocated, the applicant assures that those funds shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Cash matching contributions are subject to the same expenditure guidelines established by the SAA and the U.S. Department of Homeland Security for this grant program. All sub-grantees must maintain records that clearly show the source, the amount and the timing of all cash matching contributions. There is no waiver provision for any cash match requirements.

**20. PROJECT INCOME:**

All income earned by the sub-grantee as a result of the conduct of this project, must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established by the SAA and the U.S. Department of Homeland Security for this grant program. All sub-grantees must maintain records that clearly show the source, the amount and the timing of all project income. There is no waiver provision for the project income requirement.

**21. CONSULTANT FEES:**

Approval of this sub-grant does not necessarily indicate an approval of specific consultant rates. Please discuss rates with the SAA.

**22. SUSPENSION OF FUNDING:**

SAA may suspend, in whole or in part, terminate, or impose other sanctions on any sub-grantee funds for the following reasons:

- Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program;
- Failure to submit reports;
- Filing a false certification in this application or in another report or document; or,
- Other just cause.

**23. SANCTIONS FOR NONCOMPLIANCE:**

In the event of the sub-grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, the SAA shall impose such contract sanctions, as it may deem appropriate, including but not limited to:

- Withholding of payments to the sub-grantee until the sub-grantee complies;
- Cancellation, termination or suspension of the contract, in whole or in part; or,
- Refrain from extending any further assistance to the sub-grantee until satisfactory assurance of future compliance has been received.

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**24. SUBMISSION/RELEASE OF PROPOSED PUBLICATIONS:**

The sub-grantee shall submit one copy of all reports and proposed publications resulting from this agreement to the SAA twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements:

"This document [product] was prepared under a grant from the United States Department of Homeland Security and the WV Homeland Security State Administrative Agency. Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security, nor the WV State Homeland Security State Administrative Agency."

**25. PROPERTY ACCOUNTABILITY:**

The sub-grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a sub-grant by the SAA. This obligation continues as long as the property is retained by the sub-grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from the SAA. Sub-grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program, with copies provided to the SAA. The SAA reserves the right to inspect and review any equipment purchased with this sub-grant.

**26. REPORTS:**

Each sub-grantee shall submit reports as deemed reasonably necessary by the SAA for monitoring, stewardship and evaluation of programmatic and fiscal responsibilities.

**27. PURCHASING:**

When making purchases relevant to the sub-grant, the sub-grantee will abide by applicable State and local laws, which address purchasing procedures by a state or local unit of government.

**28. PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:**

Sub-grantee acknowledges that the SAA, and subsequently the U.S. Department of Homeland Security; reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support.

Sub-grantee agrees to consult with the SAA regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

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**29. ENVIRONMENTAL & HISTORIC PRESERVATION (EHP)**

Subgrantee shall comply with all applicable Federal, State, and local EHP requirements and shall provide any information requested to ensure compliance with applicable laws.

**30. COMMUNICATIONS EQUIPMENT**

With respect to communications initiatives and equipment, the sub-grantee agrees to the following:

Communications equipment is required to be compatible with the SAFECOM P25 trunked radio hierarchy and the WV Statewide Interoperable Radio Network. Per Executive Order 5-14 all communications equipment requests must be reviewed and approved by the State Interoperability Coordinator. [www.sirn.wv.gov](http://www.sirn.wv.gov)

**31. TIME EXTENSIONS:**

Time extensions are allowable; however, the SAA will review and approve extension requests on a case by case basis only if the extension is warranted. Lack of planning by the subgrantee is not a justified reason for an extension.

**32. USE OF GRANT FUNDS TO ENACT LAWS, POLICIES, ETC.:**

Sub-Grantee understands and agrees that it cannot use any sub-grant funds, either directly or indirectly in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.

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**33. PROGRAM ACCOUNTABILITY – FEDERAL AUDIT REQUIREMENTS:**

- I.) Federal Office of Management and Budget (OMB) Circular A-133 sets forth standards for obtaining consistency and uniformity for the audit of states, local government, and non-profit organizations expending Federal awards. This grant shall adhere to the audit requirements set forth in OMB Circular A-133 at the time of award.

As of 10/1/04, the requirements set forth by OMB Circular A-133 are as follows: Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year. Non-Federal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office.

- II.) OMB Circular A-110 sets forth standards for obtaining consistency and uniformity for the audit of institutions of higher education, hospitals, and other non-profit organizations expending Federal awards. This grant shall adhere to the audit requirements set forth in OMB Circular A-110.

As if 10/1/04, the requirements set forth by OMB Circular A-110 are as follows: Recipients and sub recipients that are institutions of higher education or other non-profit organizations (including hospitals) shall be subject to the audit requirements contained in the Single Audit Act Amendments of 1996 (31 USC 7501-7507) and revised OMB Circular A-133.

- III.) If an audit must be conducted pursuant to OMB Circular A-133 and A-110, a copy of the audit shall be submitted to SAA as well as to the Federal clearinghouse.

As of 10/1/04, the Federal clearing house is as follows:

Federal Audit Clearinghouse  
Bureau of the Census  
1201 E. 10<sup>th</sup> Street  
Jeffersonville, IN 47132

**34. PROGRAM ACCOUNTABILITY – STATE AUDIT REQUIREMENTS:**

- I.) Chapter 12, Article 4, Section 14 of the West Virginia Code, as amended, sets forth the audit requirements of corporations, associations or other organizations which receive state funds or grants. These audit requirements do not apply to units of local and state government. If applicable, this grant shall adhere to the audit requirements set forth in §12-4-14 at the time of award. All funds disbursed by SAA are appropriated by the WV Legislature; therefore all funds disbursed are considered state funds. The SAA will notify the Legislative Auditor when a sub-grant is awarded which falls under the requirements of the WV Code.

As of 9/13/05, the requirements set forth by §12-4-14 are as follows: Any corporation, partnership, association, individual or other legal entity (not to include a state spending unit or a local government as defined in § 6-9-1a of the West Virginia Code, as amended) which receives one or more state grants or sub grants in the amount of \$50,000 or more in the aggregate in a state fiscal year shall file with the SAA a Report of the disbursement of these state funds. An OMB A-133 Audit or an audit conducted by a certified public accountant may be substituted for the Report. The Report shall be filed within two years of the end of the fiscal year in which the grant or subgrant closes. The Report shall be made by an independent certified public accountant and the scope of the Report is limited to showing how the state grant or subgrant funds were spent. The Report does not have to be a full-scope audit or review of the entity receiving state funds. Any entity failing to file a required Report is barred from subsequently receiving state grant or subgrant funds until the Report is filed and is otherwise in compliance with the provisions of West Virginia Code. If a Report is not required under this section of the WV Code then the grantee or sub-grantee shall file with SAA a sworn statement of expenditures made under the grant or sub-grant.

The Sub-grantee assures that it has read, understands and is in full compliance with all requirements as set forth in Chapter 12, Article 4, Section 14 of the West Virginia Code, as amended, and is not currently debarred from receiving state grant funds as a result of non-compliance with this section of the West Virginia Code, as amended.

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**35. EQUAL EMPLOYMENT OPPORTUNITY PLAN:**

Each sub-grantee certifies that it has executed and has on file, an Equal Employment Opportunity Plan.

**36. VETERANS PREFERENCE:**

This program includes a provision that grantees utilizing funds to hire additional personnel give suitable preference in employment to military veterans. SAA defines "suitable preference" as the requirement that a sub-grantee agency have in place a mechanism ensuring that veterans are given consideration in the hiring process.

**37. IMMIGRATION AND NATURALIZATION VERIFICATION:**

The sub-grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of Federal funds to verify that employees are eligible to work in the United States.

**38. PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:**

It is the sense of the Congress, as conveyed through the FY 1997 Appropriations Act that, as well as the desire of SAA, to the greatest extent practicable, all equipment and products purchased with Federal funds made available under this grant should be American-made.

**39. PERSONNEL TRAINING:**

For projects involving payment of personnel or overtime pay, the SAA reserves the right to require training as a condition of the sub-grant before or at any time during the project period. Proof of training/certification on grant-funded equipment must be provided, if applicable.

**40. ACCOUNTING REQUIREMENTS:**

Sub-grantee agrees to record all project funds and costs following generally accepted accounting procedures. A unique account number or cost recording must separate all project costs from the sub-grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material, as defined in the pertinent Administrative Manual, must be retained and be available for audit purposes.

**41. FINANCIAL GUIDE:**

Sub-grantee agrees to comply with all requirements as set forth in the Financial Guide which governs this program.

**42. EQUIPMENT:**

Sub-grantees purchasing equipment with grant funds are required to adhere to the established bidding procedures for their respective units of government and or agencies. All equipment must have a primary function of being used for homeland security purposes.

**43. MARKING OF EQUIPMENT AND PUBLICATIONS:**

Sub-grantee will ensure that, when practicable, any equipment purchased and publications produced with grant funding shall be prominently marked as follows: "Supported with funds provided by the U.S. Department of Homeland Security and the WV Homeland Security State Administrative Agency."

**STATE OF WEST VIRGINIA**

**Dept. of Military Affairs & Public Safety  
Homeland Security State Administrative Agency  
SUB-GRANT AWARD**

<b>CFDA Number:</b> 97.067	<b>OASIS - GRTAWD Document ID:</b>
<b>State Subgrant Number:</b>	<b>Federal Grant Number:</b> EMW-2013-SS-00009

**Sub-Grantee Name & Address:**  
**FEIN: 55-6000333**  
**DUNS: 077414548**

**Sub-Grant Period:**  
**From: 1/1/15**  
**To: 5/31/15**

**Major Program: HSGPLE**

**Program: LE\_LIRP**

**Program Period: LE 2013**

**Zip Code: 25414-0250**

**Project Notes**

Implement the project described in the attached application.

The attached application has been reviewed, and the proposed project and expenditures as described in the application fall within all guidelines which govern the Homeland Security Grant Program and sufficient funds do exist to make this award.

Homeland Security Grant Manager \_\_\_\_\_

I have reviewed this sub-grant award and the goals and objectives do fall within West Virginia's HS Strategy Goals and Objectives and the expenditures fall within the grant guidelines.

Director, Homeland Security SAA \_\_\_\_\_  
SAA Point of Contact

**By signing and accepting this award the sub-grantee agrees to comply with all special conditions & assurances included in the application.**

**TOTAL AMOUNT OF: \$40,500**

**Sub-grantee Authorized Official:**  
\_\_\_\_\_

**WV Homeland Security Advisor:**  
\_\_\_\_\_

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## **Homeland Security Grant Eligibility Criteria and Certification**

To be eligible to apply for State Homeland Security Program grant funding, an agency or organization must comply with specific criteria as set forth below. This will help to ensure the state remains compliant with federal requirements and assist the agency in being an integrated part of the state's homeland security system. Evidence of compliance must be submitted to the Homeland Security State Administrative Agency (HS SAA) prior to or along with grant applications. Regional Area Liaisons may provide direct assistance to help applicants to come into compliance, or provide referral to the appropriate resource. The HS SAA will determine and provide notification of eligibility, which may include provisional acceptance requiring further action.

### **1. National Incident Management System (NIMS) Implementation**

The U.S. Department of Homeland Security requires that States and Local Governments utilize the National Incident Management System (NIMS) to be eligible to receive federal grants. The State of West Virginia has interpreted this to include associations, utilities, non-governmental organizations, and private sector organizations among those who must meet NIMS objectives to be eligible for grant funding.

The applicant must complete the following:

- a. Formally adopt NIMS as the approach to be utilized for all incident management. This is evidenced by Proclamation, Resolution, Executive Order, or other document indicating adoption by the applicant's governing body. A copy of the adoption may be requested by the Homeland Security State Administrative Agency (HS SAA).
- b. Utilize all NIMS concepts, as appropriate, including the Incident Command System (ICS).
- c. Ensure an up to date inventory of response/recovery assets is maintained and provided to the applicant's local and/or county emergency management agency(s) as necessary.
- d. Maintain a list of all Memoranda/Statements of Understanding and Mutual Aid Agreements to which the applicant is a party. Copies may be requested by the Area Liaison or the HS SAA.
- e. Ensure all personnel are completing appropriate training, including IS 100, IS 200 and/or IS 700 courses, commensurate with each individuals emergency responsibilities.
- f. Complete the NIMS Self-Assessment and submit to the state NIMS Coordinator via email at [charles.w.bennett@wv.gov](mailto:charles.w.bennett@wv.gov)

Assistance with this requirement can be obtained from Chuck Bennett, State NIMS Coordinator at (304) 558-2930.

### **2. Continuity of Operations Plan**

The applicant must tender a written Continuity of Operations (COOP) plan. The plan must contain at a minimum the following elements:

- List of Essential Functions
- Orders of Succession for essential personnel
- List of Delegations of Authority
- Identification of a continuity facility
- Identification of Vital Records
- Communications
- Employee notification procedures for COOP activation
- Reconstitution
- Training plan/schedule for COOP

A continuity plan that contains these elements is not considered a complete plan; rather it demonstrates that significant planning has been undertaken and completed to ensure the organization can fulfill its responsibilities and commitments. Written feedback on the plan may be provided by the state COOP Coordinator to the organization which must be incorporated in the plan.

Assistance with this requirement can be obtained from David Skeen, State COOP Coordinator at (304) 558-5380.

### **3. Training Database Registration**

The applicant organization's training coordinator or another designee must register on the WV DMAPS online training database. To access the database and register, go to <http://onlinelearning.wv.gov/dmapscm6> and click the "Create New User" button. Registration will help ensure agencies are aware of available training.

Assistance with this requirement can be obtained from Christian Fernley, HS Training Coordinator at (304) 558-5380.

### **4. Exercise List and AARs/CAPs**

Applicants must submit information related to recent exercises in which they have participated including a copy of the After Action Report/Improvement Plan or a list of principle findings of the exercise relative to the organization. If an organization has not participated in any exercise, they should indicate such is the case. Participation in no exercise will not disqualify an entity from receiving grant funds.

Assistance with this requirement can be obtained from Chuck Bennett, State HS Exercise Coordinator at (304) 558-2930.

## Homeland Security Grant Eligibility Certification

Recipient Agency/Organization: Jefferson County Commission

Recipient Point of Contact: Sergeant Robert Sell / Lieutenant Thomas Hansen  
[rsell@jcsdvw.com](mailto:rsell@jcsdvw.com)

Email: thansen@jeffersoncountywv.org Phone: 304-728-3205

I have reviewed the foregoing and certify that to the best of my information and belief, the agency/organization has met or exceeded the eligibility requirements prerequisite to applying for Homeland Security Grant funding.

Recipient Agency/Organization Authorized Official:

Jane Tabb / Jefferson County Commission Title: President  
Type or Print Name of Agency/Organization Authorized Official

\_\_\_\_\_  
Signature Of Agency/Organization Authorized Official Date: \_\_\_\_\_

I have reviewed all the foregoing and certify to the best of my information and belief, the agency/organization has complied with the Homeland Security Grant Eligibility Criteria.

\_\_\_\_\_  
HS SAA Director Date: \_\_\_\_\_

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND  
OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

O.M.B. No. 1660-0025  
Expires July 31, 2008

**PAPERWORK BURDEN DISCLOSURE NOTICE**

Public reporting burden for this form is estimated to average 1.7 hours per response. The burden estimate includes the time for reviewing instructions and searching existing data sources, gathering and maintaining the data needed and completing, and submitting the form. You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (1660-0001). **NOTE: Do not send your completed form to this address.**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying" and 28 CFR Part 17, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Federal Emergency Management Agency (FEMA) determines to award the transaction, grant, or cooperative agreement.

**1. LOBBYING**

As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperating agreement over \$ 100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement.

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any other person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or an employee of Congress, or employee of a member of Congress in connection with this Federal Grant or cooperative agreement, the undersigned shall complete and submit Stand Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

Standard Form-LLL "Disclosure of Lobbying Activities" attached

*(This form must be attached to certification if nonappropriated funds are to be used to influence activities.)*

**2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A.

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of a or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause of default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**3. DRUG-FREE WORKPLACE (GRANTEE OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR Part 17.615 and 17.620-

A. The applicant certifies that it will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about-

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the term of the statement; and

(2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring on the workplace no later than five calendar days after such convictions;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position, title, to the applicable FEMA awarding office, i.e., regional office or FEMA office.

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation act of 1973, as amended; or

(2) Requiring such an employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, City, County, State, Zip code)

102 Industrial Blvd

Jefferson County

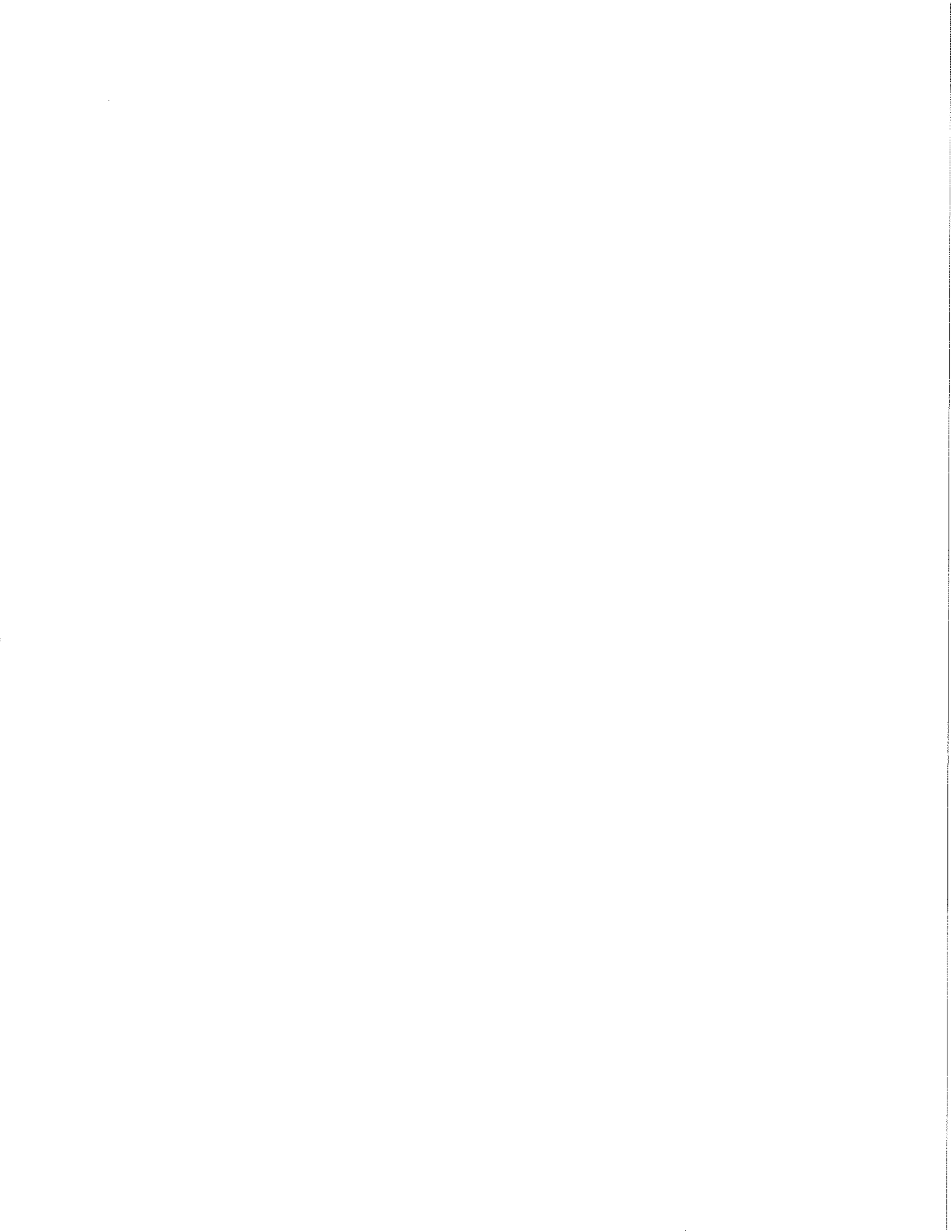
Kearneysville, WV 25430

Check  If there are workplaces on file that are not identified here.

Sections 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for FEMA funding. States and State agencies may elect to use a state wide certification.

Signature of Authorized Official: \_\_\_\_\_

Date:



AGENDA REQUEST FORM

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

NAME: Lynn Fields

DEPARTMENT OR ORGANIZATION: Probate Office

ESTIMATION OF TIME NEEDED FOR APPT.: 10 to 15 minutes

DATE REQUESTED: 1<sup>ST</sup> CHOICE January 29<sup>th</sup>, 2015

IF A SPECIFIC DATE IS NEEDED, PLEASE PROVIDE REASON FOR SPECIFIC DATE:

SUBJECT: Petition of Michelle Lee McLaughlin to resign as Administratrix of the estate of Peter James McLaughlin

PLEASE PROVIDE THE CO. COMM. WITH A DESCRIPTION OF YOUR REQUEST OR PRESENTATION, INCLUDING ANY BACKGROUND INFORMATION:

Michelle McLaughlin qualified as Administratrix of her husband's estate on January 14<sup>th</sup>, 2014. It is her desire to step down as personal representative and have her son Connor McLaughlin appointed as Administrator of his father's estate.

RECOMMENDED MOTION: Provided that Connor McLaughlin can secure bonding in the value of the estate (\$500.00), it is the recommendation of the probate office that the petition be approved.

ARE DOCUMENTS ATTACHED: Yes. Letter from attorney Paul G. Taylor representing Michelle McLaughlin

IS A PROJECTOR NEEDED?: NO

[lfields@jeffersoncountywv.org](mailto:lfields@jeffersoncountywv.org) (304) 728-3210

January 9, 2015

Office of the Fiduciary Supervisor  
Jefferson County Clerk's Office  
Jefferson County Court House  
Charles Town, WV 25414

Re: Estate of Peter James McLaughlin  
Administratrix: Michelle Lee McLaughlin  
Letter of Resignation

To Whom It May Concern:

Please be advised that my client, Michelle Lee McLaughlin, desires to resign her position as Administratrix of the Estate of Peter James McLaughlin to which she was appointed on January 14, 2014.

Immediately upon your acceptance of her resignation, Connor McLaughlin, the son of Michelle McLaughlin and Peter James McLaughlin, deceased, will apply for qualification to fulfill the position of Administrator of the Estate of Peter James McLaughlin.

Ms. McLaughlin further authorizes the Clerk of Jefferson County to transfer the previously paid, approved bond in the sum of \$500.00 to her son, Conner McLaughlin.

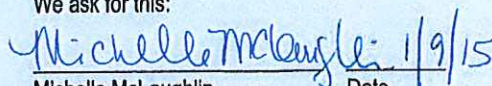

It is my understanding that a brief hearing to approve the above may be scheduled before the County Commission of Jefferson County, West Virginia. Please advise me of the scheduled date and time.

Truly yours,



Paul G. Taylor

We ask for this:

 1/9/15  1/9/2015  
Michelle McLaughlin Date Conner McLaughlin Date

WEST VIRGINIA DEPARTMENT OF HEALTH & HUMAN RESOURCES  
 BUREAU FOR PUBLIC HEALTH - VITAL REGISTRATION  
 PHYSICIANS / MEDICAL EXAMINER'S CERTIFICATE OF DEATH  
 ROOM 165, 350 CAPITOL STREET, CHARLESTON, WV 25301

021233

STATE FILE NUMBER

TYPE/PRIOR  
 IN  
 PERMANENT  
 BLACK INK

NAME OF DECEDENT  
 For use by physician or institution

1 DECEDENT'S NAME (First, Middle, Last) Peter James McLaughlin		2 SEX M	3 DATE OF DEATH (Month, Day, Year) 12-28-2013
4 SOCIAL SECURITY NUMBER 229-90-7812	5a AGE-Last Birthday (Years) 42	5b UNDER 1 YEAR Months Days	5c UNDER 1 DAY Hours Minutes
6 DATE OF BIRTH (Month, Day, Year) April 21, 1971		7 BIRTHPLACE (City and State or Foreign Country) Washington, DC	
8 WAS DECEDENT EVER IN US ARMED FORCES? (Yes or no) No		9a PLACE OF DEATH (Check only one; see instructions on other side) <input type="checkbox"/> HOSPITAL <input type="checkbox"/> Infirmary <input type="checkbox"/> ER/Outpatient <input type="checkbox"/> DCA <input type="checkbox"/> OTHER <input type="checkbox"/> Nursing Home <input type="checkbox"/> Residence <input checked="" type="checkbox"/> Other (Specify) Roadway	
9b FACILITY NAME (If not institution, give street and number) Route 9 East Roadway		9c CITY, TOWN, OR LOCATION OF DEATH Martinsburg	
9d COUNTY OF DEATH Berkeley			
10 MARITAL STATUS—Married, Never Married, Widowed, Divorced (Specify) Married		11 SURVIVING SPOUSE (If wife, give maiden name) Michelle McLaughlin	
12a DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired) Master Electrician		12b KIND OF BUSINESS/INDUSTRY Electrical	
13a RESIDENCE—STATE Virginia	13b COUNTY Clarke	13c CITY, TOWN, OR LOCATION Berryville	13d STREET AND NUMBER 1157 Clifton Road
13e RESIDENCE CITY LIMITS? (Yes or no) No	13f ZIP CODE 22611	14 WAS DECEDENT OF HISPANIC ORIGIN? (Specify No or Yes—If yes, specify Cuban, Mexican, Puerto Rican, etc.) No	15 RACE—American Indian, Black, White, etc. (Specify) White
16 DECEDENT'S EDUCATION (Specify only highest grade completed) Elementary/Secondary 10-121 College (1, 4 or 5) 16A 10 16B		17 FATHER'S NAME (First, Middle, Last) James Leroy McLaughlin	
18 MOTHER'S NAME (First, Middle, Last) Judith Eastman		19a INFORMANT'S NAME (Type/print) Michelle Lee McLaughlin	
19b MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code) 25 Greentree Lane, Harpers Ferry, West Virginia 25425			
20a METHOD OF DISPOSITION <input type="checkbox"/> Burial <input checked="" type="checkbox"/> Cremation <input type="checkbox"/> Removal from State <input type="checkbox"/> Donation <input type="checkbox"/> Other (Specify)		20b PLACE OF DISPOSITION (Name of cemetery, crematory, or other place) Enders & Shirley Funeral Home & Crematory	
20c LOCATION—City or Town State Berryville, Virginia			
21 SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH <i>Ronald H. Shirley</i>		22 NAME AND ADDRESS OF FACILITY Enders & Shirley Funeral Home Box 106, Berryville, Virginia 22611	
23a To the best of my knowledge death occurred at the time, date, and place stated		23b DATE SIGNED (Month, Day, Year)	
24 TIME OF DEATH 2:35 PM		25 DATE PRONOUNCED DEAD (Month, Day, Year) 12-28-2013	
26 THIS CASE REFERRED TO MEDICAL EXAMINER/CORONER? (Yes or no) Yes		27 CASE NUMBER 13-8787	
27 PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line.			
IMMEDIATE CAUSE (Final disease or condition resulting in death) → Multiple Traumatic Injuries			
DUE TO (OR AS A CONSEQUENCE OF) Posterior Stenok by Auto			
SEQUENTIALLY LIST CONDITIONS, if any, leading to immediate cause. Enter UNDERLYING CAUSE (Disease or injury that initiated events resulting in death) LAST			
PART II. Check <u>boxes</u> conditions contributing to death but not resulting in the underlying cause given in Part I			
29 MANNER OF DEATH <input type="checkbox"/> Natural <input type="checkbox"/> Pending Investigation <input checked="" type="checkbox"/> Accident <input type="checkbox"/> Suicide <input type="checkbox"/> Could not be Determined <input type="checkbox"/> Homicide		29a DATE OF INJURY (Month, Day, Year) 12-28-13	29b TIME OF INJURY 2:30 PM
30a PLACE OF INJURY—At home, farm, street, factory, office, building, etc. (Specify) Rt 9 East @ 562mm		30b INJURY AT WORK? (Yes or No) No	30c DESCRIBE HOW INJURY OCCURRED Walking in road struck by Auto
30d LOCATION (Street and Number or Rural Route Number, City or Town, State) Rt 9 East Martinsburg 25401			
31a CERTIFIER (Check only one) <input type="checkbox"/> CERTIFYING PHYSICIAN (Physician certifying cause of death when another physician has pronounced death and completed item 22) To the best of my knowledge, death occurred due to the cause(s) and manner as stated <input type="checkbox"/> PRONOUNCING AND CERTIFYING PHYSICIAN (Physician both pronouncing death and certifying to cause of death) To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated <input checked="" type="checkbox"/> MEDICAL EXAMINER/CORONER On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place and due to the cause(s) and manner as stated			
31b SIGNATURE AND TITLE OF CERTIFIER <i>Christie E. Keller COME</i>		31c DATE SIGNED (Month, Day, Year)	
32 NAME AND ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH (ITEM 21) (Type/print) <i>Christie E. Keller COME, 106 Montgomery Dr, Bunker Hill WV 25413</i>			
33 REGISTRAR'S SIGNATURE <i>Shirley Ste</i>		34 DATE FILED (Month, Day, Year) JAN 08 2014	

FORM VS-002 (Rev. 7/2005)

STATE COPY

United States of America

State of West Virginia



County of Jefferson, ss:

Application of Fiduciaries

For Personal Representative of Estate for a Deceased Person
On Motion of MICHELLE LEE MCLAUGHLIN.

Jennifer S Maghan
JEFFERSON County 03:47:24 PM
Instrument No 2014000752
Date Recorded 01/14/2014
Document Type MORDA
Pages Recorded 1
Book-Page 30-730
Recording Fee \$10.00
Additional \$5.00

Deceased Person PETER JAMES MCLAUGHLIN
Social Security Number
Date of Death 12/28/2013
Surety Name JUDY WHITMER
Amount of Bond 500.00

Personal Representative(s)

MICHELLE LEE MCLAUGHLIN ADMINISTRATRIX 25 GREENTREE LANE, HARPERS FERRY, WV 25425-6293

List of Heirs

MICHELLE LEE MCLAUGHLIN WIFE 25 GREENTREE LANE, HARPERS FERRY, WV 25425-6293

Jennifer S Maghan
JEFFERSON County 03:47:52 PM
Instrument No 2014000753
Date Recorded 01/14/2014
Document Type ROFA
Pages Recorded 1
Book-Page 30-109
Recording Fee \$10.00
Additional \$5.00

Affidavit & Oath

LIST OF HEIRS, DISTRIBUTEES, DEVISEES & LEGATEES OF DECEDENT

MICHELLE LEE MCLAUGHLIN being duly sworn, deposes and says the names, residences and post-office addresses of the heirs and distributees of the Estate of PETER JAMES MCLAUGHLIN, as set out in the foregoing affidavit are correct to the best of his or her knowledge and belief, except as to matters therein stated to be alleged on information and belief, and to those matters he or she believes them to be true; and affiant further states that such heirs and distributees as given as unknown upon diligent inquiry, he or she has been unable to ascertain their names and addresses. I will mail by first class postage prepaid, a copy of the notice of administration in accordance with West Virginia State Code §44-1-14A to the persons listed on this form. Further, in accordance with West Virginia State Code §44-1-3, I further swear that I will faithfully perform the duties of my office to the best of my skill and judgment.

Michelle Lee McLaughlin
MICHELLE LEE MCLAUGHLIN, ADMINISTRATRIX

Subscribed and sworn to before me on this the 14th day of January, 2014.

Jennifer S Maghan

Jennifer S Maghan
Clerk of Jefferson County

By

Lynn Fields
Lynn Fields
Deputy Clerk

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: January 22, 2015

Date Requested – 2<sup>nd</sup> Choice: January 29, 2015

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

Subject:

**Approval of the Farmland Protection Board's request to amend its Bylaws.**

Please provide the County Commission with a description of your request or presentation, including any background information: **The Board wishes to allow members to serve as officers for more than one year, if they are willing, in order to maintain consistent management of Board business.**

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 approve the Board's amendment of the second paragraph of Article III of the Jefferson County Farmland Protection Board's Bylaws by striking the final sentence thereof, to wit:**

**No office may be held by the same person concurrently. Nomination of officers shall be made from the floor, and the election shall follow immediately thereafter. Candidates receiving a majority vote shall serve for one year. ~~Officers may succeed themselves for only one, (1), additional year.~~**

Attachments: Current Jefferson County Farmland Protection Board Bylaws

# BY LAWS OF THE JEFFERSON COUNTY FARMLAND PROTECTION BOARD

## ARTICLE I - POWERS AND OBJECTIVES

### Section 1. Objectives

The objectives, purposes, and powers of the Jefferson County Farmland Protection Board are those set forth in Article 24, part 72 through part 84 of Chapter 8 of the West Virginia Code and amendments and supplements thereto.

### Section 2. Purchase of Easements

The Board shall develop uniform standards and guidelines in order to rank applications for the purchase of easements. Criteria to be considered shall be in accordance with *Criteria for acquisition of conservation and preservation easements by county farmland protection boards and the authority* (W.V. Code 8-24-79).

### Section 3. Donation of Easements

The Board shall adopt policies and procedures for the donation of easements into the Farmland Protection Program.

### Section 4. Co-Holding Easements

The Board shall adopt policies and procedures for the co-holding of purchased or donated easements with other private land conservation organizations.

### Section 5. Contractors and Consultants

The Board may contract with such individuals or organizations or engage such consultants, as it deems advisable at such compensation and with such duties and for such times as the Board may from time to time prescribe.

The Board may also contract with outside entities, public or private, to perform any duty over which the Board has an obligation. This includes, but is not limited to, such professional activities as annual property reviews, legal defense, enforcing easement restrictions, and preparation of baseline documentation.

### Section 6. Employees

The Board may prescribe personnel guidelines; establish salary levels, by duly adopted general or special resolution, to hire employees of the Board. All personnel promotions, salary increases, suspension, and dismissals shall be authorized by the Board unless it empowers others to fulfill this function by duly adopted, joint or special resolution.

### Section 7. Protected Properties

Properties protected by a conservation or preservation easement represent a unique and valuable asset to the quality of life in the county. The Board shall hold the conservation of such properties as its highest duty, and shall not entertain or engage in any agreement, contract transaction which could diminish these intangible conservation values. The Board or its designee(s) shall monitor, defend, and protect in perpetuity, these conservation values as recorded through the deed of conservation easement, against any and all actual or potential violations or encroachments.

## ARTICLE II - MEMBERS

### Section 1. Terms of Office of Members

In accordance with The West Virginia Farmland Protection Act, W.V. Code 8-24-73b(a); the Board shall be composed of seven (7) members who shall serve a term of four (4) years except for two initial appointments of two (2) years. No member may serve for more than two consecutive terms.

### Section 2. Voting

It is the duty of each member to vote on each matter submitted to a vote of the members. A member shall abstain from a vote only if a conflict of interest, as defined by law, exist. The Board, or any member, recognizing a potential conflict, shall obtain a written Advisory Opinion from the West Virginia Ethics Commission prior to casting any questionable vote.

Each vote taken shall be by a show of hands. The Chair of the meeting shall first call for those voting in the affirmative to so indicate, followed by a call for the negative vote.

### Section 3. Appointment

The Board may appoint persons, who need not be members of the Board, to fulfill the functions and duties of the Secretary and/or Treasurer. Such appointed designees shall not have voting rights. Any non-Board designee appointed to fulfill the duties of Treasurer shall be bonded.

### Section 4. Resignation and Removal of Members

Any member may resign by giving written notice to the President or Secretary of the Board. Such resignation shall take effect at the time specified in such notice and the acceptance thereof shall not be necessary to become effective.

The Board may request the County Commission to remove any member of the Board who fails to attend or give notice of nonattendance at four or more meetings in any fiscal year.

### Section 5. Vacancies

Upon a Board vacancy(s), the remaining Board members shall immediately submit a letter to the Jefferson County Commission notifying the Commission of such vacancy and specifying the types of expertise or special skills new appointees to the Board should possess. It is hereby acknowledged that skills such as, but not limited to, federal grant writing, casement acquisition" taxation and banking expertise" would significantly empower this Board to successfully pursue its duties under the Farmland Protection Act.

### Section 6. Compensation and Reimbursement

Members shall receive no compensation for their services. By resolution of the Board, each member may be reimbursed for out-of-pocket expenses.

## **ARTICLE III- ELECTION AND DUTY OF OFFICERS**

### Section 1. Election of Officers

All officers must be members of the Board and shall be elected by the members at each annual meeting. Officers to be elected include: a President, a Vice-President, a Secretary and a Treasurer.

No office may be held by the same person concurrently. Nomination of officers shall be made from the floor, and the election shall follow immediately thereafter. Candidates receiving a majority vote shall serve for one year. Officers may succeed themselves for only one, (1), additional year.

### Section 2. President

The President shall preside at all meetings of the Board except Special Meetings called by members pursuant to Article IV Section 2. The President, or the President's appointee, shall Act as, and be the sole spokesman for the Board on issues to which the board has made a formal opinion. The President shall also have the authority to sign and/or co-sign any necessary documents, as approved by the Board and appoint any committees of the Board. The President shall also be responsible for creating meeting agenda and forwarding the same to the Secretary for distribution.

### Section 3. Vice President

The Vice President shall perform the duties of the office of the President in the absence or disability of the President. In the event the officer of President becomes vacant, the Vice President shall perform the duties as President until the Board shall elect a new President. The Vice President shall also perform such other functions as may be incident to the office.

### Section 4. Secretary

The Secretary shall assist the President in the preparation of agenda and shall prepare and send out notices for all Meetings along with minutes from prior meetings and proposed agenda.

The Secretary shall also establish and maintain the documents and records of the Board, including, but not limited to, meeting minutes, an official directory of the members of the Board (including current addresses, telephone numbers, facsimile numbers and electronic addresses of each member and each members preferred mode of notification), and resolutions of the Board. The Secretary shall also perform such other functions as maybe incident to the office.

The Minutes of each meeting shall conform in content with the Open Government Proceedings Act (W.V. 6-9A.et. seq.) and shall also conform in format as described in Roberts Rules of Order. For each vote put to the Board, the Secretary shall record and enter upon the minutes, each individual member's vote.

The Secretary shall also prepare, and be responsible for distribution to all new members, an orientation packet containing a copy of the West Virginia Farmland Protection Act. Regulations thereto, bylaws of the Jefferson County Farmland Protection Board, Jefferson County Farmland Protection Program, and the Open Government Proceedings Act (W.V. 6-9A, et. seq.)

#### Section 5. Treasurer

The Treasurer shall act under the supervision of the Board, and shall have charge and custody of, and be responsible for, all the funds of the Board and shall keep or cause to be kept, and shall be responsible for the keeping of accurate and adequate records of the assets, liabilities, and transaction of the Board. The Treasurer shall deposit, or cause to be deposited, all monies and other valuable effect of the Board in the name of and to the credit of the Board in such banks, trust companies, or other depositories as may be designated from time to time by the Board. The Treasurer shall disburse, or cause to be disbursed, the funds of the Board based upon proper vouchers for such disbursement or such conservation or preservation easements purchase as approved by the Board.

The Treasurer shall prepare a written financial report to the Board monthly and at such other times as the Board may require. The Treasurer shall annually prepare and submit to the Board at the close of each fiscal year a full and complete report in writing or statement of all monies received and expended and of the existing condition of the funds and assets of the Board for such year. The Treasurer's books, accounts, and records shall be subject to the inspection of the Members of the Board as a body at any time. When required or requested by the Board, an audit shall be undertaken by an independent certified public accountant or accountants as selected by the Board. The audit may be made at the close of each fiscal year and/or at such other times and for such other periods as the Board may determine.

#### Section 6. Removal of Officers

Any officer may be removed from office by an affirmative vote of majority of the Board for non-performance of duties, failure to participate, or any other cause deemed sufficient by the Board.

#### Section 7. Vacancies

Vacancies in offices shall be filled immediately by the affirmative vote of a majority of the remaining members.

### **ARTICLE IV - MEETINGS**

#### Section 1. Regular Meetings

The Board shall meet at a minimum of once per month at a predetermined fixed date, time and place as the board may determine. Notice of a regular meeting, along with a proposed agenda and minutes from the preceding meeting, shall be sent to the preferred address of each member, as listed in the official Board directory, at least five (5) days prior to the date of the next regular meeting.

#### Section 2. Special Meetings

Special meetings of the Board may be called at any time by the President, or by any two other members, upon written request to the Secretary. The written request shall set forth the date, time, place and purpose for the special meeting. The Secretary, at least five (5) days in advance of a special meeting, shall mail a written notice to all members. The Members calling a special meeting shall preside over the meeting and discussion is limited to those matters set forth in the written request.

Section 3. Annual Meetings

Annual meetings shall be held in lieu of the first regular meeting of each new fiscal year. Upon completions of its initial Farmland Protection Program, the Board shall review and reaffirm, amend, or alter, in whole or in part, its Farmland Protection Program by a majority vote of the Board at each annual meeting. The Board shall also elect officers at each annual meeting. Notice of each annual meeting shall be the same as for a regular meeting.

Section 4. Emergency Meeting

An emergency meeting of the Board may be called in situations where time is of the essence and the public notice requirements of a regular or special meeting cannot be met. Emergency meetings can only be called to prevent loss of life, damage to property, or irrevocable financial loss.

Section 5. Voting Members

Pursuant to Article 24, part 12-4 of Chapter 8 of the West Virginia Code, all members of the Board are voting members, except the County Commissioner.

Section 6. Quorum

Unless provided for to the contrary elsewhere in these Bylaws, a majority, defined as four (4) of the voting members of the Board, shall constitute a quorum for the transaction of all business.

In the absence of a quorum, the meeting chair shall call the meeting to order, announce the absence of a quorum and entertain a motion to adjourn, recess, or take measures to obtain a quorum.

Section 7. Proxy

Voting by proxy shall not be permitted for any purpose.

Section 8. Order of Business

The order of business shall be governed by Roberts Rules of Order.

Section 9. Telephonic Attendance/Voting

Anyone or more Members may participate and vote in a meeting of the Board, or a Committee of the Board, by means conference telephone or similar electronic communications equipment by means of which all persons participating in the meeting can fully participate in real time.

Section 10. Public Notice

The notice and agenda of each meeting shall be printed and posted in a manner visible to the public. Satisfactory notice of each meeting includes a posting upon the Jefferson County Court house door and the street door of the Board's regular place of business. Notice of regular meetings shall also be published in the local newspaper of record.

Notice and agenda of Regular, Annual and Special Meetings shall be posted to the public a minimum of 72 hours in advance of said meeting. Notice and agenda of Emergency Meetings shall be posted to the public as soon as possible and no later than the initiation of the meeting.

Section 11. Notice Waiver

Unless otherwise provided for by law or in the provisions of these bylaws, whenever notice is required to be given to the members under the provisions of these bylaws or under law, a waiver therein in writing, signed by the person entitled to such notice, whether before or after the time stated there, shall be deemed to be the equivalent to the giving of such notice and attendance of the person at a meeting shall constitute a waiver of notice, unless such person attends for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Waiver of notice shall be recorded in the minutes or such meeting.

**ARTICLE V - FARMLAND PROTECTION FUND**

Section 1. Farmland Protection Fund

The Board shall create a Farmland Protection Fund (Protection Fund) to carry out the purposes of the Farmland Protection Program. The Protection fund is authorized to accept money or property from general or special fund appropriations by the county or state, a distribution from the West Virginia Agricultural Land Protection Authority, private or governmental grants, private contributions, fund raising or gifts, earnings from investments, interest, dividends or distributions. The Board shall seek or shall authorize the seeking of any and all county, state, Federal and private funding available, consistent with the purposes of the Farmland Protection Program. Notwithstanding, the Board is authorized to decline, reject or deny private grants, contributions or gifts that represent or have the appearance of representing an impropriety which could result in the temporary or permanent loss of public faith and trustworthiness in the Farmland Protection Program or the Board.

Section 2. Deposits

All funding and other sources of income of the Farmland Protection Program shall be deposited into one or more accounts maintained by the Board such banks, trust companies, or other depositories as the Board may select. Such monies shall not be commingled with other public funds.

Section 3. Disbursements

All payments or withdrawal of funds shall be based upon proper vouchers, invoices or documentation for such disbursements or shall be a conservation or preservation easement purchase approved by the Board. All disbursements shall be signed and /or countersigned as directed by the Board.

Section 4. Funding Through Bonds

The Board may act on its own authority or in cooperation with any other governmental authority to issue general or special revenue bonds or other funding to facilitate the purchase of conservation or preservation easements.

Section 5. Fiscal Year

The fiscal year of the Jefferson County Farmland Protection Board shall be the same as the fiscal year of the Jefferson County Commission.

Section 6. State/County Controlled Monies

The President or the Treasurer is hereby empowered to act on behalf of the Board in all matters and transaction relating to any monies granted or appropriated to the Board by the Governor or Legislature of the State of West Virginia but held by the State or County in accounts subject to the State or County's fiscal responsibility and control, in such manner as shall be prescribed by resolution of the Board.

**ARTICLE VI - MISCELLANEOUS**

Section 1. Standing and Special Committees

The Board may designate standing and/or special Committees of the Board which shall consist of two or more Board members. Each such Committee shall have power to the extent delegated to it by the Board. Each Committee shall keep minutes of proceedings and report to the full Board as may be directed.

Section 2. Signatures

All agreements, deeds, instruments, contract, documents and other writings of the Board shall be signed by the President or Vice President and attested to by the Secretary or Treasurer unless, by resolution of the Board, other officers of the Board are authorized to execute such documents. Facsimile signatures of any member of the Board may be used as authorized by the Board.

Section 3. Expenditures

The Board may contract with outside entities, public or private, to perform any duty over which the Board has an obligation. This includes, but is not limited to: annual reviews, legal defense, baseline documentation etc.

Section 4. Contracts

By resolution of the Board, all agreements, deeds, instruments, contracts, documents, certificates and other writings of the Board shall be signed by the President, or Vice-President, attested to by the Secretary or Treasurer, unless, by resolution of the Board, other officers of the Board are authorized to execute contracts or other obligations of the Board.

Section 5. Indemnification

The Board shall, to the fullest extent permitted by law, indemnify any person or entity made, or threatened to be made, a party to any action of proceeding, by reason of the fact that such person or entity, his executor or administrator, was a co-holder of an easement along with the Board. Such indemnification shall include judgments, fines, amounts paid in settlement and reasonable expenses, including attorneys' fees, actually and necessarily incurred as a result of such action or proceeding (including any appeal therein), if(a) such co-holder acted in good faith for a purposed which he reasonable believed to be in the best interest of the Board, and (b) if is not determined in such action or proceeding that such co-holder acted with willful or gross negligence.

Section 6. Definitions

The following terms shall be defined accordingly:

Board- The Jefferson County Farmland Protection Board.

Member(s) -Person(s) duly appointed to the Board by the County Commission of Jefferson County.

**ARTICLE VII - BYLAWS**

Section I. Amendments

These bylaws may be amended, altered, suspended or repealed, in whole or ill part, by a majority vote of the Board, called to order by a special meeting.

Section 2. Inconsistency

Whenever a provision of these bylaws is inconsistent with the laws of West Virginia, the provisions of the State law shall be controlling.

Section 3. Severability

Whenever a section, subsection, subdivision, sentence or clause of these bylaws is adjudged to be invalid, such adjudication shall not affect the validity of the remaining portions of these bylaws, and, to this end, each provision of these bylaws is hereby declared to be severable.

Adopted: \_\_\_\_\_, 2000

By: \_\_\_\_\_, President  
Jefferson County Farmland Protection Board



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: January 29, 2015

Date Requested – 2<sup>nd</sup> Choice: February 5, 2015

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 a 0.98 acre property owned by David N. Slusher, designated as Tax District: Kabletown (06), Map: 11, Parcel: 3.2, located on the southwest corner of the Route 340/Straithmore Farm Lane/Wheatland Road intersection, 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:

In accordance with Section 12.2(C) of the Jefferson County Zoning Ordinance, on January 13, 2015, 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 a 0.98 acre property owned by David N. Slusher, designated as Tax District: Kabletown (06), Map: 11, Parcel: 3.2, located on the southwest corner of the Route 340/Straithmore Farm Lane/Wheatland Road intersection. The property is occupied by Dave's Auto Sales and Service, an existing non-conforming use predating the implementation of zoning in Jefferson County. The rezoning request is from the Rural (R) zoning classification to the General Commercial (GC) zoning classification.

Pursuant to state law, WV Code 8A-7-9(c), the County Commission must first receive the advice of the Planning Commission regarding whether any requested Zoning Map Amendment is consistent with the County's adopted Comprehensive Plan. Based on the Planning Commission's Public Hearing held on January 13, 2014, on their 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 2004 Comprehensive Plan. The motion passed with a vote of 7-1. The application and staff report will be provided to the County Commission in the packet on 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 a 0.98 acre property owned by David N. Slusher, designated as Tax District: Kabletown (06), Map: 11, Parcel: 3.2, located on the southwest corner of the Route 340/Straithmore Farm Lane/Wheatland Road intersection, on February, \_\_\_\_ 2015 at \_\_\_\_\_ p.m.

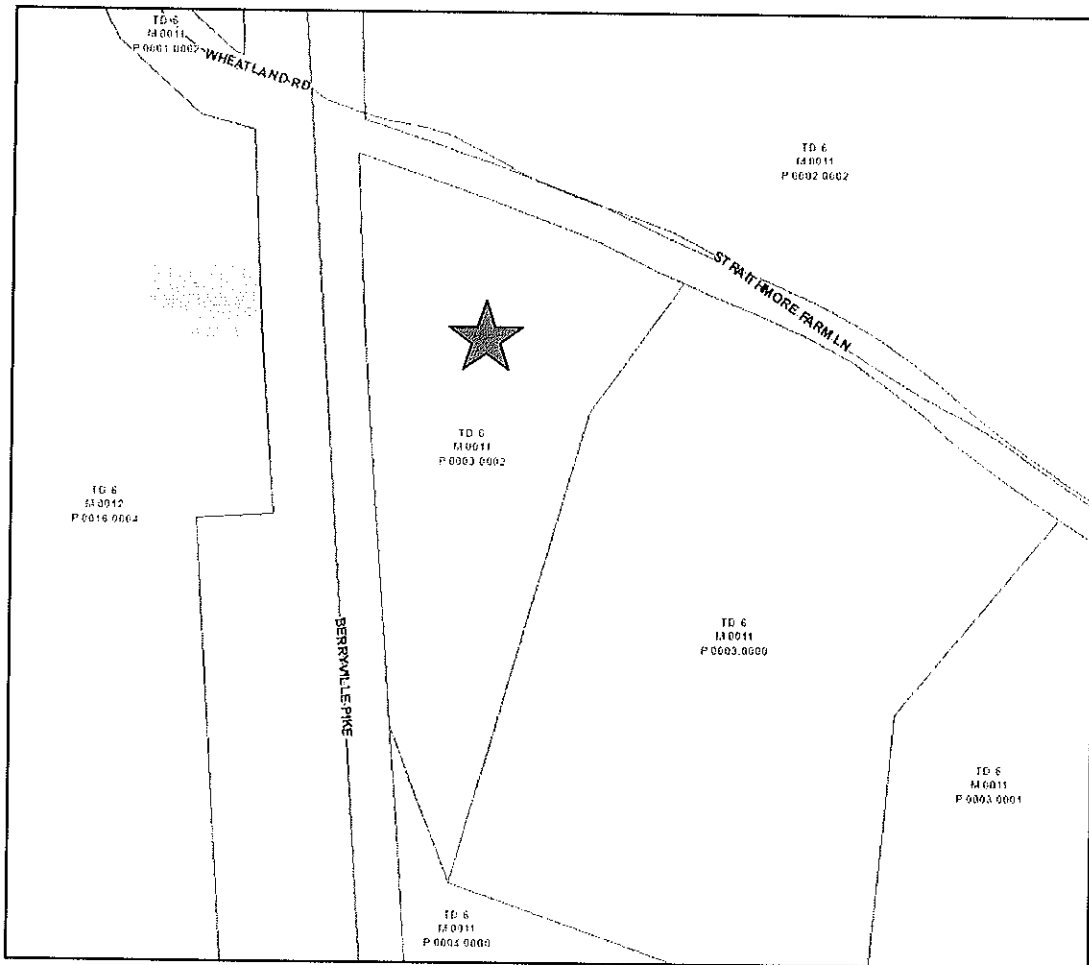
Attachments:

- Rezoning location map

Location Map for Slusher Zoning Map Amendment Request

0.98 acre property owned by David N. Slusher

Located on the southwest corner of the Route 340/Straithmore Farm Lane/Wheatland Road Intersection  
Request to Change from Rural (R) to General Commercial (GC) Zoning



**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: 15 minutes

Date Requested – 1<sup>st</sup> Choice: **January 29, 2015**

*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 Water Advisory Committee – three three-year terms ending January 31, 2018**

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

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, January 29, 2015, or as soon thereafter as the Commission may decide:

**Water Advisory Committee - three (3) three-year terms ending  
January 31, 2018**

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, no later than 12:00 pm the Monday prior to the proposed date of appointment.

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

**SPIRIT OF JEFFERSON:**

**PLEASE ADVERTISE ON:**

**January 7, 14, and 21, 2015**

**THANKS - JEFFERSON COUNTY COMMISSION**

Received

JAN 06 2015

January 3, 2015

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

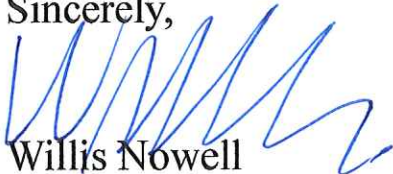
Jefferson County Commission

Sirs,

I am interested in being considered for reappointment to the Water Advisory Committee. During my tenure on the WAC, I believe I've made positive contributions to the committee's mission. I also feel that my background as a former Jefferson County sanitarian, my degree in Medical Technology and residence on the Blue Ridge Mountain for over 50 years provides me with a unique perspective on water related issues with which our county will be facing in the future.

Thank you for the opportunity to apply for a position as a member of the WAC.

Sincerely,



Willis Nowell

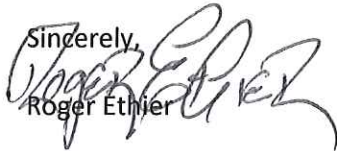
389 Shenandoah River Drive  
Harpers Ferry WV 25425  
304.725.2440

7 January, 2015

Commissioners, Jefferson County, WV

Dear Commissioners,

I intend to extend my tenure as a member of the Water Advisory Committee, Jefferson County. Please consider this an application for extension of my current tenure. Thanks.

Sincerely,  
  
Roger Ethier



JAN 7, 2015

TO WHOM IT MIGHT CONCERN:

I WOULD LIKE TO TAKE THIS OPPORTUNITY  
TO REQUEST AN APPOINTMENT TO THE  
WATER ADVISORY COMMITTEE. THIS  
COMMITTEE MAY NOT SEEM CRUCIAL,  
BUT THE PRESERVATION & PROTECTION OF  
OUR SURFACE & GROUND WATERS NEEDS  
SPECIAL ATTENTION, BECAUSE OF OUR  
UNIQUE GEOLOGY (KARST). MY  
EXPERIENCE SHOULD SERVE THE  
COMMITTEE WELL!

SINCERELY

A.G. Hooper  
A.G. HOOPER

Received

JAN 12 2015

Jefferson County Commission

## Jessica Carroll

---

**From:** Jane Arnett [jarnett@charlestownutilities.us]  
**Sent:** Tuesday, January 20, 2015 4:48 PM  
**To:** jcarroll@jeffersoncountywv.org  
**Cc:** 'Mary Sell'  
**Subject:** Water Advisory Committee Appointment  
**Attachments:** Water Advisory Committee 12192014.pdf

Honorable Commissioners and Ms. Keyser,

I have received the attached letter regarding the appointment to the Jefferson County Water Advisory Committee. Following my service of two terms, I am respectfully requesting that the Commission appoint someone else to this committee.

While serving, I have had the opportunity to work with very dedicated and knowledgeable individuals. While I have enjoyed the service, my work schedule does not allow adequate time to devote to this very worthwhile effort. I will continue to attend the meetings until notified of a new appointee.

Thanks, Jane



Jane Arnett  
Utility Manager  
Charles Town Utility Board  
832 South George Street  
Charles Town, WV 25414  
P: 304-724-3280  
F: 304-725-4313

**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: 15 minutes

Date Requested – 1<sup>st</sup> Choice: **January 29, 2015**

*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 Eastern Panhandle Transit Authority Board of Directors – three three-year terms ending January 31, 2018**

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

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, Thursday, January 29, 2015, or as soon thereafter as the Commission may decide:

**Eastern Panhandle Transit Authority - three (3) three-year terms ending January 31, 2018.**

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414 no later than 12:00 pm the Monday prior to the proposed date of appointment.

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

**SPIRIT OF JEFFERSON:**

**PLEASE ADVERTISE ON:**

**January 7, 14, and 21 2015**

**THANKS - JEFFERSON COUNTY COMMISSION**

Received

JAN 06 2015

Jefferson County Commission

Post Office Box 1005  
Charles Town, WV 25414  
January 5, 2015

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

Attention: Ms. Jessica Carroll  
Executive Administrative Assistant

Thank you for your letter of December 19, 2014, regarding the expiration of my appointment to the Eastern Panhandle Transit Authority Board.

I am very interested in being considered for another term on the Eastern Panhandle Transit Authority Board. I am currently serving as Board Secretary.

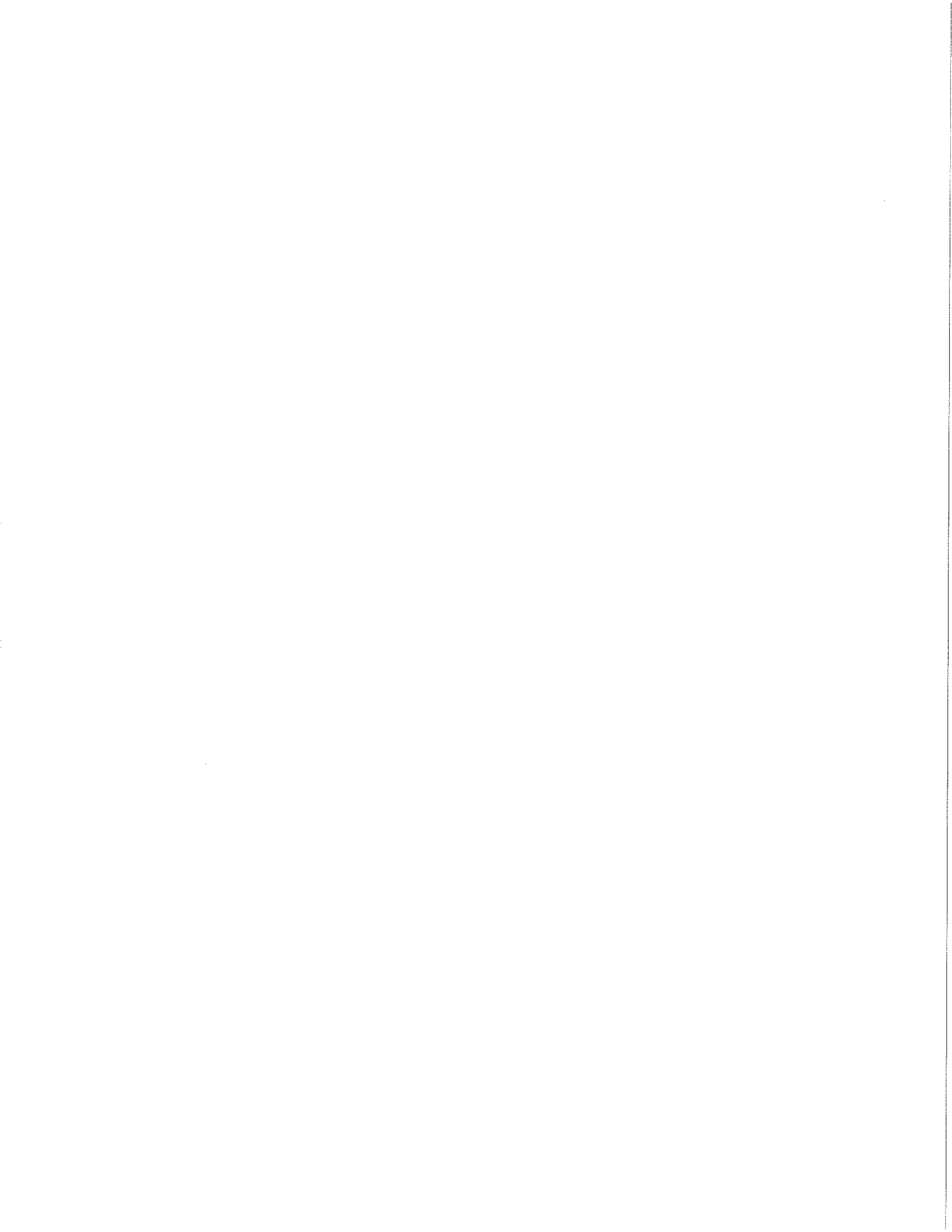
Please advise if my presence before the Commission is required to further my interest in serving another term on the Eastern Panhandle Transit Authority Board.

You have my address. I can be reached by phone at 304-725-1746.

Sincerely,



Eugene D. Pearson



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: 15 minutes

Date Requested – 1<sup>st</sup> Choice: January 29, 2015

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 Board of Zoning Appeals – two three-year terms ending January 1, 2018

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

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, January 29, 2015, or as soon thereafter as the Commission may decide:

**Board of Zoning Appeals - two (2) three-year terms ending January 1<sup>st</sup>, 2018 and three (3) alternate positions ending January 1<sup>st</sup>, 2016, 2017, and 2018 respectively.**

*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 decision is reached. Alternate members shall serve by rotation based upon seniority of appointment to the Board.*

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414 no later than 12:00 pm the Monday prior to the proposed date of appointment.

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

**SPIRIT OF JEFFERSON:**

**PLEASE ADVERTISE ON:**

**January 7, 14, and 21, 2015**

**THANKS - JEFFERSON COUNTY COMMISSION**

Received

January 5, 2015

JAN 08 2015

Jefferson County Commission

Jefferson County Commission  
124 E. Washington Street  
P.O. Box 250  
Charles Town, WV 25414

Commissioners,

After serving on the Board of Zoning Appeals for 6 months I have decided that I would like to continue to serve for an additional 3 years. When you make your appointments for the new term please keep me in mind.

Thank You

  
Ted Schiltz

## Jessica Carroll

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**From:** Debbie Keyser [dkeyser@jeffersoncountywv.org]  
**Sent:** Friday, December 12, 2014 9:32 AM  
**To:** 'Jessica Carroll'  
**Cc:** 'Sandy McDonald'  
**Subject:** FW: BZA member reappointment

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

From: Christy Huddle [<mailto:huddlec@gmail.com>]  
Sent: Thursday, December 11, 2014 9:02 PM  
To: [dkeyser@jeffersoncountywv.org](mailto:dkeyser@jeffersoncountywv.org)  
Subject: BZA member reappointment

Please forward my request to the County Commission to be reappointed to the Board of Zoning Appeals. I continue to be dedicated to making the County a great place in which to live and work.

Thank you for your consideration.

Christy Huddle  
1220 W Ridge St  
Harpers Ferry WV 25435

**AGENDA REQUEST FORM**

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



Name: Jane Tabb

Department or Organization: County Commission

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

Date Requested – 1<sup>st</sup> Choice: Jan. 29, 2015

Date Requested – 2<sup>nd</sup> Choice: Feb. 5, 2015

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

Subject (Wording to be placed on agenda):

Internet service lawsuit

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

Legal counsel's opinion on the issue

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

Discussion/Action

Are documents attachments? Yes      No

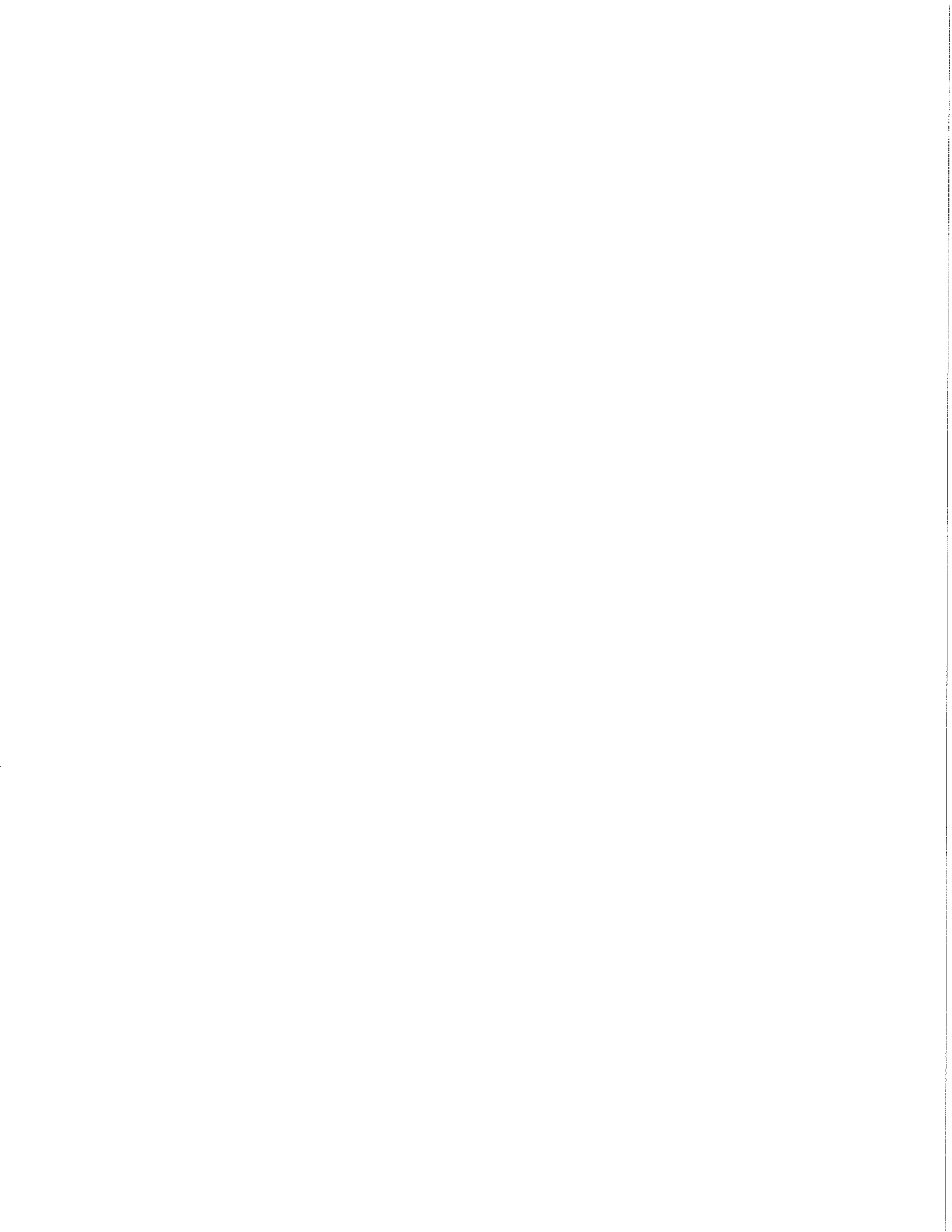
If not, explain:

Is a projector needed? Yes      No

Contact information:

Email address: Vinemont@frontiernet.net

Phone number: 304.725.4325



**AGENDA REQUEST FORM**

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



Name: Jane Tabb

Department or Organization: County Commission

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

Date Requested – 1<sup>st</sup> Choice: Jan. 29, 2015

Date Requested – 2<sup>nd</sup> Choice: Feb. 5, 2015

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

Subject (Wording to be placed on agenda):

Commission "To Do List"

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

While the Commission will be focused on the Board of Equalization & Review plus Budget meetings in the coming two months, it is important to keep other tasks/goals before us: for example, complete a Mass Gathering Ordinance & complete the recalculation of Impact Fees. What other items are there to add to this list and what are the Commission's top priorities.

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

Discussion/Action

Are documents attachments? Yes      No

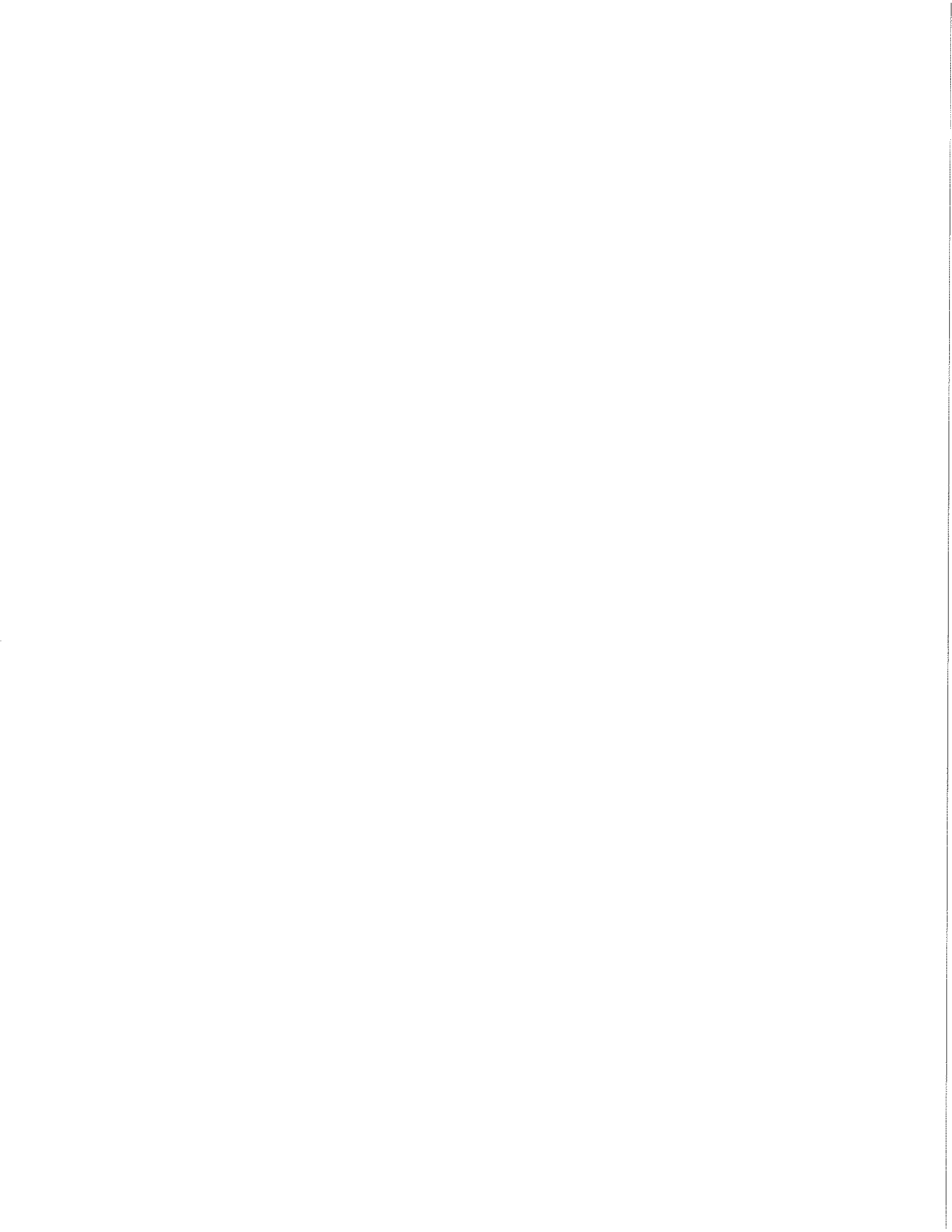
If not, explain:

Is a projector needed? Yes      No

Contact information:

Email address: Vinemont@frontiernet.net

Phone number: 304.725.4325



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



Name: Stephanie Grove

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: January 29, 2015

*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*): Review of ESA Bylaws

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

## BYLAWS

*Of the*

### Jefferson County Emergency Services Agency

**WHEREAS**, on July 31, 2014, the Jefferson County Commission (the Commission) adopted an Ordinance to dissolve and reconstitute the Jefferson County Emergency Services Agency (JCESA)(the Agency) pursuant to Senate Bill 224;

**WHEREAS**, it is desirable to have Bylaws for governance by the JCESA Board of Directors (Board), the Board hereby adopts these Bylaws to effectuate the purposes of the Act and to enable the Board to conduct its business in an open, efficient, orderly, responsible and accountable manner.

#### ARTICLE 1. FISCAL YEAR

The fiscal year the Jefferson County Emergency Services Agency shall commence on July 1 of each year. The fiscal year shall constitute the budget year and shall delineate terms of office for Officers.

#### ARTICLE 2. BOARD OF DIRECTORS

**(a) Governance.** Management of the Agency shall be vested in a 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:

- (1) One member of the Jefferson County Commission (who shall only be eligible to serve on the Board so long as he/she remains a member of the County Commission);
- (2) One representative of the emergency medical services community in Jefferson County, selected from three nominees submitted by the Fire and Rescue Association;
- (3) One representative of the fire protection services community in Jefferson County selected from three nominees submitted by the Fire and Rescue Association;
- (4) Three citizen members of the Board;
- (5) The President of the Fire and Rescue Association shall be a non-voting Board member.

For additional requirements for Board members, refer to Section 3, the Joint Emergency Services Board, of the new ordinance.

**(b) Terms of Office.** Individuals appointed to the Board shall serve for the term specified by the Commission, or until their successors have been appointed and qualified. Board members are limited to two consecutive terms.

**(c) Compensation.** Members and Officers of the Board shall serve without compensation other than reimbursement of approved reasonable and necessary expenses incurred in the discharge of their duties, unless a majority of the Board shall vote to establish such compensation.

**(d) Meetings.** Meetings of the Board shall be classified as Regular, Special, Emergency or Work Session. All meetings shall be conducted in accordance with the West Virginia Open Governmental Proceedings Act. In addition to requirements of West Virginia law, meetings shall be conducted in accordance with Roberts Rules of Order. Any member of the news media or the public may record the open portion of any meeting, subject to reasonable limitations on placement.

**(1) Regular Meetings.** Regular meetings of the Board shall be held on the third Tuesday of each calendar month commencing at 7:00 p.m. at 419 Sixteenth Avenue, Ranson, West Virginia 25438 or at such other date, time and place as the Board may from time to time determine by resolution. All regular meetings shall be general meetings for the consideration of any and all matters which may properly come before the Board. The notice of and agenda for any Regular Meeting shall comply with the requirements of Article 2, Section (d) of these Bylaws so that the public and the news media may be properly informed of the particulars of matters to be discussed at any Regular Meeting.

**(2) Special Meetings.** Special Meetings of the Board may be called by the Chairman or by any two members upon written request to the Secretary. Upon receipt of a proper request for a Special Meeting, the Secretary shall send to all members, at least two business days in advance of any Special Meeting, a written notice setting forth the date, time and place of the Special Meeting and the matters to be considered at the Special Meeting. The notice of, and agenda for, any Special Meeting shall comply with the requirements of Article 2, Section (d) of these Bylaws so that the public and the news media may be properly informed of the particulars of matters to be discussed at any Special Meeting.

**(3) Emergency Meetings.** Emergency meetings may be called at any time with such advance public notice as is practicable in light of the immediacy of the official action that is required and the nature of the emergency. Notice of the date, time, place and particulars requiring such emergency action shall be given as soon as is practicable in advance of the Emergency Meeting. The notice must explain the facts and circumstances warranting the emergency, and such explanation must also be included in the minutes for the meeting.

**(4) Work Sessions.** Work Sessions are meetings subject to the requirements of the Open Meetings Act. Notice of the date, time, place, and agenda of a work session should be provided at least two days in advance of the work session. A Work Session constitutes an Open Meeting where the public and the media are reasonably able to hear and observe the discussions which take place, subject to the same Executive Session exceptions that apply in a formal meeting. Minutes for Work Sessions must be prepared in the same manner as for Regular, Special and Emergency meetings.

**(5) Executive Sessions.** Executive Sessions are only authorized to consider matters that fall within the twelve exceptions to the West Virginia Open Governmental Proceedings Act. Executive Sessions may only be held in the course of a properly noticed public meeting. In order to proceed into Executive Session, a Board member must first move that the governing body meet in Executive Session to discuss a particular agenda item. The Chairman or other presiding officer must identify the purpose for, and statutory exception justifying convening an Executive Session. The motion to convene an

Executive Session must be seconded and shall require the affirmative vote of the majority of the Board members who are present.

**(e) Quorum.** Four members of the Board shall constitute a quorum. Each voting member shall have one vote on all matters coming before the Board. The vote of four voting members present at any meeting of the Board shall be necessary to take any action. Votes on all matters that come before the Board shall be by recorded vote in open session.

**(f) Agendas.** Agendas shall be prepared for all Regular, Special and Emergency meetings, as well as for the Work Sessions. Agendas should list each matter requiring official action which the Board expects to address in the course of each meeting. Agenda items for any Regular meeting must be submitted in writing to the Secretary at least one week prior to the meeting. Agenda items must be described with sufficient specificity to inform the public of the nature of the issue to be considered by the Board.

The Director or designee shall prepare agendas in consultation with Chairman. Agenda's should be posted at JCESA's principal office and on the Agency website in compliance with the Open Meetings Act at least three business days in advance of a Regular meeting and at least two business days in advance of any Special meeting or Work Session. When the agenda is posted before the close of business on a regular JCESA business day, that day shall be considered a business day for calculating the requisite notice under this subsection. Notice of an Emergency Meeting shall be posted as soon as is practicable.

Once an agenda has been published, it may not be amended absent an emergency requiring immediate official action. Although citizens, Board members, or other individuals may raise or ask questions about an issue, if the issue is not on the published agenda, Board members may not make a decision on such matters at the meeting. Rather the Chairman, or other presiding officer, shall rule such deliberations out of order and, if further consideration is to be given to the matter, it must be set on the agenda for a subsequent meeting. Any decisions made in contravention of these provisions shall be declared legally void.

**(g) Minutes.** Secretary shall be responsible for keeping minutes of all Regular, Special, Emergency and Work Session meetings. Draft minutes shall be made available to the members of the public or news media within a reasonable time after each meeting. After corrections and amendments to the minutes have been approved by the Board at a subsequent meeting, the approved minutes shall be signed by the Chairman or Secretary and shall be a public record available to any member of the public or the news media.

### ARTICLE 3. OFFICERS

**(a) Designation.** The Board shall elect one of its appointed members as chairman, another as vice chairman, and another as treasurer, and shall appoint a secretary. Additional officers may be elected as the Board may from time to time deem necessary or desirable, and such additional officers need not be members of the Board.

**(b) Duties of Officers.** The Chairman shall preside over all meetings of the Board. The Vice Chairman shall act in the Chairman's absence or incapacity, or in cases where the Chairman has a conflict of interest. The Secretary, appointed by the Board, shall ensure that minutes of all Board meetings are kept, and shall make all necessary certifications. The Treasurer shall be responsible for preparing and

presenting the annual budget for the Board's consideration, shall have charge of all JCESA financial records, and shall provide financial reports to the Board at its regular meetings.

**(c) Term of Office.** Officers shall take office on July 1 of each year and shall serve for the ensuing fiscal year.

**(d) Qualification.** The Chairman and Vice-Chairman must have been members of the Board for at least one year prior to the beginning of the fiscal year for which they are nominated for election; and must have attended at least eight regular meetings, and a majority of Special and Emergency meetings, during the year proceeding the commencement of the fiscal year for which they are seeking office. The Secretary shall certify attendance records and requisite times of service prior to a vote on any nominees.

**(e) Nominations.** The Chairman shall issue a call for nominations for each office for presentation at the June meeting, or at such other Regular or Special meeting as may be designated by a majority of the Board for election of Officers. Individuals may nominate themselves, or be nominated by other members. Prior to commencement of any election, nominees shall indicate their willingness to accept the nomination and to serve if elected.

**(f) Continuity.** Officers shall continue in their position until such time as their successors are elected and qualified. In the event an Officer position shall become vacant for any reason, the Chairman shall cause an election to be held at a Regular or Special meeting of the Board to fill the vacant Officer position.

#### **ARTICLE 4. COMMITTEES**

The Chairman may appoint committees as necessary to assist the Board in the conduct of the Agency's business. The Chairman shall also designate the chair of each such committee. Committee meetings shall be held in accordance with the Open Meetings Act as more specifically set out in Article 2 of these Bylaws.

#### **ARTICLE 5. CONTINUING JURISDICTION**

The Commission shall retain continuing jurisdiction and the Agency shall in all respects remain subject to the jurisdiction and authority of the Commission.

#### **ARTICLE 6. AMENDMENT**

Amendments to these Bylaws must be approved by a vote of two-thirds of the members of the Board. Proposed amendments must be presented at the Regular Meeting immediately preceding the Regular Meeting at which any vote on the proposed amendments is taken. Such amendments shall be submitted to and approved by the Commission.

#### **ARTICLE 7. SEVERABILITY & CONSTRUCTION**

In the event of a conflict between the terms of these Bylaws and those of the Ordinance, the terms of the Ordinance shall govern. If any section, subsection, 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 the Ordinance, nor impair or nullify the remainder of the Ordinance, which shall continue in full force and effect.

**THESE BYLAWS** were adopted by the Board on the \_\_\_ day of \_\_\_\_\_.

WITNESS:

R.M. Kelley, Chairman

Chris Conroy, Vice Chairman

**APPROVED BY THE JEFFERSON COUNTY COMMISSION**

DRAFT

property related to Property Safety Enforcement Agency Case 12-001 and to provide funding for the work.

- **Motion by Mr. Manuel to accept the proposal of Winchester Environmental Consultants, Inc. in the amount of \$400.00 for the asbestos inspection for Property Safety Enforcement Agency Case 12-001; and to provide funding for the work. Motion seconded and unanimously approved.**
- **Motion by Ms. Widmyer to amend Mr. Manuel’s main motion to select local company Global Environmental & Remediation, LLC as the winning bidder for this project in the amount \$406.00. Motion seconded and unanimously approved.**

6. **Pete Kelley, Jefferson County Emergency Services Agency Board President – requested a review of the JCESA Bylaws.**

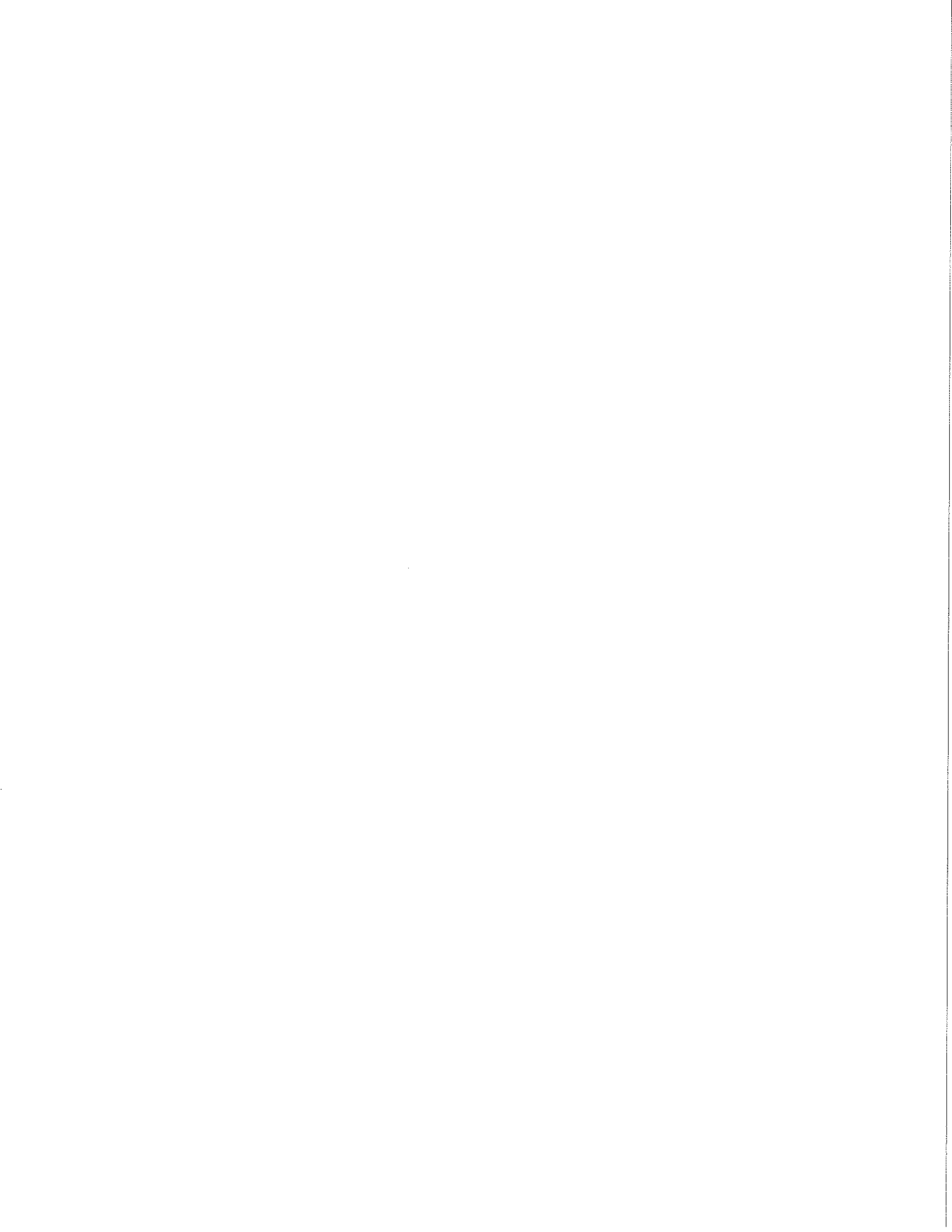
November 20,  
2014

- **Motion by Ms. Noland to amend Article 3, Section B of the JCESA Bylaws to clarify “conflict of interest” to state “pecuniary interest.” Motion seconded and unanimously approved.**
- **Motion by Ms. Widmyer to state that background documents and materials shall be made available with the agenda and posted to the JCESA website. Motion seconded and unanimously approved.**
- **Motion by Ms. Widmyer to add the following statement under subsection ‘D – Meetings:’ “Votes cannot be taken by phone or e-mail outside of a regularly scheduled or emergency meeting.” Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to send the Jefferson County Emergency Services Agency Bylaws to legal counsel for their review. Motion seconded and unanimously approved.**

### UNFINISHED BUSINESS

7. Reconsider the decision of May 29, 2014 to require appointees to sign Jefferson County Code of Ethics forms.
  - **Motion by Ms. Widmyer to approve the language added to the “welcome letter” of the Open Meetings Act/Ethics Training Packet in place of the Code of Ethics cover letter. Motion seconded and unanimously approved.**

### NEW BUSINESS



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



Name: Carol Swiger

Department or Organization: County Commission Ambulance Fee

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: 1/29/15

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

Date Requested – 2<sup>nd</sup> Choice: 2/12/15

Subject (Wording to be placed on agenda): Seeking approval to set up an online payment option for the Ambulance 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 NO

If so, how much? one time fee \$243.95 + \$99 yearly + \$18.50 monthly + \$0.52 per transaction

Provide exact financial impact/request: No financial impact if a convenience fee charged

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: cswiger@jeffersoncountywv.org Phone Number: 304-728-5606

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

MOTION: To approve the setup of an online payment option for the Ambulance Fee.

CHOOSE TO: Open records to the public or set up log on verification.

Charge a convenience charge

\*GST said the cost will be a minimal charge to set up and will send us a quote.

### Alliant Merchant Services

Setup & Monthly/Yearly Costs

#### ONE TIME FEE

APPLICATION FEE	\$95
GLOBAL GATEWAY SETUP	\$49.95
GLOBAL GATEWAY PC CARD READER	\$99
<b>TOTAL</b>	<b>\$243.95</b>

#### MONTHLY

MONTHLY STATEMENT FEE	\$8.50	
GLOBAL GATEWAY MONTHLY	\$10	
<b>TOTAL</b>	<b>\$18.50</b>	<b>\$222 YEARLY</b>

#### PER TRANSACTION

ALLIANT MANAGEMENT FEE –process cards	0.30%	Ex. \$40 fee-3/10 of 1%= \$0.12
CREDIT AUTHORIZATION FEE	\$0.10	
CENPOS SYSTEM	\$0.30	
<b>TOTAL</b>	<b>\$0.52</b>	<b>If 10,000 transactions =\$5,200 yearly</b>

#### YEARLY

ANNUAL PCI COMPLIANCE FEE	\$99
MONTHLY FEES X 12	\$222
<b>TOTAL</b>	<b>\$321 + 0.52 per transaction</b>
IF 10,000 TRANSACTION FEES	\$5,200
<b>TOTAL</b>	<b>\$5,521</b>

**\$2.00 CONVENIENCE FEE ADDED TO 5000 TRANSACTIONS WOULD GENERATE \$20,000.**

(ENOUGH TO COVER ALL THE COSTS TO PROVIDE THIS CONVENIENCE)

NOTE: WE DO NOT HAVE THE GST MINIMAL AMOUNT AND SOME FEES MAY NEED ADJUSTED AS SYSTEM IS USED

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



Name: JCC

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment: 15 minutes

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

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

Jan 29 2015

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

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

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**

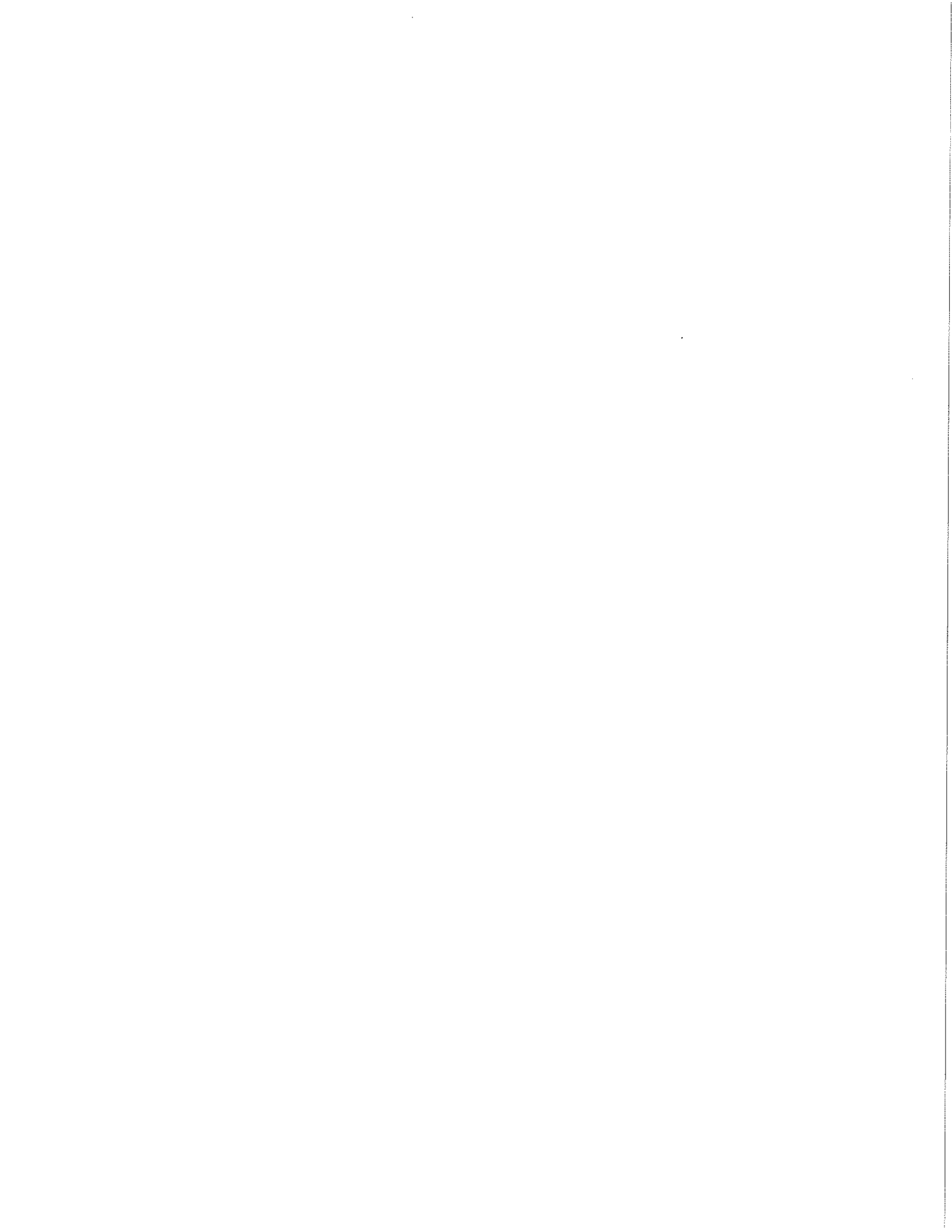
Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



**AGENDA REQUEST FORM**  
**www.jeffersoncountywv.org**



Name: Tim Stanton, Finance Director

Department or Organization: County Commission

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1<sup>st</sup> Choice: January 29, 2015

*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*):

- ✦ Review of Budget to Actual as of December 31, 2014
- ✦ Approval of Budget Revisions

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*):

- Motion to accept budget revisions as presented

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:

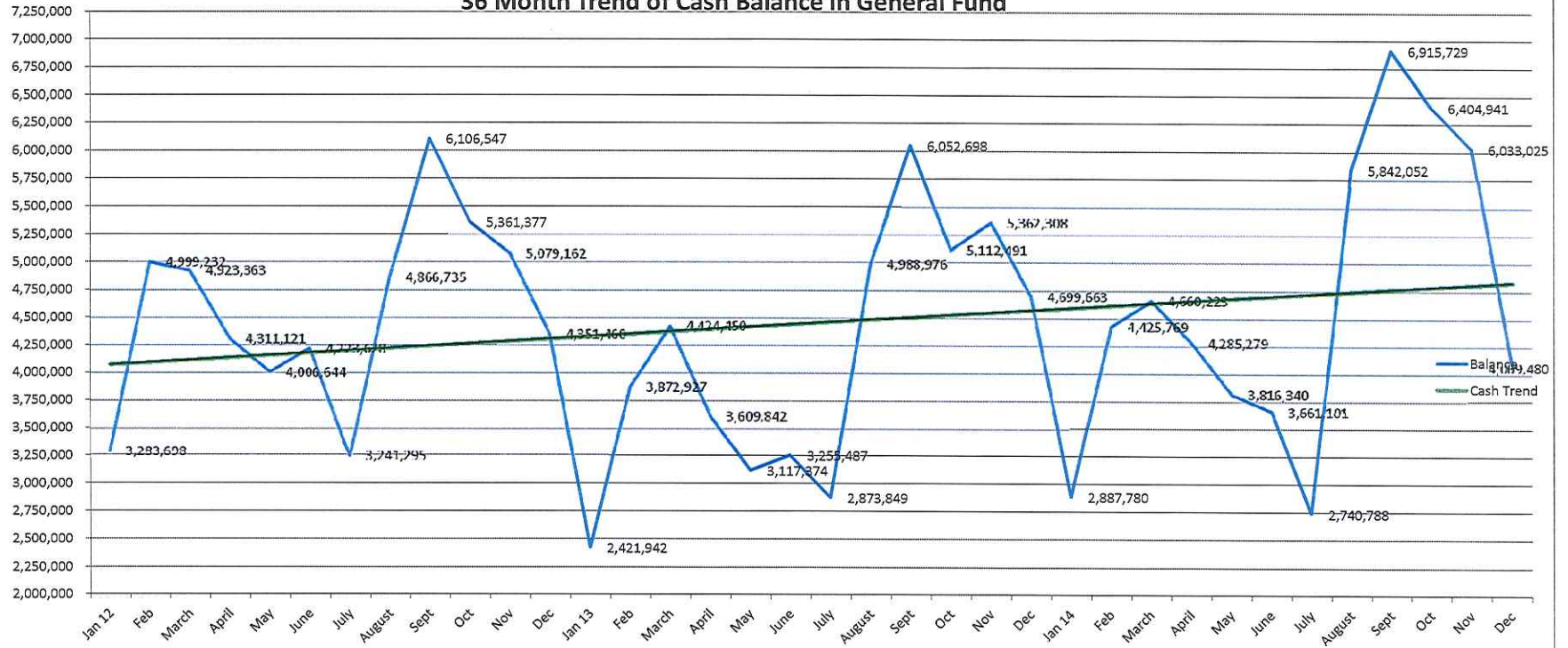
Email address: Click here to enter text. Phone Number: Click here to enter text.

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

Click here to enter text.

# Review of Cash

36 Month Trend of Cash Balance in General Fund



Listing of Cash Balances by Fund as of December 31, 2014

Fund	Discription	Balance
001	General Operating	4,069,480
002	Coal Severance	76,314
003	Dog & Kennel	28,229
004	General School	-
005	Magistrate Court	3,630
006	Worthless Check	27,141
008	Home Confinement	4,784
009	Federal Grants	987
010	State Grant	-
023	Flood Mitigation	34,958
039	Waste Coal	8,331
056	Assessor Valuation	456,004
057	Farmland Protection	1
059	Concealed Weapons	45,981
063	Voter Registration	14
074	Drug Forfeiture	5,882
075	Sub Division Bond Forfeiture	172
077	Teen Court	595
244	Bardane Public Health Center	98,773
246	Capital Outlay	4,349,769
247	Parks Land Fund	-
249	Impact Fees	1,836,818
315	State Police	60
369	Deputy Sheriff Retire	<u>1</u>
Cash all Funds		11,047,924

**Budget to Actual  
by Object Code as of  
December 31, 2014**

FY15 Revenue and Expenditure  
 Compiled January 21, 2015  
 Expenditures by Object Code

	FY15 budget	FY15 actual as of 12/31/14	Variance  (unfavorable)	% Rec'd/Exp
<b>Revenue</b>				
Taxes	12,059,566	7,195,809	(4,863,757)	59.67
Tax Penalties	301,220	209,785	(91,435)	69.65
Property Transfer	468,000	319,382	(148,618)	68.24
Gas/oil	81,957	81,957	-	100.00
Horse Racing	14,219	6,920	(7,299)	48.67
Wine Liquor	25,433	18,902	(6,531)	74.32
Hotel Occupancy	520,000	350,279	(169,721)	67.36
Decal fees	75	22	(53)	29.33
Bldg Permits	170,000	105,411	(64,589)	62.01
Misc Permits	150	124	(26)	82.67
Grants	121,000	121,209	209	100.17
Payment in lieu of taxes	11,676	11,676	-	100.00
Sheriff Service Process	18,000	9,675	(8,325)	53.75
Sheriff Earnings	28,000	16,048	(11,952)	57.31
Clerk Earnings	206,500	86,863	(119,637)	42.06
Circuit Clerk Earnings	65,183	29,713	(35,470)	45.58
Prosecuting Earnings	1,129	643	(486)	56.95
Accident reports	3,500	2,040	(1,460)	58.29
Map Sales	4,200	872	(3,328)	20.76
Rent	47,175	19,350	(27,825)	41.02
Ambulance Fee	600,000	375,000	(225,000)	62.50
911 Fees	1,885,058	750,133	(1,134,925)	39.79
Franchise Agreements	402,796	105,398	(297,398)	26.17
IRP fees	10,140	4,218	(5,922)	41.60
Jail fees	96,912	96,912	-	100.00
Interest	17,273	12,926	(4,347)	74.83
Misc revenue	50	147	97	294.00
Sheriff Commission	12,000	11,619	(381)	96.83
Table Games	943,444	445,693	(497,751)	47.24
Video Lottery	3,303,293	1,890,861	(1,412,432)	57.24
Reimbursements	310,300	146,232	(164,068)	47.13
General School Reimbursements	264,000	134,163	(129,837)	50.82
Trns Assessor Val fund	494,949	-	(494,949)	-
<b>Total Revenue</b>	<b>22,487,198</b>	<b>12,559,982</b>	<b>(9,927,216)</b>	<b>55.85</b>

**FY15 Revenue and Expenditure  
Compiled January 21, 2015  
Expenditures by Object Code**

	<b>FY15 budget</b>	<b>FY15 actual as of 12/31/14</b>	<b>Variance  (unfavorable)</b>	<b>% Rec'd/Exp</b>
<b>Expenditures</b>				
Salaries	9,827,902	4,840,293	4,987,609	49.25
FICA	751,229	384,481	366,748	51.18
Health Insurance	2,021,182	920,893	1,100,289	45.56
Retirement	1,288,435	670,896	617,539	52.07
Telephone	236,474	94,951	141,523	40.15
Printing	24,019	4,893	19,126	20.37
Utilities	291,700	106,541	185,159	36.52
Travel	56,969	16,226	40,743	28.48
Bldg Repairs	70,000	13,078	56,922	18.68
Equip Repairs	200,908	93,214	107,694	46.40
Auto Repairs	8,000	256	7,744	3.20
Postage	111,411	59,782	51,629	53.66
Equipment Rent	139,600	81,709	57,891	58.53
Ads/Legal Publications	48,926	15,007	33,919	30.67
Training	54,955	9,748	45,207	17.74
Dues	83,975	38,393	45,582	45.72
Professional Services	257,202	91,969	165,233	35.76
Audit Costs	35,000	34,600	400	98.86
Bonds/Workers Comp	440,369	257,959	182,410	58.58
Sheriff Court Costs	1,000	-	1,000	-
Contracted Services	404,090	149,060	255,030	36.89
Ambulance Fee Remittance	600,000	375,000	225,000	62.50
Bank Charges	500	130	370	26.00
Retired Insurance Prem	81,103	43,293	37,810	53.38
Materials/supplies	425,604	146,846	278,758	34.50
Record Books	8,350	5,054	3,296	60.53
Vehilce Fuel	229,750	91,404	138,346	39.78
Jail Costs	1,100,000	669,854	430,146	60.90
Uniforms	40,875	12,883	27,992	31.52
State Computer	57,875	14,261	43,614	24.64
Computer Software	11,500	458	11,042	3.98
Computer Hardware	70,500	9,508	60,992	13.49
Tech Support	121,250	14,586	106,664	12.03
Tech Fees & Lic	72,945	16,711	56,234	22.91
Contributions to other entities	2,993,949	2,215,075	778,874	73.99
Contingency	319,651	-	319,651	-
<b>Total Expenditures</b>	<b>22,487,198</b>	<b>11,499,012</b>	<b>10,988,186</b>	<b>51.14</b>
 Net	 -	 1,060,970		

**Budget to Actual  
by Department as of  
December 31, 2014**

**FY15 Revenue and Expenditure  
Compiled January 21, 2015  
Expenditures by Department**

	FY15 budget	FY14 actual as of 12/31/13	FY15 actual as of 12/31/14	Variance (unfavorable)	% Rec'd/Exp
<b>Revenue</b>					
Taxes	12,059,566	6,868,068	7,195,809	(4,863,757)	59.67
Tax Penalties	301,220	224,841	209,785	(91,435)	69.65
Property Transfer	468,000	976,748	319,382	(148,618)	68.24
Gas/oil	81,957	5,294	81,957	-	100.00
Horse Racing	14,219	7,181	6,920	(7,299)	48.67
Wine Liquor	25,433	12,717	18,902	(6,531)	74.32
Hotel Occupancy	520,000	289,574	350,279	(169,721)	67.36
Decal fees	75	38	22	(53)	29.33
Bldg Permits	170,000	45,065	105,411	(64,589)	62.01
Misc Permits	150	100	124	(26)	82.67
Grants	121,000	140,848	121,209	209	100.17
Payment in lieu of taxes	11,676	9,949	11,676	-	100.00
Sheriff Service Process	18,000	8,625	9,675	(8,325)	53.75
Sheriff Earnings	28,000	12,159	16,048	(11,952)	57.31
Clerk Earnings	206,500	101,364	86,863	(119,637)	42.06
Circuit Clerk Earnings	65,183	32,642	29,713	(35,470)	45.58
Prosecuting Earnings	1,129	559	643	(486)	56.95
Accident reports	3,500	1,780	2,040	(1,460)	58.29
Map Sales	4,200	2,224	872	(3,328)	20.76
Rent	47,175	23,487	19,350	(27,825)	41.02
Ambulance Fees	600,000	-	375,000	(225,000)	62.50
911 Fees	1,885,058	674,642	750,133	(1,134,925)	39.79
Franshise Agreements	402,796	201,398	105,398	(297,398)	26.17
IRP fees	10,140	4,695	4,218	(5,922)	41.60
Jail fees	96,912	85,651	96,912	-	100.00
Interest	17,273	8,372	12,926	(4,347)	74.83
Misc revenue	50	179	147	97	294.00
Sheriff Commission	12,000	11,738	11,619	(381)	96.83
Table Games	943,444	558,122	445,693	(497,751)	47.24
Video Lottery	3,303,293	1,968,001	1,890,861	(1,412,432)	57.24
Reimbursements	310,300	218,647	146,232	(164,068)	47.13
Trans from other funds	-	1,764	-	-	#DIV/0!
General School Reimbursements	264,000	131,655	134,163	(129,837)	50.82
Trns Assessor Val fund	494,949	-	-	(494,949)	-
<b>Total Revenue</b>	<b>22,487,198</b>	<b>12,628,127</b>	<b>12,559,982</b>	<b>(9,927,216)</b>	<b>55.85</b>
<b>Expenditures</b>					
Commission	1,704,450	905,782	887,917	816,533	52.09
County Clerk	858,405	386,107	362,921	495,484	42.28
Circuit Clerk	684,454	318,564	313,661	370,793	45.83
Treasurer	617,390	314,930	313,349	304,041	50.75
Prosecuting Attny	1,810,398	901,598	887,203	923,195	49.01
Assessor	550,090	327,159	292,929	257,161	53.25
Assessor AVF	494,949	198,559	229,882	265,067	46.45
Statewide Computer	57,075	29,445	14,261	42,814	24.99
Agricultural Agent	128,222	66,752	61,148	67,074	47.69

**FY15 Revenue and Expenditure**  
**Compiled January 21, 2015**  
**Expenditures by Department**

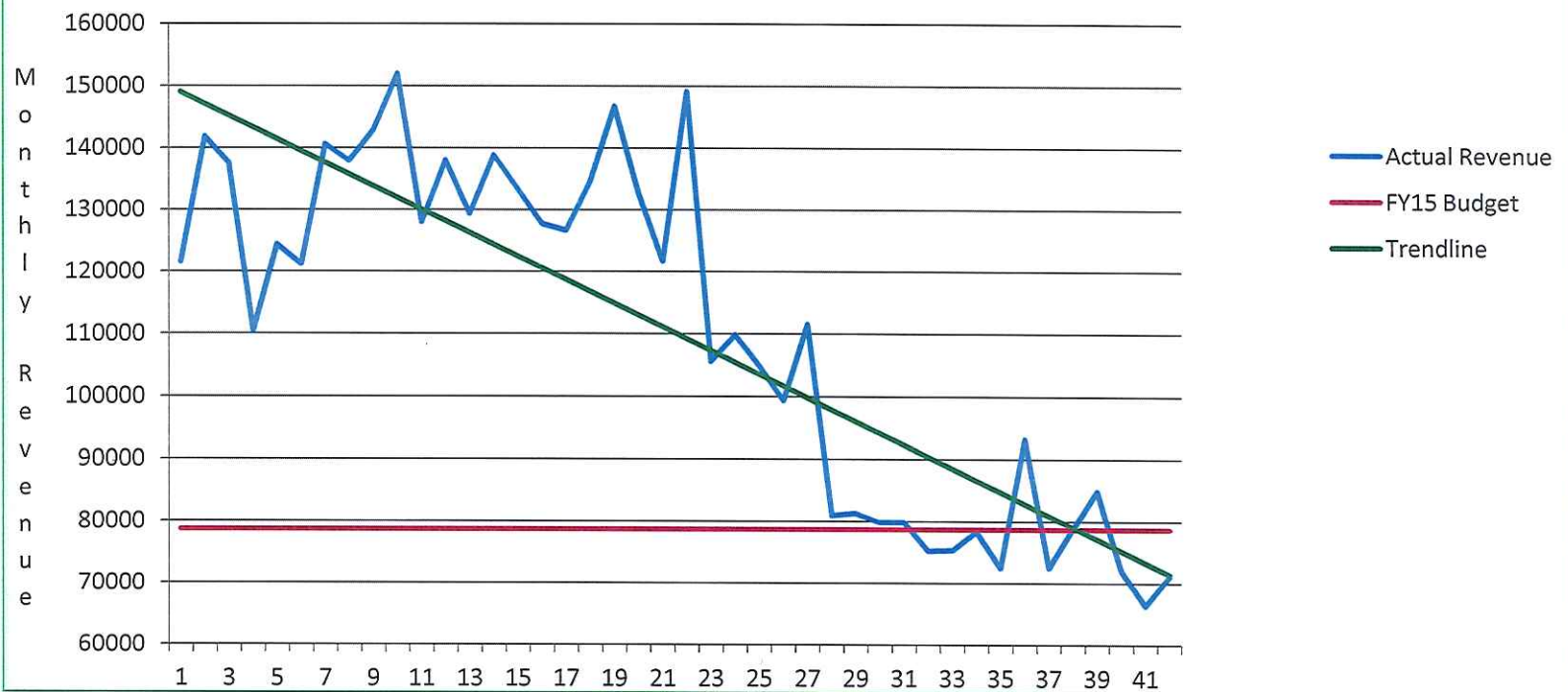
	<b>FY15 budget</b>	<b>FY14 actual</b>	<b>FY15 actual</b>	<b>Variance</b>	<b>% Rec'd/Exp</b>
		<b>as of 12/31/13</b>	<b>as of 12/31/14</b>	<b>(unfavorable)</b>	
Elections	362,740	76,430	183,833	178,907	50.68
Magistrate Court	1,000	454	414	586	41.40
Courthouse (Maintenance)	1,128,469	621,753	525,214	603,255	46.54
Other Buildings	649,750	295,324	245,680	404,070	37.81
Data Processing	335,003	121,244	90,142	244,861	26.91
Regional Dev Authority	19,795	19,794	19,794	1	99.99
Economic Development	448,017	229,884	277,286	170,731	61.89
GIS	242,947	115,888	115,964	126,983	47.73
Planning	394,833	235,444	171,243	223,590	43.37
Engineering	746,637	371,177	366,522	380,115	49.09
Zoning	71,338	39,676	35,500	35,838	49.76
Transfer to other Funds	-	6,250	-	-	#DIV/0!
Contingency	319,651	-	-	319,651	-
Law Enforcement	3,489,616	1,776,755	1,682,627	1,806,989	48.22
Service of Process	18,000	17,206	3,198	14,802	17.77
Regional Jail	1,100,000	490,913	669,854	430,146	60.90
Emergency Services	269,635	116,943	108,147	161,488	40.11
Communication Center	1,999,613	969,743	970,553	1,029,060	48.54
Fire Depts	373,625	-	243,500	130,125	65.17
JCESA	1,297,562	1,118,227	1,085,672	211,890	83.67
Ambulance Fees Remittance	600,000	-	375,000	225,000	62.50
Animal Control	335,644	160,329	154,610	181,034	46.06
Central Garage	352,786	158,667	135,710	217,076	38.47
Parks and Recs	493,529	268,642	323,858	169,671	65.62
Arts and Humanities	10,400	11,827	6,067	4,333	58.34
Historical Commission	15,400	11,827	8,983	6,417	58.33
Visitors Center	260,000	147,838	151,664	108,336	58.33
Library	234,000	130,000	175,500	58,500	75.00
Public Transportation	10,275	6,850	7,706	2,569	75.00
Waste Authority	1,500	-	1,500	-	100.00
Clerk Capital Equip		21,073	-		
<b>Total Expenditures</b>	<b>22,487,198</b>	<b>10,989,054</b>	<b>11,499,012</b>	<b>10,988,186</b>	<b>51.14</b>
<b>Net</b>	<b>-</b>	<b>1,639,073</b>	<b>1,060,970</b>		

FY15 Budget Variances  
As of December 31, 2014

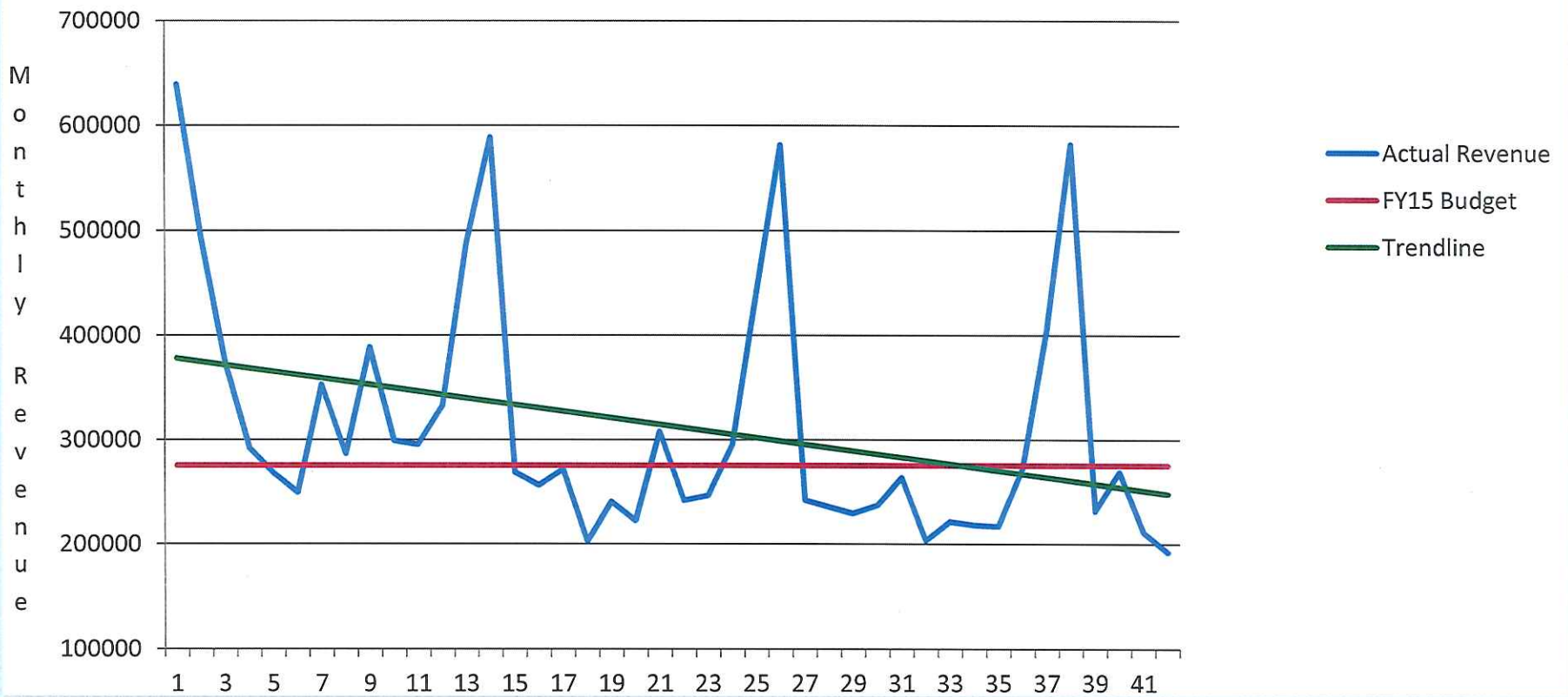
(unfavorable)

001-308-OT-000	Wine & Liquor Tax	7,000	Based on actual to budget
001-301-TT-006	Supplemental Taxes	75,000	Based on actual to budget
001-301-TT-001	Ad Valorem taxes 1st yr	18,000	Based on actual to budget
001-304-OT-000	Property Tax Transfers	130,000	Based on actual to budget
001-318-LP-000	Building Permits	21,000	Based on actual to budget
001-322-IG-000	Federal Grants	30,000	Based on actual to budget
001-331-CS-000	Cnty Clerk Earnings	(14,000)	Based on actual to budget
001-346-CS-000	911 Fees	(38,000)	Delay in phone billing
001-370-OT-000	Table Games	(52,000)	Based on actual to budget
001-373-OT-000	Video Lottery	<u>(74,000)</u>	Based on actual to budget
Total Revenue Variances		103,000	
001-413-xxx	Elections	78,500	Budget adjustment in process
001-403	Circuit Clerk Cell Phones	(658)	Not included in budget
001-700	Sheriff Cell Phones	(14,644)	Not included in budget
001-424-02-218-000-GG-000	Postage	(10,000)	\$9,000 related to ambulance billing
001-xxx-01-105-000-GG-000	Health Insurance adj in process	167,335	Elected Depts
001-704-03-345-000-PS-000	Jail Costs	<u>(240,000)</u>	Trend does not support budget
Total Expenditure Variances		(19,467)	
Contingency Reserve Available		<u>319,651</u>	
Possible Increase in Fund Balance		403,184	

# Table Games 001-370-OT-000 42 month Period July 2011 - Dec 2014



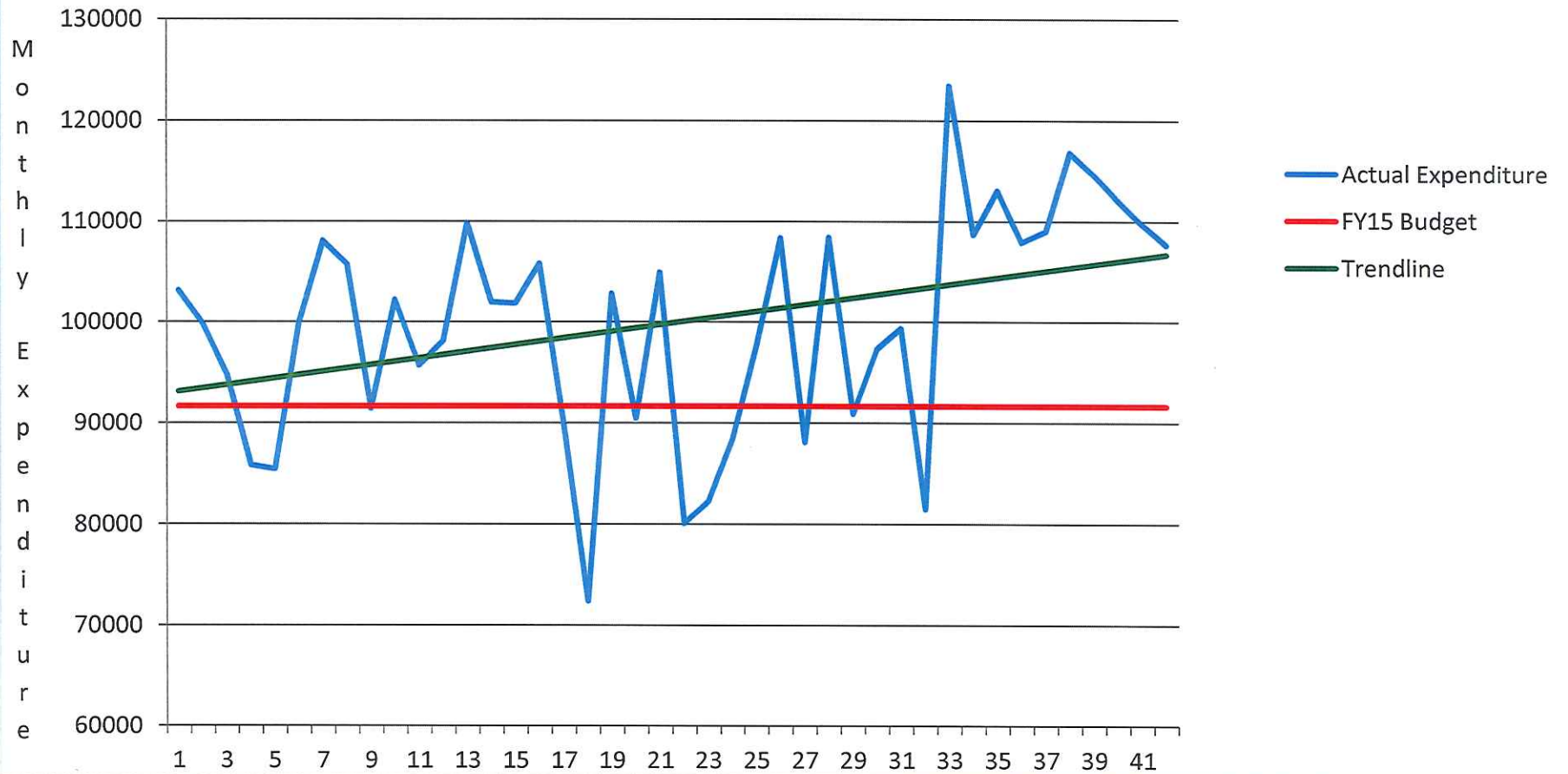
# Video Lottery 001-373-OT-000 42 month Period July 2011 - Dec 2014



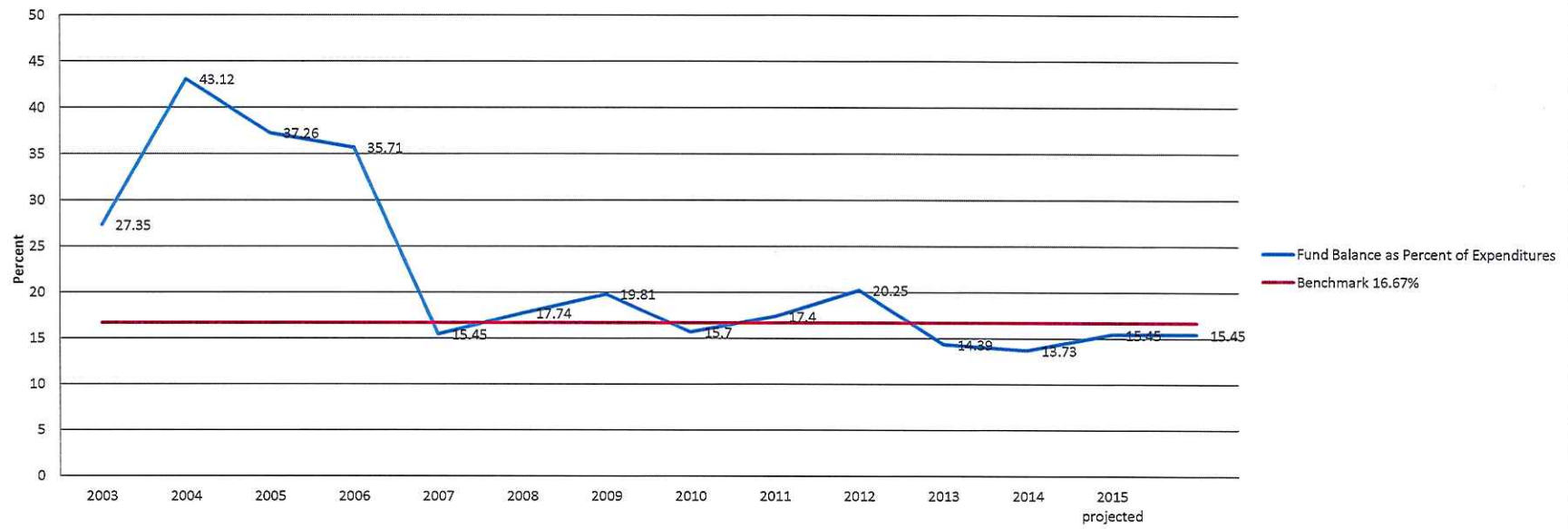
# Jail Costs

## 001-704-03-344-000-PS-000

### 42 month Period July 2011 - Dec 2014



### Fund Balance as Percent of Expenditures



# Budget Transfers

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

**REQUEST FOR REVISION TO APPROVED BUDGET**

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

CONTROL NUMBER

**2015**

FY

**1**

FUND

**9**

REV. NO.

**1 of 1**

PG. OF NO.

Jefferson County Commission

GOVERNMENT ENTITY

Person To Contact Regarding

Budget Revision: **Tim Stanton**

Phone: **304-724-8425 ext 1008**

Fax: **304-725-7916**

P.O. Box 250

STREET OR PO BOX

Charles Town

25414

CITY

ZIP CODE

COUNTY

Government Type

**REVENUES: (net each acct.)**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
373	Video Lottery	3,303,293		78,500	3,224,793
382	Refunds/Reimbursements (External Sources)	310,300	3,283		313,583
	#N/A				
	#N/A				
	#N/A				
	#N/A				

**NET INCREASE/(DECREASE) Revenues (ALL PAGES)**

**-75,217**

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

**EXPENDITURES: (net each account category)**

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
413	Elections-County Clerk	362,740		78,500	284,240
700	Sheriff-Law Enforcement	3,489,616	1,459		3,491,075
712	Communication Center	1,999,613	1,824		2,001,437
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

**NET INCREASE/(DECREASE) Expenditures**

**-75,217**

APPROVED BY THE STATE AUDITOR

BY: \_\_\_\_\_  
 Director, Local Government Services Division Date

AUTHORIZED SIGNATURE  
 OF ENTITY

APPROVAL  
 DATE

Entries for Keying Budget Revision Number 9

		Increase	Decrease
001-373-OT-000	Video Lottery		78,500
001-382-MM-000	Misc Reimbursements	3,283	
001-413-01-103-000-GG-000	Election Wages		13,000
001-413-01-105-000-GG-000	Election Medical Insurance		9,500
001-413-01-108-002-GG-000	Election Overtime		16,000
001-413-03-341-000-GG-000	Election Supplies		25,000
001-413-03-356-000-GG-000	Election Licenses		15,000
001-700-01-108-003-PS-000	Baliff Wages	1,459	
001-712-02-211-000-PS-911	911 Center Telephone	1,824	

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 29th day of January 2015, the following Order was made and entered:

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

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised as shown on budget revision number #9 to the General County Fund, a copy of which is entered as part of this record.

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

Dale Manuel	_____
Jane Tabb	_____
Patsy Noland	_____
Walter Pellish	_____
Eric Bell	_____

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

\_\_\_\_\_  
Jane Tabb, President  
Jefferson County Commission

Jefferson County, West Virginia  
 Department of Financial Management  
 Budget Revision for Fiscal Year Ending June 30, 2015  
 Internal Budget Revision  
 IRB # 6

**Narrative:**

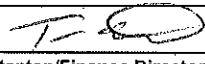
Transfer funds for needed funding for new software license related to CAD

Budget Line No.	Account Name	Approved Budget	Requested Additions	Requested Reduction	Revised Budget
001-433-01-108-002-GG-000	GIS Extra Help	16,000	0	1,000	15,000
001-433-02-230-000-GG-000	GIS Contracted Services	7,900	0	1,000	6,900
001-433-03-341-000-GG-000	GIS Supplies	1,600	0	1,420	180
001-433-03-356-000-GG-000	GIS Computer Licenses	7,895	3,420	0	11,315
<b>Totals</b>		<b>33,395</b>	<b>3,420</b>	<b>3,420</b>	<b>33,395</b>

Requested by: Todd Fagan

Approved by: (department head/elected): \_\_\_\_\_

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

Reviewed by: 

Date: 1/23/15

T Stanton/Finance Director

Date Submitted to County Commission: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Authorizing Signature: \_\_\_\_\_

**NOTICE**  
**Board of Review and**  
**Equalization**

The County Commission of Jefferson County will convene as a Board of Review and Equalization in the County Commission Courtroom at the Courthouse of said County, 100 E. Washington Street, Charles Town, WV on **Thursday, January 29, 2015, at 1:30 p.m.**, for the purpose of reviewing and equalizing assessments returned by the Assessor of Jefferson County for the tax year 2015.

If you disagree with your appraisal, you may appeal by filing a written petition for an informal review with your county Assessor within eight (8) business days of receiving your Notice of Increase in Assessment.

No questions of class changes or late filing of farms shall be addressed, only questions of assessed value will be reviewed.

The Jefferson County Commission will continue to sit as a Board of Review and Equalization in February, 2015 and hold hearings at the Courthouse of said County, 100 E. Washington Street, Charles Town, WV on the following dates:

Tuesday	February 3, 2015	1:30 p.m.
Thursday	February 5, 2015	1:30 p.m.
Tuesday	February 10, 2015	1:30 p.m.
Thursday	February 12, 2015	1:30 p.m.

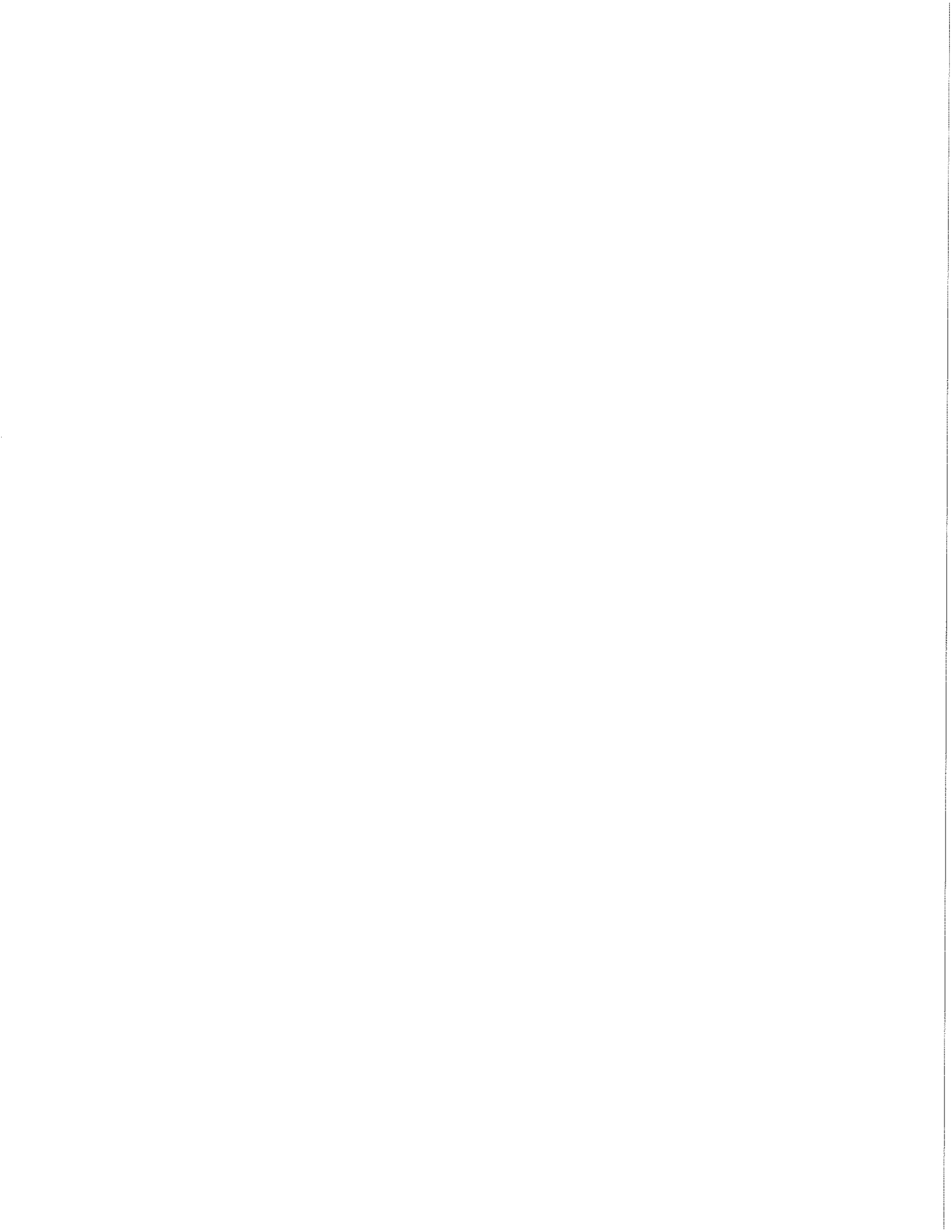
Persons wishing to appear before the Commission should apply to the Assessor no later than Friday, February 13, 2015 in order to complete the proper forms and to schedule a hearing date prior to the planned final date of Tuesday, February 17, 2015.

You may also appeal by filing a written protest with the Clerk of the County Commission no later than February 20, 2015, indicating you wish your protest to be heard by the County Commission sitting as a Board of Assessment Appeals in October. If the Board of Review and Equalization has adjourned sine die before February 20, 2015, and a request to have your protest heard by the Board of Assessment Appeals is filed no later than February 20, 2015 with the Clerk of the County Commission, your appeal will be heard by the County Commission sitting as a Board of Assessment Appeals in October, 2015.

Given under my hand this 18<sup>th</sup> day of December, 2014.

---

JENNIFER MAGHAN, COUNTY CLERK



**Quarterly Report**  
Jefferson County Historic Landmarks Commission  
October 1, 2014 through December 31, 2014  
January 2015

**1. Projects Undertaken**

- a. Shepherdstown Battlefield properties transfer to NPS - ongoing
- b. Peter Burr Farm improvements and programing - ongoing
- c. Snow Hill/Poor House Improvements – ongoing
- d. WV GeoExplorer project – sponsor and coordinate - ongoing
- e. Site reviews in conjunction with JC Planning Department
- f. Development of historic preservation curriculum for fourth and eighth graders in conjunction with JC Schools
- g. Amending WV Code definition of “certified historic structure” during 2015 legislative session
- h. Hosting Shepherd University interns - ongoing
- i. Updating JCHLC long range plan to include recommendations from Envision Jefferson 2035
- j. Move of JCHLC website from contractor to JC site
- k. Submission of National Register nomination – Packhorse Ford
- l. Governmental sponsor for ABPP Grant - purchase Mehrkam tracts – Shepherdstown Battlefield

**2. Projects Completed**

- a. Demolition of Cornfeld house, Shepherdstown Battlefield
- b. ABPP grant sponsor for purchase of Cornfeld Tract Shepherdstown Battlefield
- c. Conducted two WV GeoExplorer training workshops
- d. Grant received from Two River Giving Circle – WV GeoExplorer project
- e. Fall 2014 internship for SU student – Curtis Ward
- f. Conducted two Historic Preservation Tax Credit Workshops
- g. Conservation easement donation to LTEP for Cornfeld Tract, Shepherdstown Battlefield

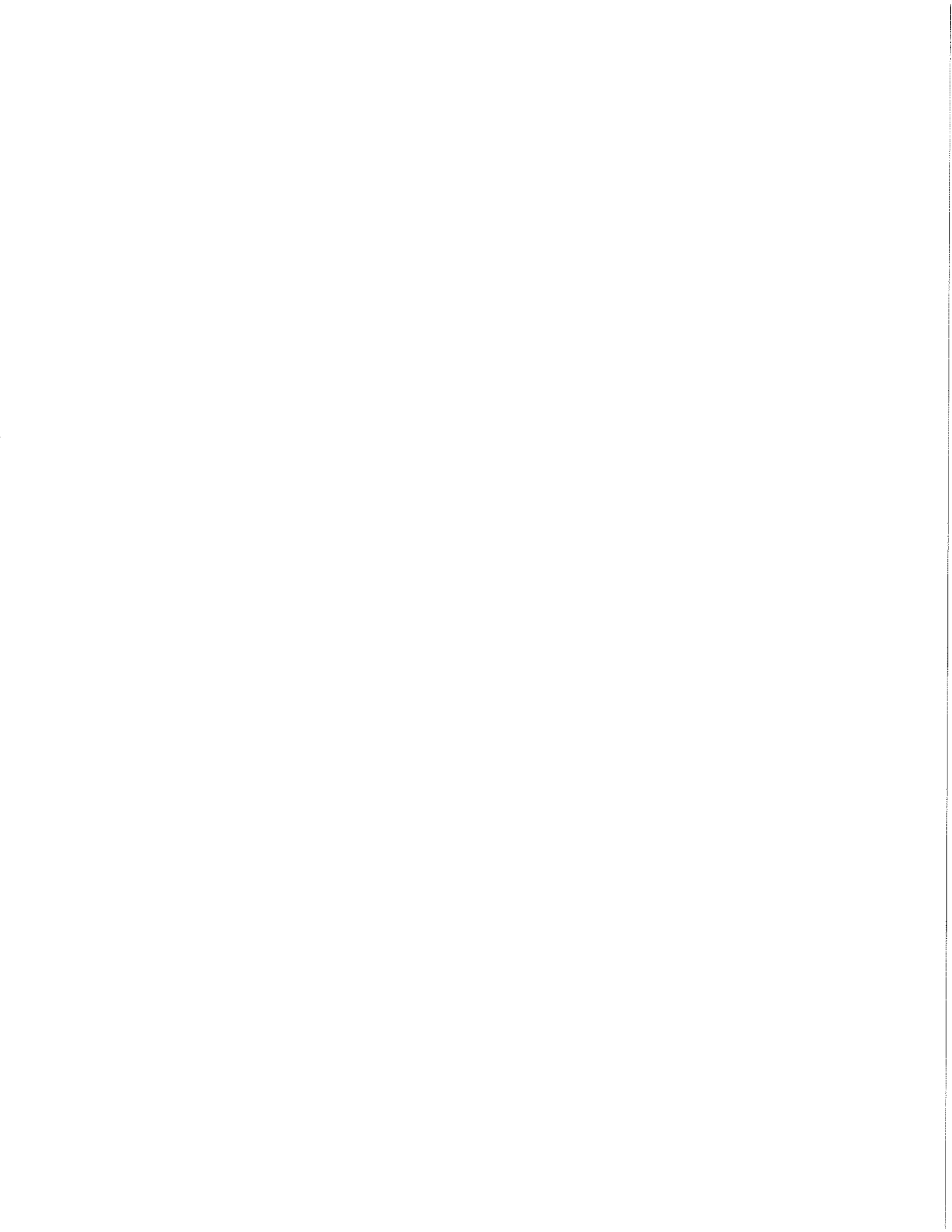
**3. Projects Proposed**

- a. Documentation of significant barns and farmsteads
- b. Verification of JCHLC inventory
- c. JC viewshed inventory
- d. WV State Legislative agenda – 2015 and beyond
- e. Hosting AmeriCorps member beginning September 2015

**4. Items Requiring Jefferson County Commission Attention**

- a. None at this time

Submitted by  
Martin Burke  
Chair, JCHLC



**NOTICE**  
**Board of Review and**  
**Equalization**

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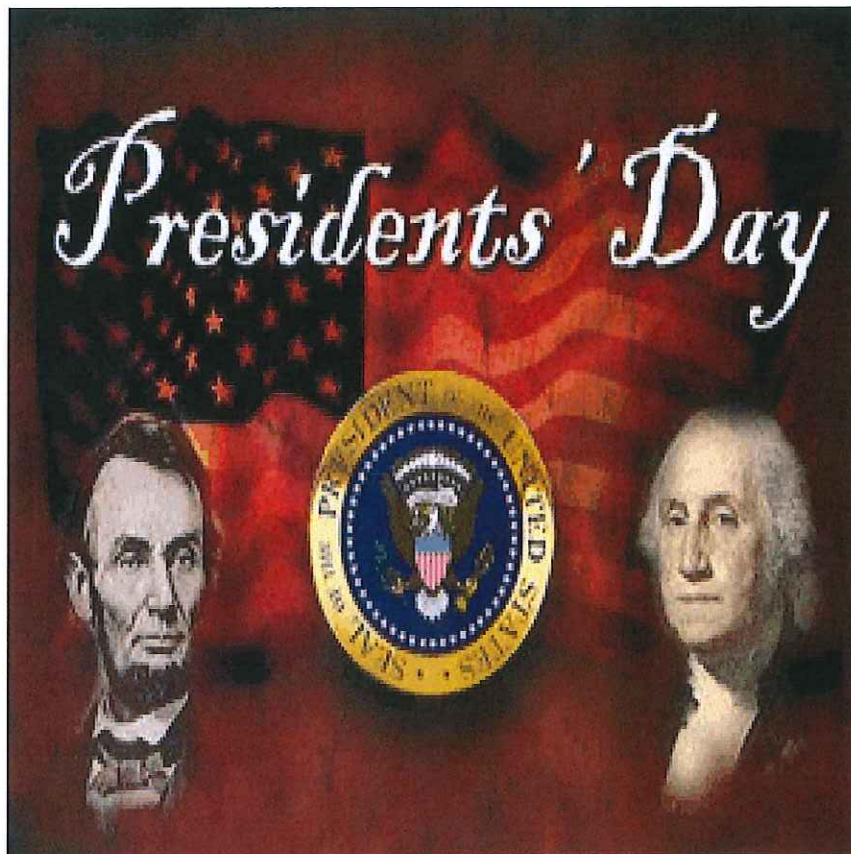
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Given under my hand this 18<sup>th</sup> day of December, 2014.

---

JENNIFER MAGHAN, COUNTY CLERK

COUNTY OFFICES WILL BE  
CLOSED ON MONDAY,  
FEBRUARY 16, 2015 IN  
OBSERVANCE OF  
PRESIDENTS' DAY



The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, February 5, 2015 or as soon thereafter as the Commission may decide:

**Jefferson County Community Criminal Justice Board - one unexpired term ending July 3, 2017**

The following board member position is vacant:

- one (1) at-large member who is familiar with the community and has an interest in advancing access to substance abuse treatment.

*“The Criminal Justice Board evaluates and monitors community corrections programs, services, and facilities to determine their impact on offenders and develop and apply for approval of community corrections programs operated by the Jefferson Day Report Center, a non-profit organization.”*

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414 no later than 12:00 pm on the Monday before the proposed appointment date.

Please direct any questions regarding the background needed to apply for these positions to Ronda Eddy, Executive Director, Jefferson Day Report Center at (304) 728-3527.

Additional information regarding appointments to County boards, commissions, and committees may be obtained by calling the Commission Office at (304) 728-3284.

**SPIRIT OF JEFFERSON:**

**PLEASE ADVERTISE ON:**

**January 21 and 28, 2015**

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, February 5, 2015, or as soon thereafter as the Commission may decide:

**Harpers Ferry - Bolivar Public Library Board: one unexpired term ending December 31, 2018.**

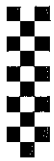
Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, no later than 12:00 p.m. on the Monday prior to the proposed date of appointment.

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

**SPIRIT OF JEFFERSON - PLEASE ADVERTISE ON:**

**January 21 and 28, 2015**

**THANKS - JEFFERSON COUNTY COMMISSION**



**Patti Hamilton**

---

**From:** "Patti Hamilton" <patti@wvaco.org>  
**To:** "WVACO Listserv - Prosecutors" <prosecutors@listserv.wvaco.org>  
**Sent:** Thursday, January 15, 2015 6:09 PM  
**Subject:** [wvaco\_pros] County Legislative E-Line



**Friday, January 16, 2015**

**CAPITOL QUOTES:**

*"We must work together, not as Democrats or Republicans, but as West Virginians united for the common good. This is West Virginia, not Washington, and we work together to meet the challenges we face as a state." Governor Tomblin in his State of the State remarks.*

---

Governor Tomblin presented his State of the State address to a packed House of Delegates chamber on January 14th. He acknowledged the large number of new legislators and also remarked about his start as a 21 year old legislator 40 years ago. He introduced the youngest legislator ever in WV (and I've heard she's the youngest in the nation), Saira Blair, age 18, from Berkeley County.

There is still a lot of discussion about eliminating commercial personal property tax. Data from the State Tax Dept. shows the estimated total revenue from machinery and equipment, inventory, personal property valued at salvage value, and other (such as computer equipment, etc.) is \$304,526,409. Elimination would require a constitutional amendment and there is the question, what would replace the revenue? An interesting article from "The Atlantic" is entitled "What's Wrong With Georgia?" Georgia is appearing near the top of the unemployment list despite being named the best state to do business in both 2014 and 2013 by "Site Selection" magazine. A citizen is quoted, saying "Companies may come here for the tax breaks, but they're not actually bringing jobs for the people who live here."

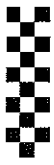
Look for your regular edition of the County Legislative Line by email and fax at least once a week on Thursday evening or Friday. The legislative web site is an excellent source of information. Go to [www.legis.state.wv.us](http://www.legis.state.wv.us) I still have a lot more bills to review but here's a start:

**House Bills of Interest to Counties Introduced Jan. 14:**

<b>HJR 1</b> <u>(None)</u> Manufacturing Inventory Amendment	01/15/15 - To House Judiciary	<b>House Reference 1 -</b> Judiciary <b>House Reference 2 -</b> Finance
---	-------------------------------	--

<b>HJR 3</b> <b>(None)</b>	Homestead Exemption Increase Amendment		01/15/15 - To House Judiciary	House Reference 1 - Judiciary House Reference 2 - Finance	
<b>HB 2009</b> <b>(None)</b>	Allowing State Police, police, sheriffs and fire and emergency service personnel to possess naloxone or other approved opioid antagonist	SA SB 9	01/14/15 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	permissive; training requirement
<b>HB 2010</b> <b>(None)</b>	Requiring the elections of justices of the West Virginia Supreme Court of Appeals, circuit court judges, family court judges and magistrates be nonpartisan and by division	SA SB 10	01/14/15 - To House Judiciary	House Reference 1 - Judiciary	
<b>HB 2012</b> <b>(None)</b>	Relating to the payment of wages by employers and when final wages are required to be paid	SA SB 12	01/14/15 - To House Industry and Labor	House Reference 1 - Industry and Labor House Reference 2 - Finance	next regular payday
<b>HB 2029</b> <b>(None)</b>	Allowing counties and municipalities to levy a sales tax on food and beverages sold at restaurants		01/14/15 - To House Political Subdivisions	House Reference 1 - Political Subdivisions House Reference 2 - Finance	
<b>HB 2038</b> <b>(None)</b>	Relating to excuses from jury service		01/14/15 - To House Judiciary	House Reference 1 - Judiciary	breastfeeding
<b>HB</b>	Adding domestic violence and fraud to the list of			House	

<b>2040</b> <u>(None)</u>	crimes for which conviction would bar a person from holding public office	01/14/15 - To House Judiciary	<b>Reference 1 -</b> Judiciary	
<b>HB 2044</b> <u>(None)</u>	Relating generally to administration of an opioid antagonist	01/14/15 - To House Health and Human Resources	<b>House Reference 1 -</b> Health and Human Resources <b>House Reference 2 -</b> Judiciary	
<b>HB 2045</b> <u>(None)</u>	Overdose Prevention Act	01/14/15 - To House Health and Human Resources	<b>House Reference 1 -</b> Health and Human Resources <b>House Reference 2 -</b> Judiciary	provides immunity
<b>HB 2053</b> <u>(None)</u>	Relating to the form of trust deeds	01/14/15 - To House Judiciary	<b>House Reference 1 -</b> Judiciary	permit recording of memorandum in lieu of deed of trust



**Patti Hamilton**

---

**From:** "Patti Hamilton" <patti@wvaco.org>  
**To:** "WVACO Listserv - Commissioners" <commissioners@listserv.wvaco.org>; <countyclerks@listserv.wvaco.org>; <circuitclerks@listserv.wvaco.org>; "WVACO Listserv - Sheriffs" <sheriffs@listserv.wvaco.org>; "WVACO Listserv - Assessors" <assessors@listserv.wvaco.org>; "WVACO Listserv - Prosecutors" <prosecutors@listserv.wvaco.org>  
**Sent:** Wednesday, January 14, 2015 2:46 PM  
**Subject:** County Legislative E-Line



**Wednesday, January 14th, 2015**  
**"Special Edition - First Day of Session"**

**CAPITOL QUOTES:**

*"We're not going to be able to do it right away." Speaker Armstead, in remarks at the "Issues & Eggs" breakfast about eliminating business inventory tax.*

*"I'm amazed at the amount of new friends I have." New Senate President Bill Cole, speaking at the "Issues & Eggs" breakfast on the 1st day of session.*

*"'Because that's the way we've always done it' is the wrong answer." Senate President Cole remarking on asking why state and other government agencies do things the way they do*

*"It's great to have the Senate President so he can help me sing soprano." Del. Ireland, who along with President Cole is known for his very deep voice*

*"West Virginia has the highest overdose death rate at 38 per 100,000. The lowest state has 8 per 100,000." New Delegate Rohrbach, a physician, answering a question at the "Issues & Eggs" breakfast about substance abuse*

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The 82nd Legislature began at noon on January 14th and it is historic in the sense that there has never been a Republican Speaker of the House in our current State Capitol and it has been 84 years since Republicans had a majority. Many changes have already taken place among staff and of course House & Senate leadership has done a complete about-face. The former majority is now the minority in both bodies. Many changes in procedure have been announced. The House will no longer have "minor committee day" which was Wednesday. Minor committees will be allowed and expected to meet more frequently than once a week. Both bodies are going to ask that committee agendas be available 24 hours ahead of the committee meeting. This is a huge departure from what us long-timers are accustomed to. As often as not the agenda would be posted just as the door opened to go into the committee meeting room, especially for the major committees of Judiciary & Finance. In the House, an Energy Committee will be a major committee.

During the first floor session of the Senate, tradition was upheld with the minority party nominating Senator Kessler as Senate President and majority party nominating Senator Cole. All democrats voted for Senator Kessler except Senator Plymale, who voted for Senator Cole along with Senate Republicans, Then in an expression of unity, Senator Kessler asked for the vote to be reconsidered so that Senator Cole could be elected by acclamation. In his opening remarks, President Cole thanked Senator Kessler for approving the installation of cameras in the Senate chamber. By mid-session, there will be both video and audio streaming of Senate floor sessions. In further business, Senator Clark Barnes resigned as Senator and was elected to the position of Senate Clerk. The Governor will appoint his replacement.

The Senate introduced 232 bills today (whew!) and the House introduced 56. I check the title of every bill which by Constitution must reference everything contained in the bill to look for any impact or interest to any county office. Needless to say, I'll get the list of bills of interest to counties out later!

Look for your regular edition of the County Legislative Line by email and fax at least once a week on Thursday evening or Friday. The legislative web site is an excellent source of information. Go to [www.legis.state.wv.us](http://www.legis.state.wv.us)

## **2015 LEGISLATIVE CALENDAR**

**First Day** - January 14, 2015: First day of session. (*WV Const. Art. VI, §18*)

**Twentieth Day** - February 2, 2015: Submission of Legislative Rule-Making Review bills due. (WV Code §29A-3-12)

**Forty-first Day** - February 23, 2015: Last day to introduce bills in the Senate and the House. (Senate Rule 14), (House Rule 91a) Does not apply to originating or supplementary appropriation bills. Does not apply to Senate or House resolutions or concurrent resolutions.

**Forty-seventh Day** - March 1, 2015: Bills due out of committees in house of origin to ensure three full days for readings.

**Fiftieth Day** - March 4, 2015: Last day to consider bill on third reading in house of origin. Does not include budget or supplementary appropriation bills. (Joint Rule 5b)

**Sixtieth Day** - March 14, 2015: Adjournment at Midnight. (WV Const. Art. VI, §22)

#### **LEADERSHIP:**

Senate President: Bill Cole

Senate Majority Leader: Mitch Carmichael

Senate Majority Whip: Daniel Hall

Senate Judiciary Chairman: Charles Trump

Senate Finance Chairman: Mike Hall

Senate Education Chairman: David Sypolt

Senate Government Organization Chairman: Craig Blair

Senate Health & Human Resources Chairman: Ryan Ferns

Senate Minority Leader: Jeff Kessler

Speaker, House of Delegates: Tim Armstead

House Majority Leader: Daryl Cowles

House Majority Whip: John O'Neal

dead bill

Readings: the three stages a bill must go through on the floor of a chamber; 1<sup>st</sup> reading is informational; 2<sup>nd</sup> reading is amendment stage; and 3<sup>rd</sup> reading is passage stage

Title: a concise statement of the contents of a bill; it is a constitutional requirement in WV that the title accurately and completely reflect the content of the bill

Well: the round area at the center of the Capitol between the chambers; often used as a meeting place, as in "Meet me at the well."

SB or HB – Senate Bill or House Bill

SR or HR – Senate or House Resolution

SCR or HCR – Senate or House Concurrent Resolution

SJR or HJR – Senate or House Joint Resolution (Proposed Constitutional Amendments)

Com Sub – Committee Substitute

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

<b>Week Ending Date</b>	<b>January 10, 2015</b>
<b>To be Deposited on:</b>	January 16, 2015
Amount Played	44,084,315.47
Amount Won	39,585,380.02
Amount Promo	202,030.00
MWAP Contribution	<u>2,999.52</u>
<b>Adjusted Gross Terminal Revenue</b>	<b><u>4,293,905.93</u></b>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>171,756.25</u>
<b>Net Terminal Revenue</b>	<b><u>4,122,149.68</u></b>
Surcharge @ 10%	412,214.97
State Share Excess @ 58% & 10% of 42%	256,397.71
Track Share of Capital Reinvestment @ 90% of 42%	<u>155,817.26</u>
Track Share of Capital Reinvestment @ 96%	149584.57
Track Share of Capital Reinvestment @ 4%	6232.69
<b>Adjusted Net Terminal Revenue</b>	<b><u>3,709,934.71</u></b>
Racetrack @ 46.50% / 42%	1,558,172.58
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	1,521,073.26
Excess Lottery Fund @ 12.85% / 9.55%	354,298.75
Race Track Purses @ 90% of 7% / 4%	133,557.65
Employee Pension Fund @ 1% / .5%	18,549.67
Greyhound Development @ 90% of .75%	25,042.06
Thoroughbred Development @ 90% of .75%	25,042.06
County/Municipality @ 2%	<u>74,198.68</u>
	<b><u>3,709,934.71</u></b>

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
09/06/14	\$ 122,840.56	\$ 61,420.28	\$ 61,420.28	\$ 4,870.63	\$ 24,506.69	\$ 1,332.82	\$ 20,686.35	\$ 10,023.79
09/13/14	\$ 102,729.92	\$ 51,364.96	\$ 51,364.96	\$ 4,073.24	\$ 20,494.62	\$ 1,114.62	\$ 17,299.72	\$ 8,382.76
09/20/14	\$ 101,329.08	\$ 50,664.54	\$ 50,664.54	\$ 4,017.70	\$ 20,215.15	\$ 1,099.42	\$ 17,063.82	\$ 8,268.45
09/27/14	\$ 100,254.44	\$ 50,127.22	\$ 50,127.22	\$ 3,975.09	\$ 20,000.76	\$ 1,087.76	\$ 16,882.85	\$ 8,180.76
10/04/14	\$ 107,062.56	\$ 53,531.28	\$ 53,531.28	\$ 4,245.03	\$ 21,358.98	\$ 1,161.63	\$ 18,029.34	\$ 8,736.30
10/11/14	\$ 102,254.00	\$ 51,127.00	\$ 51,127.00	\$ 4,054.37	\$ 20,399.67	\$ 1,109.46	\$ 17,219.57	\$ 8,343.93
10/18/14	\$ 112,829.28	\$ 56,414.64	\$ 56,414.64	\$ 4,473.68	\$ 22,509.44	\$ 1,224.20	\$ 19,000.45	\$ 9,206.87
10/25/14	\$ 99,780.40	\$ 49,890.20	\$ 49,890.20	\$ 3,956.29	\$ 19,906.19	\$ 1,082.62	\$ 16,803.02	\$ 8,142.08
11/01/14	\$ 104,484.68	\$ 52,242.34	\$ 52,242.34	\$ 4,142.82	\$ 20,844.69	\$ 1,133.66	\$ 17,595.22	\$ 8,525.95
11/08/14	\$ 105,638.52	\$ 52,819.26	\$ 52,819.26	\$ 4,188.57	\$ 21,074.88	\$ 1,146.18	\$ 17,789.53	\$ 8,620.10
11/15/14	\$ 103,620.64	\$ 51,810.32	\$ 51,810.32	\$ 4,108.56	\$ 20,672.32	\$ 1,124.28	\$ 17,449.72	\$ 8,455.44
11/22/14	\$ 92,457.24	\$ 46,228.62	\$ 46,228.62	\$ 3,665.93	\$ 18,445.22	\$ 1,003.16	\$ 15,569.80	\$ 7,544.51
11/29/14	\$ 111,186.88	\$ 55,593.44	\$ 55,593.44	\$ 4,408.56	\$ 22,181.78	\$ 1,206.38	\$ 18,723.87	\$ 9,072.85
12/06/14	\$ 93,585.00	\$ 46,792.50	\$ 46,792.50	\$ 3,710.64	\$ 18,670.21	\$ 1,015.40	\$ 15,759.71	\$ 7,636.54
12/13/14	\$ 81,809.96	\$ 40,904.98	\$ 40,904.98	\$ 3,243.76	\$ 16,321.09	\$ 887.64	\$ 13,776.80	\$ 6,675.69
12/20/14	\$ 83,201.68	\$ 41,600.84	\$ 41,600.84	\$ 3,298.95	\$ 16,598.73	\$ 902.74	\$ 14,011.16	\$ 6,789.26
12/27/14	\$ 116,229.36	\$ 58,114.68	\$ 58,114.68	\$ 4,608.49	\$ 23,187.76	\$ 1,261.09	\$ 19,573.02	\$ 9,484.32
01/03/15	\$ 136,554.56	\$ 68,277.28	\$ 68,277.28	\$ 5,414.39	\$ 27,242.63	\$ 1,481.62	\$ 22,995.79	\$ 11,142.85
01/10/15	\$ 74,198.68	\$ 37,099.34	\$ 37,099.34	\$ 2,941.98	\$ 14,802.64	\$ 805.05	\$ 12,495.06	\$ 6,054.61
Subtotal	\$ 2,978,856.32	\$ 1,945,459.90	\$ 1,033,396.42	\$ 81,948.33	\$ 412,325.16	\$ 22,424.72	\$ 348,047.93	\$ 168,650.28

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		9/6/2014	61,420.28	
9/11/2010	82,969.36		9/10/2011	84,845.80		9/15/2012	61,838.04		9/14/2013	53,374.22		9/13/2014	51,364.96	
9/18/2010	67,638.78		9/17/2011	66,748.62		9/22/2012	56,996.90		9/21/2013	54,277.94		9/20/2014	50,664.54	
9/25/2010	70,435.06		9/24/2011	68,929.80		9/29/2012	61,611.40		9/28/2013	54,881.50		9/27/2014	50,127.22	
10/2/2010	71,013.86		10/1/2011	68,871.64		10/6/2012	62,715.20		10/5/2013	55,950.74		10/4/2014	53,531.28	
10/9/2010	69,311.50		10/8/2011	70,866.90		10/13/2012	60,710.18		10/12/2013	55,837.92		10/11/2014	51,127.00	
10/16/2010	75,234.62		10/15/2011	75,262.66		10/20/2012	62,333.08		10/19/2013	61,327.20		10/18/2014	56,414.64	
10/23/2010	70,290.80		10/22/2011	68,757.72		10/27/2012	58,073.54		10/26/2013	52,854.06		10/25/2014	49,890.20	
10/30/2010	65,615.04		10/29/2011	60,507.98		11/3/2012	56,545.30		11/2/2013	57,543.54		11/1/2014	52,242.34	
11/6/2010	61,337.62		11/5/2011	70,673.88		11/10/2012	56,110.96		11/9/2013	54,666.76		11/8/2014	52,819.26	
11/13/2010	64,595.28		11/12/2011	67,627.10		11/17/2012	57,432.36		11/16/2013	56,495.96		11/15/2014	51,810.32	
11/20/2010	56,010.08		11/19/2011	60,690.60		11/24/2012	65,888.86		11/23/2013	48,628.62		11/22/2014	46,228.62	
11/27/2010	71,170.90		11/26/2011	74,140.54		12/1/2012	50,243.34		11/30/2013	59,645.66		11/29/2014	55,593.44	
12/4/2010	53,215.08		12/3/2011	59,429.94		12/8/2012	50,770.96		12/7/2013	47,306.24		12/6/2014	46,792.50	
12/11/2010	46,944.00		12/10/2011	51,395.44		12/15/2012	47,022.38		12/14/2013	29,229.02		12/13/2014	40,904.98	
12/18/2010	42,076.76		12/17/2011	55,981.32		12/22/2012	46,838.96		12/21/2013	44,581.02		12/20/2014	41,600.84	
12/25/2010	50,450.28		12/24/2011	54,248.62		12/29/2012	59,697.22		12/28/2013	62,117.14		12/27/2014	58,114.68	
1/1/2011	85,152.12		12/31/2011	94,661.00		1/5/2013	71,673.52		1/4/2014	62,963.88		1/3/2015	68,277.28	
1/8/2011	54,301.30		1/7/2012	74,863.40		1/12/2013	50,416.30		1/11/2014	37,935.94		1/10/2015	37,099.34	
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
<b>TOTALS</b>	<b>4,016,541.01</b>		<b>4,124,906.80</b>		<b>3,580,645.18</b>		<b>3,261,565.02</b>
							<b>1,945,459.90</b>

**Table Game Revenue**

Date	Amount	Date	Amount	Date	Amount	Date	Amount
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
<b>Total 2010-2011</b>	<b>1,297,391.70</b>	<b>Total 2011-2012</b>	<b>1,602,900.84</b>	<b>Total 2012-2013</b>	<b>1,530,462.31</b>	<b>Total 2013-2014</b>	<b>998,486.72</b>

Date	Amount
July, 2014	78,639.07
August, 2014	84,726.51
September, 2014	71,967.51
October, 2014	66,257.02
November, 2014	71,046.66

<b>Total 2014-2015</b>	<b>372,636.77</b>
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**Table Game Revenue Distribution - Jefferson County School Board**

<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, 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	August, 2014	254,179.53
September, 2011	331,125.75	September, 2012	382,597.20	September, 2013	242,573.22	September, 2014	215,902.53
October, 2011	372,821.82	October, 2012	379,446.06	October, 2013	243,198.27	October, 2014	198,771.06
November, 2011	363,356.61	November, 2012	403,331.79	November, 2013	239,561.82	November, 2014	213,139.98
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		
<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>2,995,460.18</b>	<b>Total 2014-2015</b>	<b>1,117,910.31</b>

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

**Week Ending Date**

**January 17, 2015**

<b>To be Deposited on:</b>	<b>January 26, 2015</b>
<b>Amount Played</b>	<b>51,405,140.88</b>
<b>Amount Won</b>	<b>46,162,416.14</b>
<b>Amount Promo</b>	<b>237,751.00</b>
<b>MWAP Contribution</b>	<b><u>2,963.74</u></b>
<b>Adjusted Gross Terminal Revenue</b>	<b><u>5,002,010.00</u></b>
<b>Administrative Costs @ 4%</b>	<b>0.00</b>
<b>Excess Lottery Fund @ 4%</b>	<b><u>200,080.39</u></b>
<b>Net Terminal Revenue</b>	<b><u>4,801,929.61</u></b>
<b>Surcharge @ 10%</b>	<b>480,192.95</b>
<b>State Share Excess @ 58% &amp; 10% of 42%</b>	<b>298,680.01</b>
<b>Track Share of Capital Reinvestment @ 90% of 42%</b>	<b><u>181,512.94</u></b>
<i>Track Share of Capital Reinvestment @ 96%</i>	<i>174252.42</i>
<i>Track Share of Capital Reinvestment @ 4%</i>	<i>7260.52</i>
<b>Adjusted Net Terminal Revenue</b>	<b><u>4,321,736.66</u></b>
<b>Racetrack @ 46.50% / 42%</b>	<b>1,815,129.40</b>
<b>Lottery Fund @ 30% / 0%</b>	<b>0.00</b>
<b>Excess Lottery Fund @ 0% / 41%</b>	<b>1,771,912.04</b>
<b>Excess Lottery Fund @ 12.85% / 9.55%</b>	<b>412,725.86</b>
<b>Race Track Purses @ 90% of 7% / 4%</b>	<b>155,582.52</b>
<b>Employee Pension Fund @ 1% / .5%</b>	<b>21,608.68</b>
<b>Greyhound Development @ 90% of .75%</b>	<b>29,171.72</b>
<b>Thoroughbred Development @ 90% of .75%</b>	<b>29,171.72</b>
<b>County/Municipality @ 2%</b>	<b><u>86,434.72</u></b>
	<b><u>4,321,736.66</u></b>

**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
09/06/14	\$ 122,840.56	\$ 61,420.28	\$ 61,420.28	\$ 4,870.63	\$ 24,506.69	\$ 1,332.82	\$ 20,686.35	\$ 10,023.79
09/13/14	\$ 102,729.92	\$ 51,364.96	\$ 51,364.96	\$ 4,073.24	\$ 20,494.62	\$ 1,114.62	\$ 17,299.72	\$ 8,382.76
09/20/14	\$ 101,329.08	\$ 50,664.54	\$ 50,664.54	\$ 4,017.70	\$ 20,215.15	\$ 1,099.42	\$ 17,063.82	\$ 8,268.45
09/27/14	\$ 100,254.44	\$ 50,127.22	\$ 50,127.22	\$ 3,975.09	\$ 20,000.76	\$ 1,087.76	\$ 18,882.85	\$ 8,180.76
10/04/14	\$ 107,062.56	\$ 53,531.28	\$ 53,531.28	\$ 4,245.03	\$ 21,358.98	\$ 1,161.63	\$ 18,029.34	\$ 8,736.30
10/11/14	\$ 102,254.00	\$ 51,127.00	\$ 51,127.00	\$ 4,054.37	\$ 20,399.67	\$ 1,109.46	\$ 17,219.57	\$ 8,343.93
10/18/14	\$ 112,829.28	\$ 56,414.64	\$ 56,414.64	\$ 4,473.68	\$ 22,509.44	\$ 1,224.20	\$ 19,000.45	\$ 9,206.87
10/25/14	\$ 99,780.40	\$ 49,890.20	\$ 49,890.20	\$ 3,956.29	\$ 19,906.19	\$ 1,082.62	\$ 16,803.02	\$ 8,142.08
11/01/14	\$ 104,484.88	\$ 52,242.34	\$ 52,242.34	\$ 4,142.82	\$ 20,844.69	\$ 1,133.66	\$ 17,595.22	\$ 8,525.95
11/08/14	\$ 105,638.52	\$ 52,819.26	\$ 52,819.26	\$ 4,188.57	\$ 21,074.88	\$ 1,146.18	\$ 17,789.53	\$ 8,620.10
11/15/14	\$ 103,620.64	\$ 51,810.32	\$ 51,810.32	\$ 4,108.56	\$ 20,672.32	\$ 1,124.28	\$ 17,449.72	\$ 8,455.44
11/22/14	\$ 92,457.24	\$ 46,228.62	\$ 46,228.62	\$ 3,665.93	\$ 18,445.22	\$ 1,003.16	\$ 15,569.80	\$ 7,544.51
11/29/14	\$ 111,186.88	\$ 55,593.44	\$ 55,593.44	\$ 4,408.56	\$ 22,181.78	\$ 1,206.38	\$ 18,723.87	\$ 9,072.85
12/06/14	\$ 93,585.00	\$ 46,792.50	\$ 46,792.50	\$ 3,710.64	\$ 18,670.21	\$ 1,015.40	\$ 15,759.71	\$ 7,636.54
12/13/14	\$ 81,809.96	\$ 40,904.98	\$ 40,904.98	\$ 3,243.76	\$ 16,321.09	\$ 887.64	\$ 13,776.80	\$ 6,675.69
12/20/14	\$ 83,201.68	\$ 41,600.84	\$ 41,600.84	\$ 3,298.95	\$ 16,598.73	\$ 902.74	\$ 14,011.16	\$ 6,789.26
12/27/14	\$ 116,229.36	\$ 58,114.68	\$ 58,114.68	\$ 4,608.49	\$ 23,187.76	\$ 1,261.09	\$ 19,573.02	\$ 9,484.32
01/03/15	\$ 136,554.56	\$ 68,277.28	\$ 68,277.28	\$ 5,414.39	\$ 27,242.63	\$ 1,481.62	\$ 22,995.79	\$ 11,142.85
01/10/15	\$ 74,198.68	\$ 37,099.34	\$ 37,099.34	\$ 2,941.98	\$ 14,802.64	\$ 805.05	\$ 12,495.06	\$ 6,054.61
01/17/15	\$ 86,434.72	\$ 43,217.36	\$ 43,217.36	\$ 3,427.14	\$ 17,243.72	\$ 937.82	\$ 14,555.61	\$ 7,053.07
<b>Subtotal</b>	<b>\$ 3,065,291.04</b>	<b>\$ 1,988,677.26</b>	<b>\$ 1,076,613.78</b>	<b>\$ 85,375.47</b>	<b>\$ 429,568.88</b>	<b>\$ 23,362.54</b>	<b>\$ 362,603.54</b>	<b>\$ 175,703.35</b>

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	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	9/6/2014	61,420.28					
9/11/2010	82,969.36	9/10/2011	84,845.80	9/15/2012	61,838.04	9/14/2013	53,374.22	9/13/2014	51,364.96					
9/18/2010	67,638.78	9/17/2011	66,748.62	9/22/2012	56,996.90	9/21/2013	54,277.94	9/20/2014	50,664.54					
9/25/2010	70,435.06	9/24/2011	68,929.80	9/29/2012	61,611.40	9/28/2013	54,881.50	9/27/2014	50,127.22					
10/2/2010	71,013.86	10/1/2011	68,871.64	10/6/2012	62,715.20	10/5/2013	55,950.74	10/4/2014	53,531.28					
10/9/2010	69,311.50	10/8/2011	70,866.90	10/13/2012	60,710.18	10/12/2013	55,837.92	10/11/2014	51,127.00					
10/16/2010	75,234.62	10/15/2011	75,262.66	10/20/2012	62,333.08	10/19/2013	61,327.20	10/18/2014	56,414.64					
10/23/2010	70,290.80	10/22/2011	68,757.72	10/27/2012	58,073.54	10/26/2013	52,854.06	10/25/2014	49,890.20					
10/30/2010	65,615.04	10/29/2011	60,507.98	11/3/2012	56,545.30	11/2/2013	57,543.54	11/1/2014	52,242.34					
11/6/2010	61,337.62	11/5/2011	70,673.88	11/10/2012	56,110.96	11/9/2013	54,666.76	11/8/2014	52,819.26					
11/13/2010	64,595.28	11/12/2011	67,627.10	11/17/2012	57,432.36	11/16/2013	56,495.96	11/15/2014	51,810.32					
11/20/2010	56,010.08	11/19/2011	60,690.60	11/24/2012	65,888.86	11/23/2013	48,628.62	11/22/2014	46,228.62					
11/27/2010	71,170.90	11/26/2011	74,140.54	12/1/2012	50,243.34	11/30/2013	59,645.66	11/29/2014	55,593.44					
12/4/2010	53,215.08	12/3/2011	59,429.94	12/8/2012	50,770.96	12/7/2013	47,306.24	12/6/2014	46,792.50					
12/11/2010	46,944.00	12/10/2011	51,395.44	12/15/2012	47,022.38	12/14/2013	29,229.02	12/13/2014	40,904.98					
12/18/2010	42,076.76	12/17/2011	55,981.32	12/22/2012	46,838.96	12/21/2013	44,581.02	12/20/2014	41,600.84					
12/25/2010	50,450.28	12/24/2011	54,248.62	12/29/2012	59,697.22	12/28/2013	62,117.14	12/27/2014	58,114.68					
1/1/2011	85,152.12	12/31/2011	94,661.00	1/5/2013	71,673.52	1/4/2014	62,963.88	1/3/2015	68,277.28					
1/8/2011	54,301.30	1/7/2012	74,863.40	1/12/2013	50,416.30	1/11/2014	37,935.94	1/10/2015	37,099.34					
1/15/2011	54,005.90	1/14/2012	58,901.92	1/19/2013	51,211.88	1/18/2014	49,418.64	1/17/2015	43,217.36					
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
<b>TOTALS 4,016,541.01</b>		<b>4,124,906.80</b>		<b>3,580,645.18</b>		<b>3,261,565.02</b>	
							<b>1,988,677.26</b>

**Table Game Revenue**

Date	Amount	Date	Amount	Date	Amount	Date	Amount
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
<b>Total 2010-2011</b>	<b>1,297,391.70</b>	<b>Total 2011-2012</b>	<b>1,602,900.84</b>	<b>Total 2012-2013</b>	<b>1,530,462.31</b>	<b>Total 2013-2014</b>	<b>998,486.72</b>

Date	Amount
July, 2014	78,639.07
August, 2014	84,726.51
September, 2014	71,967.51
October, 2014	66,257.02
November, 2014	71,046.66
December, 2014	76,797.24

<b>Total 2014-2015</b>	<b>449,434.01</b>
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**Table Game Revenue Distribution - Jefferson County School Board**

<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, 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	August, 2014	254,179.53
September, 2011	331,125.75	September, 2012	382,597.20	September, 2013	242,573.22	September, 2014	215,902.53
October, 2011	372,821.82	October, 2012	379,446.06	October, 2013	243,198.27	October, 2014	198,771.06
November, 2011	363,356.61	November, 2012	403,331.79	November, 2013	239,561.82	November, 2014	213,139.98
December, 2011	421,529.79	December, 2012	440,033.75	December, 2013	238,851.93	December, 2014	230,391.72
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		
<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>2,995,460.18</b>	<b>Total 2014-2015</b>	<b>1,348,302.03</b>