

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, FEBRUARY 19, 2015
9:30 A.M.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- February 3, 2015 Board of Review and Equalization
- February 4, 2015 Special Session - County Administrator Applicant Interview
- February 5, 2015 Regular Meeting and Board of Review and Equalization
- February 6, 2015 Special Session - County Administrator Applicant Interviews
- February 10, 2015 Board of Review and Equalization
- February 12, 2015 Board of Review and Equalization

APPROVAL OF PURCHASE ORDERS

- February 19, 2015

APPROVAL OF ACCOUNTS PAYABLE

- February 12, 2015
- February 19, 2015

PAYROLL APPROVAL

- Special Payroll February 4, 2015
- Special Payroll February 6, 2015
- Regular Payroll February 12, 2015

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT

PRESENTATIONS

1. 9:45 a.m. Angie Banks, Assessor
- Split Ticket - Discussion/Action

2. 10:00 a.m. Ralph Lorenzetti, Prosecuting Attorney
 - Request approval of new hire - Discussion/Action
 - Request re-use of space in Magistrate Building - Discussion/Action
3. 10:15 a.m. Bill Polk, Maintenance Director
 - Relocation of the oil tank in the back parking lot behind the Mason Building
 - Discussion/Action
 - Test Hole Drilling Agreement - Jefferson County Commission and the West Virginia Department of Highways - Discussion/Action
4. 10:30 a.m. Debra Young, Jefferson County Victim Assistance Program
 - Approval of VOCA Grant Application - Discussion/Action
5. 10:45 a.m. **BREAK**
6. 11:00 a.m. Roger Goodwin, Chief County Engineer
 - Impact Fees Recalculation Project - Presentation of Final Reports - Discussion/Action
7. 11:30 a.m. Jennifer Brockman, Planning and Zoning
 - Requesting a total refund of the zoning variance fee for Judy Golden as Staff found zoning variance unnecessary after the fee was deposited - Discussion/Action
 - Recommendation from the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for a 404.69 +/- acre property owned by Standard Land Company, LLC, designated as Tax District: harpers Ferry (04), Map 11, Parcel 24.1, located on the west side of Millville Road (Route 27), 1/2 mile south of the intersection with Route 340 in Harpers Ferry for the purpose of setting a public hearing to be held by the County Commission - Discussion/Action
8. 11:45 p.m. Barbara Miller, Jefferson County Homeland Security and Emergency Management
 - Approval to post the position of Deputy Director/Planner/Program manager at \$40,996.80 - Discussion/Action
 - Approval of a pass through grant proposed for Jefferson County Schools for \$45,400 - Discussion/Action

9. 12:30 p.m. **Break for Lunch**

UNFINISHED BUSINESS

10. Interview and appointments to the Community Criminal Justice Board (Day Report Center) - one unexpired term ending July 3, 2017 - Discussion/Action

NEW BUSINESS

11. Discuss County Administrator Position - Decision - Possible Executive Session - Discussion/Action
12. Explore options for privatizing ambulance service - Discussion/Action (EB)
13. Discussion on the possibility of holding a public hearing on allowing the All Good Music Festival to obtain an alcohol permit - Discussion/Action (DM)
14. Discussion of County Commission's use of Robert's Rules for small boards - Discussion/Action (JT)
15. Request for Ambulance Fee Exoneration - Eli Sizemore, Jr. - Discussion/Action
16. Legislative Updates

COUNTY ADMINISTRATOR REPORTS

- Executive Session - Personnel Matter/Potential Litigation - Discussion/Action

COUNTY COMMISSION REPORTS

~~~~~ AFTERNOON SESSION ~~~~~

17. 1:30 p.m. Public Hearing
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 - Planning & Zoning File #Z14-02
18. 1:45 p.m. Tim Stanton, Finance Director
- Budget Review
19. 2:15 p.m. Cheryl Keyrouze - Eastern Panhandle Transit Authority
- FY16 Budget Request
20. 2:30 p.m. Ronda Eddy, Jefferson Day Report Center
- Approval of Community Correction Grant - Discussion/Action
21. **ADJOURN**

CORRESPONDENCE/INFORMATION

Email from Lucile Allen, resident, regarding local library funding.

January 2015 Impact Fee Status Report.

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

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

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

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

Minutes from the Jefferson County Public Service District January 5, 2015 Regular Meeting.

Memorandum from the WV Development Office, Community Development Division re: Fiscal Year 2015 CDBG-Small Cities Block Grant Application and Guidelines.

WV State Tax Department Listing of Administrative Notices.

WVDEP Press Release re: Changes Related to Reporting Water Use.

WV Lottery Weekly Settlement for Charles Town - week ending January 31, 2015.

WV Lottery Weekly Settlement for Charles Town - week ending February 7, 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.

Minutes

Jefferson County Commission

Thursday, January 29, 2015

A meeting of the Jefferson County Commission was held on Thursday, January 29, 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, Walter Pellish, and Jane Tabb. Also present were Stephanie Grove, Interim County Administrator, Jessica Carroll, Executive Administrative Assistant and Jim Eddy, Bailiff. (An audio tape of the Thursday, January 29, 2015 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Pellish led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Tabb to approve the January 6, 2015 Comprehensive Plan Work Session Minutes as presented. Motion unanimously approved.

Motion by Mr. Manuel to approve the January 8, 2015 Regular Meeting Minutes as presented. Motion unanimously approved.

Motion by Ms. Noland to approve the January 9, 2015 Comprehensive Plan Work Session Minutes as presented. Motion unanimously approved.

Motion by Ms. Noland to approve the January 13, 2015 Comprehensive Plan Work Session Minutes as presented. Motion unanimously approved.

Motion by Mr. Manuel to approve the January 14, 2015 Comprehensive Plan Work Session Minutes as presented. Motion unanimously approved.

Motion by Mr. Bell to approve the January 15, 2015 Regular Meeting Minutes as presented. Motion unanimously approved.

Motion by Mr. Manuel to approve the January 22, 2015 Special Session Minutes as presented. Motion unanimously approved.

APPROVAL OF PAYROLL

Motion by Ms. Tabb to approve the Payroll for January 15, 2015, in the amount of \$238,261.15. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
073713	412	COMCAST		\$ -	\$ 103.63	\$ 103.63
073713	425	COMCAST		\$ -	\$ 615.24	\$ 615.24
073714	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 22,000.95	\$ 22,000.95
073715	712	LANGUAGE LINE SERVICES		\$ -	\$ 201.02	\$ 201.02
073716	433	LYLE SIGNS, INC.		\$ -	\$ 437.89	\$ 437.89
073717	401	RICOH USA, INC./GA		\$ -	\$ 252.73	\$ 252.73
073717	403	RICOH USA, INC./GA		\$ -	\$ 287.58	\$ 287.58
073717	404	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
073717	405	RICOH USA, INC./GA		\$ -	\$ 423.90	\$ 423.90
073717	406	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
073717	425	RICOH USA, INC./GA		\$ -	\$ 48.10	\$ 48.10
073717	433	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
073717	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
073717	700	RICOH USA, INC./GA		\$ -	\$ 295.90	\$ 295.90
073717	712	RICOH USA, INC./GA		\$ -	\$ 267.08	\$ 267.08
073718	403	SOFTWARE SYSTEMS, INC		\$ -	\$ 383.04	\$ 383.04
073718	424	SOFTWARE SYSTEMS, INC		\$ -	\$ 491.96	\$ 491.96
073719	425	SHENANDOAH VALLEY WATER		\$ -	\$ 537.80	\$ 537.80
TOTAL						\$ 26,989.44

Motion by Ms. Noland to approve the accounts payable for January 22, 2015, in the amount of \$26,989.44. Motion unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
073722	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ -	\$ 4,352.80	\$ 4,352.80
073723	712	APCO INTERNATIONAL INC		\$ -	\$ 856.00	\$ 856.00
073724	425	COMCAST		\$ -	\$ 189.90	\$ 189.90
073725	712	AT&T/GA		\$ -	\$ 62.25	\$ 62.25
073726	717	AUTOZONE		\$ -	\$ 577.65	\$ 577.65
073727	425	B-K OFFICE SUPPLY INC		\$ -	\$ 1,048.50	\$ 1,048.50
073728	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
073729	PAYROLL	BUREAU F/CHILD SPVRT ENF		\$ -	\$ 212.31	\$ 212.31
073730	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
073731	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
073732	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
073733	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
073734	405	MARCIA LYNN CHANDLER		\$ -	\$ 496.65	\$ 496.65
073735	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
073736	403	COAST TO COAST COMPUTER		\$ -	\$ 545.98	\$ 545.98
073737	PAYROLL	COLONIAL LIFE		\$ -	\$ 516.18	\$ 516.18
073738	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 106.50	\$ 106.50
073739	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
073740	405	FEDEX		\$ -	\$ 52.25	\$ 52.25
073741	700	JEANNA HOLLER		\$ -	\$ 5.29	\$ 5.29
073742	PAYROLL	VOYA FINANCIAL		\$ -	\$ 2,590.00	\$ 2,590.00
073743	404	JEFFERSON PUBLISH CO INC		\$ -	\$ 1,134.86	\$ 1,134.86
073743	405	JEFFERSON PUBLISH CO INC		\$ -	\$ 378.00	\$ 378.00
073744	712	ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
073745	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,720.00	\$ 5,720.00
073746	403	MATTHEW BENDER & CO		\$ -	\$ 135.43	\$ 135.43
073747	412	JUDITH A MATLICK		\$ -	\$ 128.80	\$ 128.80
073748	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
073749	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
073750	405	PAMELA PATTERSON		\$ -	\$ 145.50	\$ 145.50
073751	405	TRACY P. RICE, RPR		\$ -	\$ 218.25	\$ 218.25
073752	425	RCS SECURITY		\$ -	\$ 456.00	\$ 456.00
073753	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 27.00	\$ 27.00
073753	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 732.00	\$ 732.00
073753	406	SOFTWARE SYSTEMS, INC		\$ -	\$ 56.00	\$ 56.00
073753	428	SOFTWARE SYSTEMS, INC		\$ -	\$ 377.00	\$ 377.00
073754	704	ST/WV REGIONAL JAIL &		\$ -	\$ 104,151.75	\$ 104,151.75
073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,073.82	\$ 10,073.82
073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 43,074.32	\$ 43,074.32

073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 2.08	\$ 2.08
073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 8.88	\$ 8.88
073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 40,502.21	\$ 40,502.21
073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 6.35	\$ 6.35
073756	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 31,067.66	\$ 31,067.66
073756	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 3.33	\$ 3.33
073757	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 15,436.81	\$ 15,436.81
073757	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 10,497.03	\$ 10,497.03
073758	425	THOMPSON GAS		\$ -	\$ 381.32	\$ 381.32
073759	428	VISION TECHNOLOGY SOLTNS		\$ -	\$ 4,290.00	\$ 4,290.00
073760	405	THOMSON REUTER - WEST	52685	\$ 2,996.49	\$ -	\$ 2,996.49
073761	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 3.25	\$ 3.25
073761	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 10.12	\$ 10.12
073761	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 77,790.63	\$ 77,790.63
073761	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 25,004.22	\$ 25,004.22
073762	PAYROLL	WV CPRB/LOAN DIVISION		\$ -	\$ 166.50	\$ 166.50
073763	700	BILL WALTERS		\$ -	\$ 12.45	\$ 12.45
TOTAL						\$ 390,223.54
TOTAL				\$ 2,996.49	\$ 387,227.05	\$ 390,223.54

Motion by Mr. Manuel to approve the Accounts Payable for January 29, 2015 in the amount of \$390,223.54. Motion unanimously approved.

PUBLIC COMMENT: No one provided public comment during this meeting.

PRESENTATIONS

1. Pete Dougherty, Sheriff – requested the approval to apply for a \$40,500 reimbursable grant from the WV Homeland Security Grant Program for the purchase of 18 Motorola APX1000 UHF Portable Radios, chargers, and batteries to be used by the Deputy Sheriff Reserves.
 - **Motion by Mr. Manuel to approve the Sheriff’s request to apply for a reimbursable grant to fund radios for the Jefferson County Deputy Sheriff Reserves. Motion unanimously approved.**

2. Lynn Fields, Deputy Probate Clerk – Petition of Michelle Lee McLaughlin to resign as Administratrix of the Estate of Peter James McLaughlin.

- **Motion by Ms. Noland to approve the Petition of Michelle Lee McLaughlin to resign as Administratrix of the Estate of Pete James McLaughlin and to appoint Connor McLaughlin as Administrator of the Estate as presented by Ms. Fields. Motion unanimously approved.**
3. Elizabeth McDonald, President, Jefferson County Farmland Protection Board – requested the approval to amend the bylaws of the Farmland Protection Board 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.
- **Motion by Ms. Noland to approve the amendment to the Jefferson County Farmland Protection Board Bylaws as presented by Ms. McDonald. Motion unanimously approved.**
4. Jennie Brockman, Director of Planning and Zoning – provided a 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.
- **Motion by Mr. Manuel 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 Thursday, February 19, 2015 during the regularly scheduled County Commission meeting. Motion unanimously approved.**
5. The Commission recessed for break at 10:45 a.m.
The Commission reconvened at 11:00 a.m.
6. Interviews and Appointments to the Water Advisory Committee for three three-year terms ending January 31, 2018.
- Mr. Manuel offered his nomination for Mr. Willis Nowell.
 - Ms. Tabb offered her nomination of Mr. Roger Ethier and Mr. Al Hooper.
 - **Motion by Mr. Manuel to reappoint Mr. Willis Nowell and Mr. Roger Ethier and appoint Mr. Albert Hooper to the Jefferson County Water Advisory Committee each for a three-year term ending January 31, 2018. Motion unanimously approved.**
7. Interviews and Appointments to the Eastern Panhandle Transit Authority for three three-year terms ending January 31, 2018.

- **Motion by Mr. Manuel to reappoint Mr. Eugene Pearson to the Eastern Panhandle Transit Authority for one three-year term ending January 31, 2018 and to send him a letter of appreciation for his service. Motion unanimously approved.**

7. Interviews and Appointments to the Jefferson County Board of Zoning Appeals for two three-year terms ending January 1, 2018.

- Ms. Noland offered her nomination for Ms. Christy Huddle and Mr. Ted Schiltz.

- **Motion by Ms. Noland to reappoint Ted Schiltz and Christy Huddle to the Jefferson County Board of Zoning Appeals each for a three-year term ending January 1, 2018. Motion unanimously approved.**

9. Internet Service Lawsuit – Steve Groh, assistant prosecuting attorney, stated the Commission could not take part in the class action lawsuit against Frontier as the class has yet to be certified; however, Commission is a public body and is not similarly situated to a private citizen.

10. Commission “To-Do” List – the Commission compiled a list of items to keep on their “to do” list after Budget and Board of Review and Equalization, including the Mass Gathering Ordinance, Impact Fees, space needs, and a potential hiring freeze.

11. Review of Jefferson County Emergency Services Agency Bylaws – Ms. Grove recommended the Commission rescind the changes made to the JCESA Bylaws during the regular County Commission meeting on November 20, 2014 as the Board is governed by the entirety of the Open Governmental Proceedings Act and the changes previously made by the Commission only refer to certain portions of the Act.

- **Motion by Ms. Noland to accept the changes made to the JCESA Bylaws as presented by Ms. Grove. Motion unanimously approved.**

12. Request approval of option of online payment for Ambulance Fee

- **Motion by Mr. Manuel to accept the option of online payment of ambulance fees and to charge a transaction/convenience fee to cover the costs of administration. Motion unanimously approved.**

13. Legislative Updates – Ms. Noland and Mr. Manuel provided the Commission and the audience with an update on various House and Senate bills which may be of interest to the County.

COUNTY ADMINISTRATOR REPORTS

- Dog Nuisance Issue – Ms. Grove stated she had received a petition from a citizen regarding a dog nuisance issue in his neighborhood. Ms. Grove stated West Virginia does not have a petition policy but she has spoke with the Sheriff about the issue and will send a letter in response to the petition notifying the sender of their options. Additionally, Ms. Grove stated she would be willing to draft a dog nuisance ordinance if directed by the Commission.
- County Administrator Applicant Interviews – Ms. Grove reminded the Commission interviews were scheduled on Wednesday, February 4th and Friday, February 6th for the County Administrator position.
- Budget Session on Friday, February 13th – Ms. Grove asked the Commission if they'd still like to schedule departmental budget presentations on the afternoon of Friday, February 13th. It was the consensus of the Commission to hold the date if needed and cancel if necessary.
- Hiring Procedure for Elected Officials – Ms. Grove stated she'd be sending an e-mail to all of the Elected Officials to remind them of the Commission's authority in relation to the approval of employment for new employees.

FINANCE DIRECTOR REPORTS

- Approval of Budget Revisions
 - **Motion by Ms. Noland to approve Internal Budget Revision #6 as presented by Mr. Stanton. Motion unanimously approved.**
 - **Motion by Mr. Manuel to approve State Budget Revision #9 as presented by Mr. Stanton. Motion unanimously approved.**

14. The Commission recessed for lunch at 12:15 pm.
The Commission reconvened at 1:30 pm.

15. Board of Review and Equalization

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 Jefferson County Courthouse located at 100 E. Washington Street, Charles Town, WV 25414 on January 29, 2015 at 1:30 pm (An audio file of the January 29, 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
Angie Banks, Assessor
June Bowers, Senior Appraiser
Steve Groh, Assistant Prosecuting Attorney
Jessica Carroll, Administrative Assistant

RE: **2015 Board of Review and Equalization**

President Tabb called the session to order at 1:32 pm and asked Ms. Banks if there were any hearings scheduled for the opening date. Ms. Banks stated there were no hearings scheduled for Thursday, January 29, 2015. Ms. Banks also stated 5,000 letters of increase in assessment had been mailed to the citizens of Jefferson County centered mostly in the Charles Town District.

There being no further business, motion by Mr. Manuel to recess until 1:30 pm on Tuesday, February 3, 2015.

16. The Commission meeting was adjourned at 12:15 pm on a motion by Ms. Noland. Motion was unanimously approved.

JANE M. 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 the Jefferson County Courthouse located at 100 E. Washington Street, Charles Town, WV 25414 on February 3, 2015 at 1:30 pm (An audio file of the February 3, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President
 Patsy Noland, Vice President
 Eric Bell, Commissioner
 Dale Manuel, Commissioner
 Angie Banks, Assessor
 June Bowers, Senior Appraiser
 Steve Groh, Assistant Prosecuting Attorney
 Jessica Carroll, Administrative Assistant

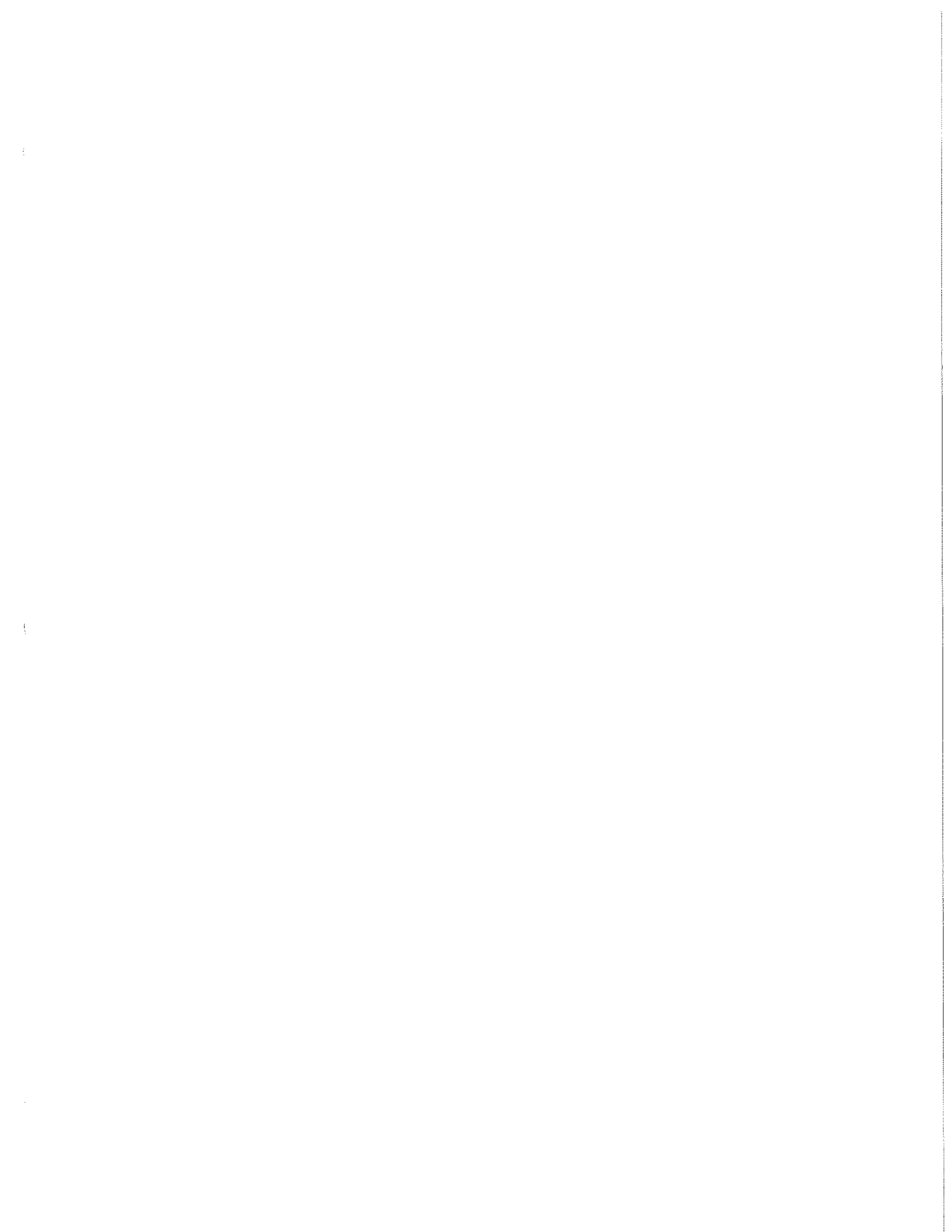
RE: **2015 Board of Review and Equalization**

President Tabb called the session to order at 1:32 pm. Ms. Banks stated there were no hearings scheduled for the afternoon but paperwork had been sent to citizens who requested an appeal of their increase in assessment.

There being no further business, motion by Mr. Manuel to recess as a Board of Review and Equalization and reconvene at 1:30 pm on Thursday, February 5th.

JANE M. TABB, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Executive 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 February 4, 2015, at 11:00 am (An audio file of the February 4, 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

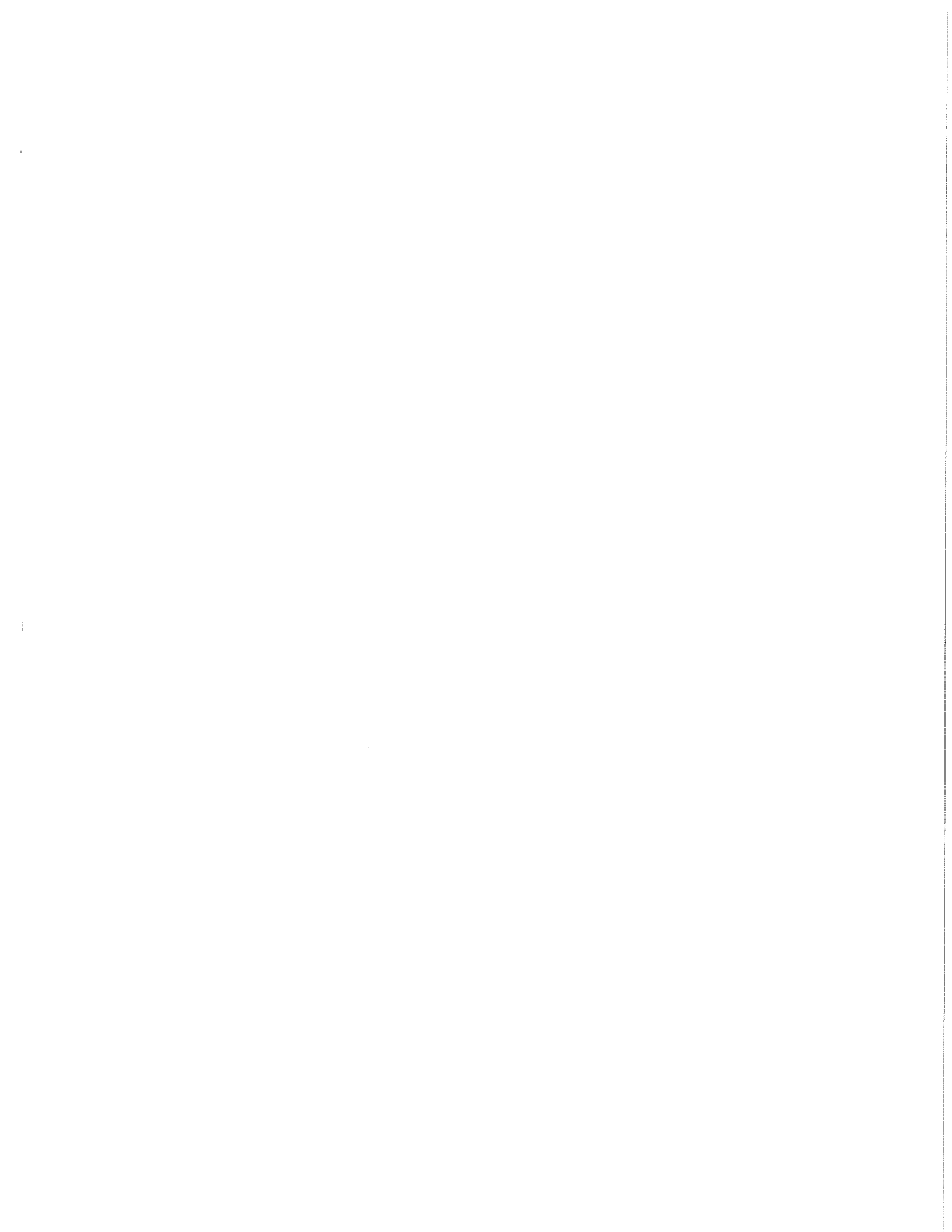
RE: **Interview of County Administrator Applicant**

President Tabb called the session to order at 11:01 am and stated the purpose of the special session was to interview a candidate for the full-time position of County Administrator.

- **Motion by Ms. Tabb to enter into Executive Session, citing 6-9A-4 – Personnel Matters. Motion unanimously approved.**

JANE M. TABB, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Executive Administrative Assistant



Minutes

Jefferson County Commission

Thursday, February 5, 2015

A meeting of the Jefferson County Commission was held on Thursday, February 5, 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 Stephanie Grove, Interim County Administrator, Jessica Carroll, Executive Administrative Assistant and Jimmy Eddy, Bailiff. (An audio file of the Thursday, February 5, 2015 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Pellish led the Pledge of Allegiance.

APPROVAL OF PURCHASE ORDERS

Motion by Mr. Bell to approve the Purchase Orders for February 5, 2015 to include purchase order numbers 51387 and 52333 in the amount of \$25,236.46. Motion unanimously approved.

PAYROLL APPROVAL

Motion by Mr. Manuel to approve the Payroll for January 29, 2015 in the amount of \$234,555.11. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
073765	413	APPLE VALLEY OFF.PRODUCT	52470	\$ 43.00	\$ -	\$ 43.00
073766	425	BERKELEY-MOUNTAINEER		\$ -	\$ 129.00	\$ 129.00
073766	425	BERKELEY-MOUNTAINEER		\$ -	\$ 1,486.00	\$ 1,486.00

073767	406	ANGELA L BANKS		\$ -	\$ 74.30	\$ 74.30
073768	717	BRUCE'S AUTO REPAIR		\$ -	\$ 24.00	\$ 24.00
073769	401	201 N. GEORGE ST LLC		\$ -	\$ 9,638.92	\$ 9,638.92
073770	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
073771	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 5,870.82	\$ 5,870.82
073772	PAYROLL	GUARDIAN		\$ -	\$ 1,915.52	\$ 1,915.52
073772	PAYROLL	GUARDIAN		\$ -	\$ 1,699.28	\$ 1,699.28
073773	424	GLOBALSTAR USA		\$ -	\$ 1,810.25	\$ 1,810.25
073774	401	RICOH USA, INC		\$ -	\$ 29.06	\$ 29.06
073774	403	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
073774	404	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073774	405	RICOH USA, INC		\$ -	\$ 87.21	\$ 87.21
073774	406	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073774	425	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073774	433	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073774	440	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073774	700	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
073774	712	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073775	PAYROLL	HIGHMARK WV		\$ -	\$ 164,706.94	\$ 164,706.94
073776	401	RETIREE HLTH BENEFIT TRS		\$ -	\$ 7,457.00	\$ 7,457.00
073777	700	ROBERT S. SELL		\$ -	\$ 33.35	\$ 33.35
073778	425	TRENARY SERVICE CO		\$ -	\$ 209.00	\$ 209.00
073779	403	VITAL SIGNS		\$ -	\$ 450.00	\$ 450.00
073780	428	VISION TECHNOLOGY SOLTNS		\$ -	\$ 4,290.00	\$ 4,290.00
TOTAL						\$ 201,744.35
TOTAL				\$ 43.00	\$ 201,701.35	\$ 201,744.35

Motion by Mr. Bell to approve the Accounts Payable for February 5, 2015 in the amount of \$201,744.35. Motion seconded and unanimously approved.

PUBLIC COMMENT:

Jeff Plautz, resident and treasurer, Independent Fire Company – provided the Commission with a report on the activities of Independent Fire Companies and stated Independent has seen a 10% reduction in donations since the County’s implementation of the Ambulance Fee.

David Tabb, resident – provided an update on his feelings regarding the actions of the Commission.

PRESENTATIONS

1. Ralph Lorenzetti, Prosecuting Attorney – requested the approval to hire Shannon Burlett as a Legal Assitant at a Grade II, Step C.
 - **Motion by Ms. Noland to deny the employment of Shannon Burlett as a Legal Assistant in the Prosecutor’s Office at a Grade II, Step C and pay her for time worked through the end of business on February 5, 2015. Motion unanimously approved.**
2. Martin Burke, Chair of the Jefferson County Historic Landmarks Committee – requested an exemption from the 2nd half of 2014 property taxes on 1.80 acres of property.
 - It was the consensus of the Commission to take no action on this item at this time as Ms. Grove stated the property taxes should have been paid by the prior property owner at time of closing.
3. Roger Goodwin, Chief County Engineer and Michelle Mason, Impact Fee Specialist
 - a. Presentation of Calendar Year 2014 Annual Report for the Office of Impact Fees.
 - **Motion by Mr. Manuel to approve the 2014 Annual Report for the Office of Impact Fees, as presented. Motion unanimously approved.**
 - **Motion by Mr. Manuel to stay the annual inflationary adjustments to the impact fees. Motion unanimously approved.**
 - b. Property Safety Enforcement Agency Case 12-001 (Bierer) – Demolition of Dwelling/Structure, Property located at 169 Daisy Lane, Walnut Grove Subdivision, Charles Town Tax District, Map 4C, Parcel 32, Deed Book 737, Page 340
 - **Motion by Mr. Manuel to accept the Proposal from Pittsnogle, LLC in the amount of \$9,974.00 contingent upon the Finance Director demonstrating to the County Commission that funding is available for this project.**
4. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
5. Interviews and Appointments to the Jefferson County Community Criminal Justice Board for one unexpired term ending July 3, 2017.
 - Ms. Grove stated no applicants had come forward for this position and staff would re-advertise.

6. Interviews and Appointments to the Harpers Ferry-Bolivar Public Library Board for one unexpired term ending December 31, 2018.
 - o Ms. Noland offered her nomination for Kathleen Hintz.
 - **Motion by Ms. Tabb to appoint Kathleen Hintz to the Harpers Ferry – Bolivar Public Library Board for one unexpired term ending December 31, 2018. Motion unanimously approved.**
7. The Commission recessed for lunch at 11:45 am.
The Commission reconvened at 1:30 pm.
8. Sandy McDonald, Deputy County Administrator – approval of Resolution and grant application for Citizens Fire Company
 - **Motion by Ms. Noland to approve the Resolution and grant application for Citizens Fire Company in the amount of \$5,000 and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion unanimously approved.**
9. Jefferson County Diversity Council Advisory Board – requested the use of the Jefferson County Commission meeting room during the second Thursday of each month from 6-7 p.m.
 - o It was the consensus of the Commission to request staff to contact Ms. Ardyth Gilbertson to possibly arrange a different day of the week for use of the meeting room as Thursdays are reserved for Commission business.
10. Legislative Updates – Ms. Noland and Mr. Manuel provided the audience and the Commission with updates regarding Senate and House bills which may be of interest or impact within the State and the County.
11. Board of Review and Equalization at the Jefferson County Courthouse.

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 Jefferson County Courthouse located at 100 E. Washington Street, Charles Town, WV 25414 on February 5, 2015 at 1:30 pm (An audio file of the February 5, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President
Patsy Noland, Vice President
Eric Bell, Commissioner
Dale Manuel, Commissioner
Angie Banks, Assessor
June Bowers, Senior Appraiser
Jessica Carroll, Administrative Assistant

RE: **2015 Board of Review and Equalization**

President Tabb called the session to order at 1:32 pm. Ms. Banks stated there were no hearings scheduled for the afternoon. Ms. Bowers stated there were two corrections for Tax Year 2015 which would need to be approved by the Commission.

Motion by Mr. Manuel to accept the key error correction for Dan Ryan Builders in Tax Year 2015 as presented by Ms. Bowers. Motion unanimously approved.

- **Motion by Mr. Manuel to accept the finished basement correction for Lewis and Rochelle Todd for Tax Year 2015 as presented by Ms. Bowers. Motion unanimously approved.**

There being no further business, Ms. Tabb stated the Board of Review and Equalization would remain in recess until Tuesday, February 10, 2015 at 1:30 pm.

COUNTY ADMINISTRATOR REPORTS

Personnel Issue – Ms. Grove notified the Commission of a terminated employee within the Maintenance Department.

- **Motion by Ms. Tabb to go into Executive Session citing §6-9A-4. Motion unanimously approved.**
- **Motion by Mr. Bell to come out of Executive Session. Motion unanimously approved.**

Schedule Reminders – Ms. Grove reminded the Commission they were to meet on Friday, February 6, 2015 to interview candidates for the County Administrator position. She also reminded the Commission of the budget presentation workshops set to begin on Wednesday, February 11, 2015 at 9:30 am.

HRA – Ms. Grove stated she would be working with Sally Gran in the Finance Office to develop letters to send to employees with funds remaining in their HRA accounts stating that employees must use these funds between March-September 30, 2015 as the accounts would be terminated October 1, 2015.

Ambulance Fee Update – Ms. Grove gave an update on the ambulance fee with the following figures: \$690,984 total monies collected to date; \$375,000 distributed to JCESA; and \$315,984 currently in the bank. Ms. Grove also notified the Commission of the JCESA Board’s approval to hire one EMT/firefighter.

COUNTY COMMISSIONER REPORTS

Walt Pellish

- Stated AT&T providers had been in the area testing cellular signals in an attempt to find a solution to the poor cellular service in downtown Charles Town and parts of Shepherdstown.
- Provided a health status update.

Patsy Noland

- Attended the Homeland Security and Emergency Management Quarterly Luncheon.
- Attended the Board of Review and Equalization.
- Attended interview sessions for the County Administrator position.

Jane Tabb

- Attended the Homeland Security and Emergency Management presentation on the Fusion Center.
- Attended a PSD meeting.

Dale Manuel

- Participated in a Legislative conference call.
- Attended a Day Report Center meeting.
- Attended the Board of Review and Equalization
- Attended interview session for the County Administrator position.

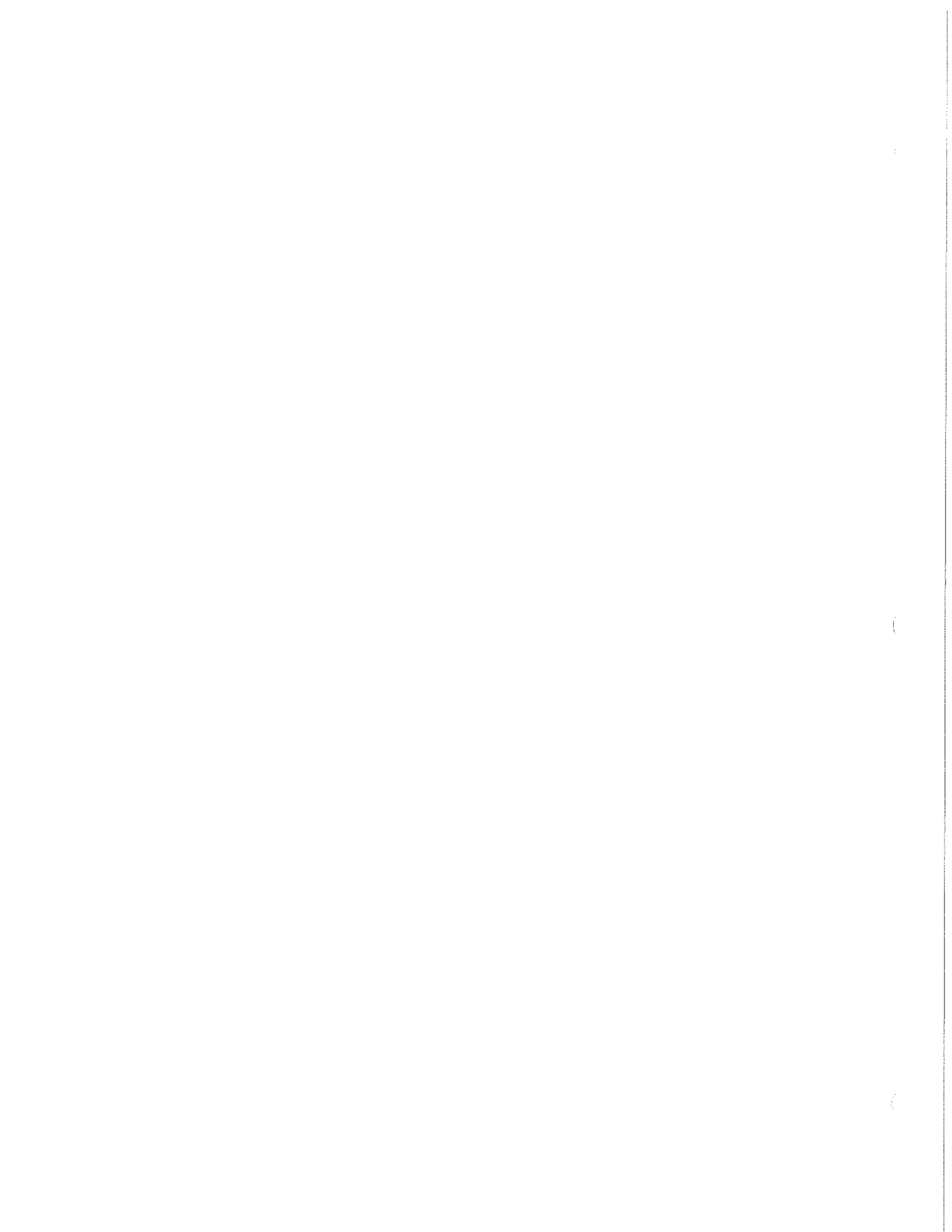
Eric Bell

- Attended a Region 9 meeting.
- Attended the Homeland Security and Emergency Management Quarterly Luncheon.
- Attended the All Good Festival meeting with County staff and the All Good promoters.

12. The Commission meeting adjourned at 1:33 pm after the Board of Review and Equalization.

JANE M. 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 February 6, 2015, at 1:00 pm (An audio file of the February 6, 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

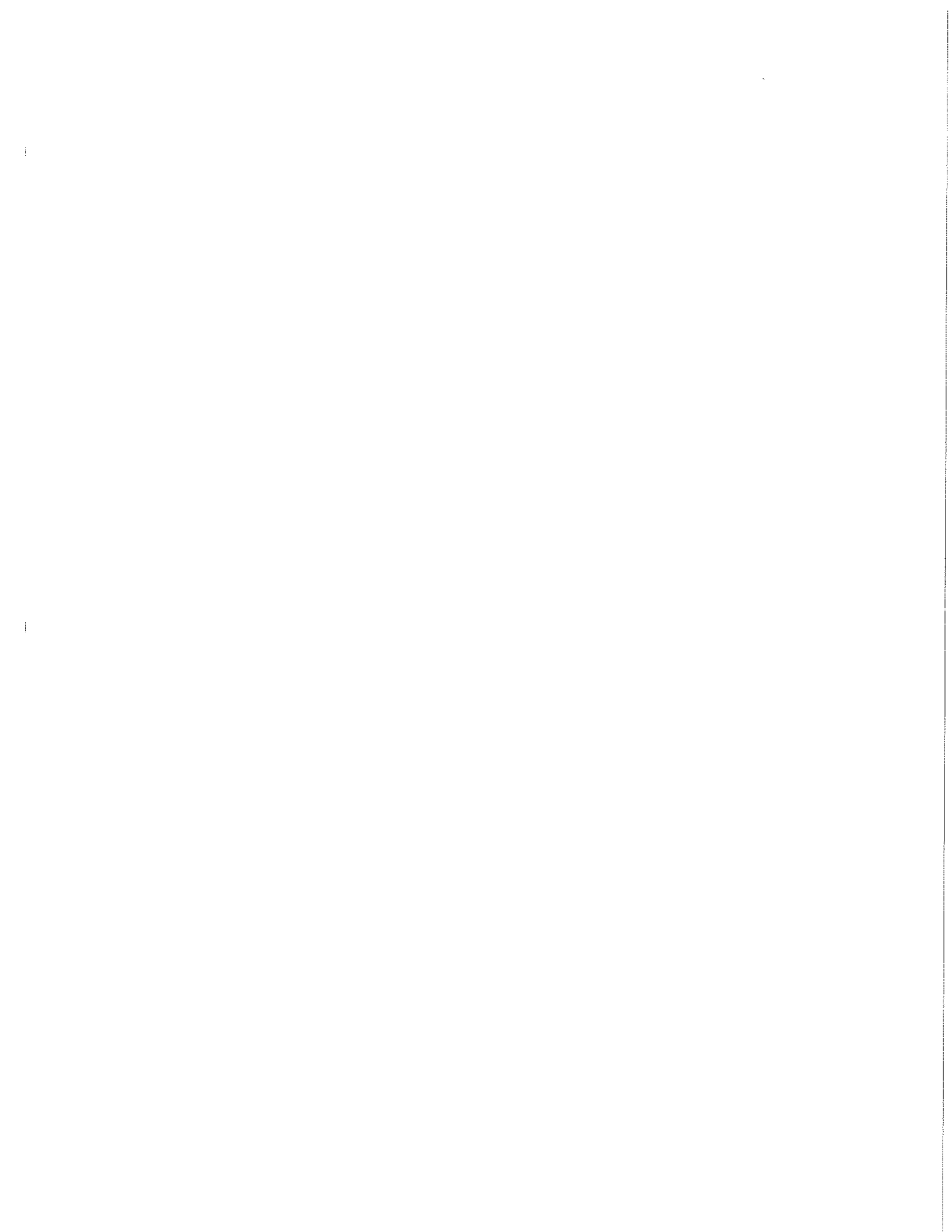
RE: **Interviews of County Administrator Applicants**

President Tabb called the session to order at 1:02 pm and stated the purpose of the special session was to interview candidates for the full-time position of County Administrator.

- **Motion by Mr. Manuel to enter into Executive Session, citing 6-9A-4 – Personnel Matters. Motion unanimously approved.**

JANE M.TABB, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Executive 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 the Jefferson County Courthouse located at 100 E. Washington Street, Charles Town, WV 25414 on February 10, 2015 at 1:30 pm (An audio file of the February 10, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President
Eric Bell, Commissioner
Dale Manuel, Commissioner
June Bowers, Senior Appraiser
Steve Groh, Assistant Prosecuting Attorney
Jessica Carroll, Administrative Assistant

RE: **2015 Board of Review and Equalization**

President Tabb called the session to order at 1:32 pm. Ms. Bowers stated there were no hearings scheduled for the afternoon. She also reminded the Commission that the deadline for requesting a review was close of business on Friday, February 13, 2015.

There being no further business, motion by Mr. Manuel to recess as a Board of Review and Equalization and reconvene at 1:30 pm on Thursday, February 12th.

JANE M. TABB, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Executive 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 the Jefferson County Courthouse located at 100 E. Washington Street, Charles Town, WV 25414 on February 12, 2015 at 1:30 pm (An audio file of the February 12, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President
Patsy Noland, Vice President
Eric Bell, Commissioner
Dale Manuel, Commissioner
Angie Banks, Assessor
June Bowers, Senior Appraiser
Steve Groh, Assistant Prosecuting Attorney
Jessica Carroll, Administrative Assistant

RE: **2015 Board of Review and Equalization**

President Tabb called the session to order at 1:32 pm. Ms. Bowers stated there were no hearings scheduled for the afternoon. She reminded the Commission that the deadline for requesting a review was close of business on Friday, February 13, 2015. She also stated the Commission would be able to sine die on Tuesday, February 17, 2015 and taxpayers would have until February 20, 2015 to apply for the Board of Assessment Appeals to be held in October 2015. Ms. Bowers presented the Commission with a correction to the Assessor's 2015 Land Book as the lot in questions is a "gross value lot" that's too small to build on.

- **Motion by Mr. Manuel to accept the correct for Stacey Reggle as presented by Ms. Bowers. Motion unanimously approved.**

There being no further business, motion by Mr. Manuel to recess as a Board of Review and Equalization and reconvene at 1:30 pm on Tuesday, February 17th. Motion unanimously approved.

JANE M. TABB, PRESIDENT

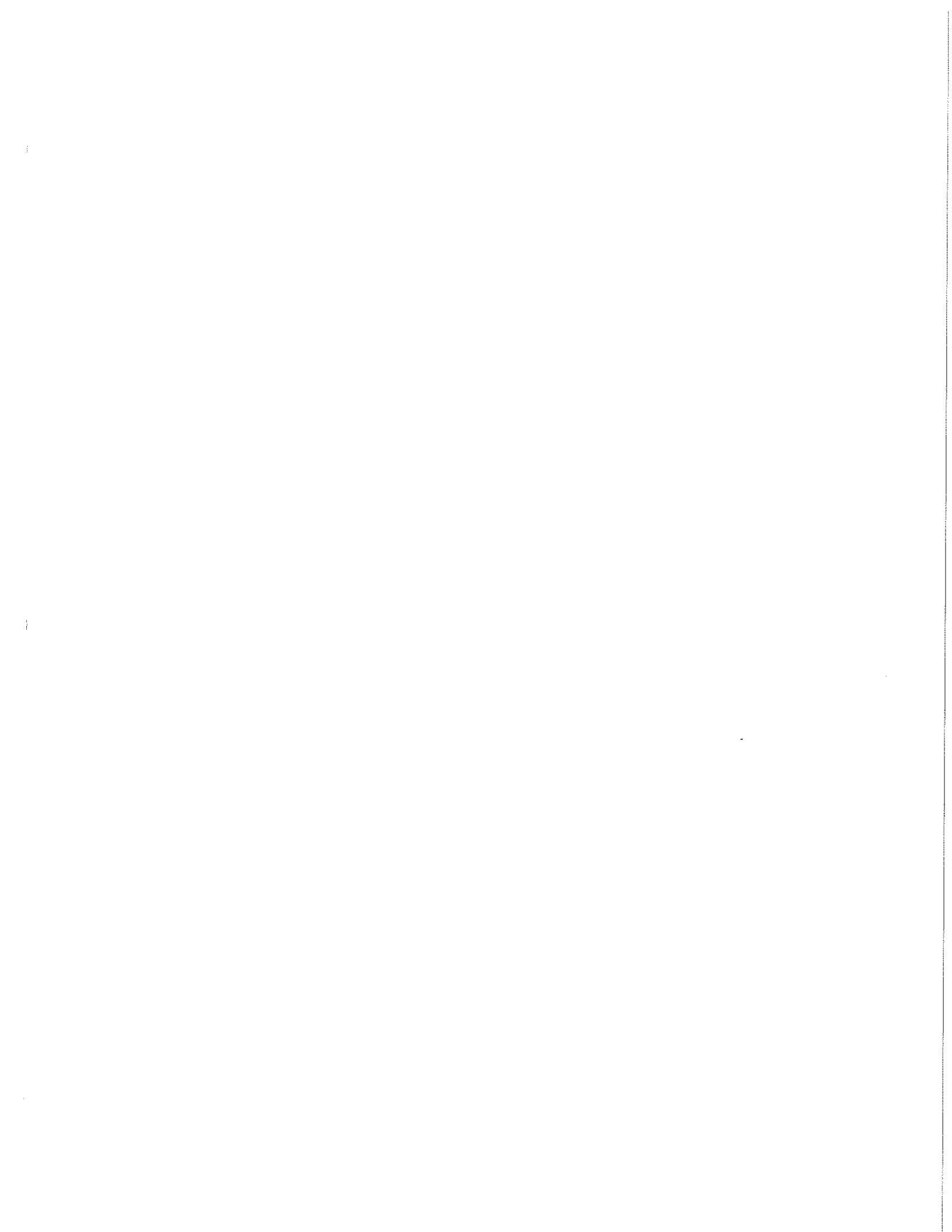
Respectfully submitted
Jessica D. Carroll
Executive Administrative Assistant



PURCHASE ORDERS TO BE APPROVED

February 19, 2015

DEPARTMENT	PURCHASE ORDER	AMOUNT	VENDOR	DESCRIPTION
COMMUNICATIONS	52542	\$ 5,250.00	Priority Dispatch	Annual Maint. Agreement for ProQA ESP
GRAND TOTAL		\$ 5,250.00		

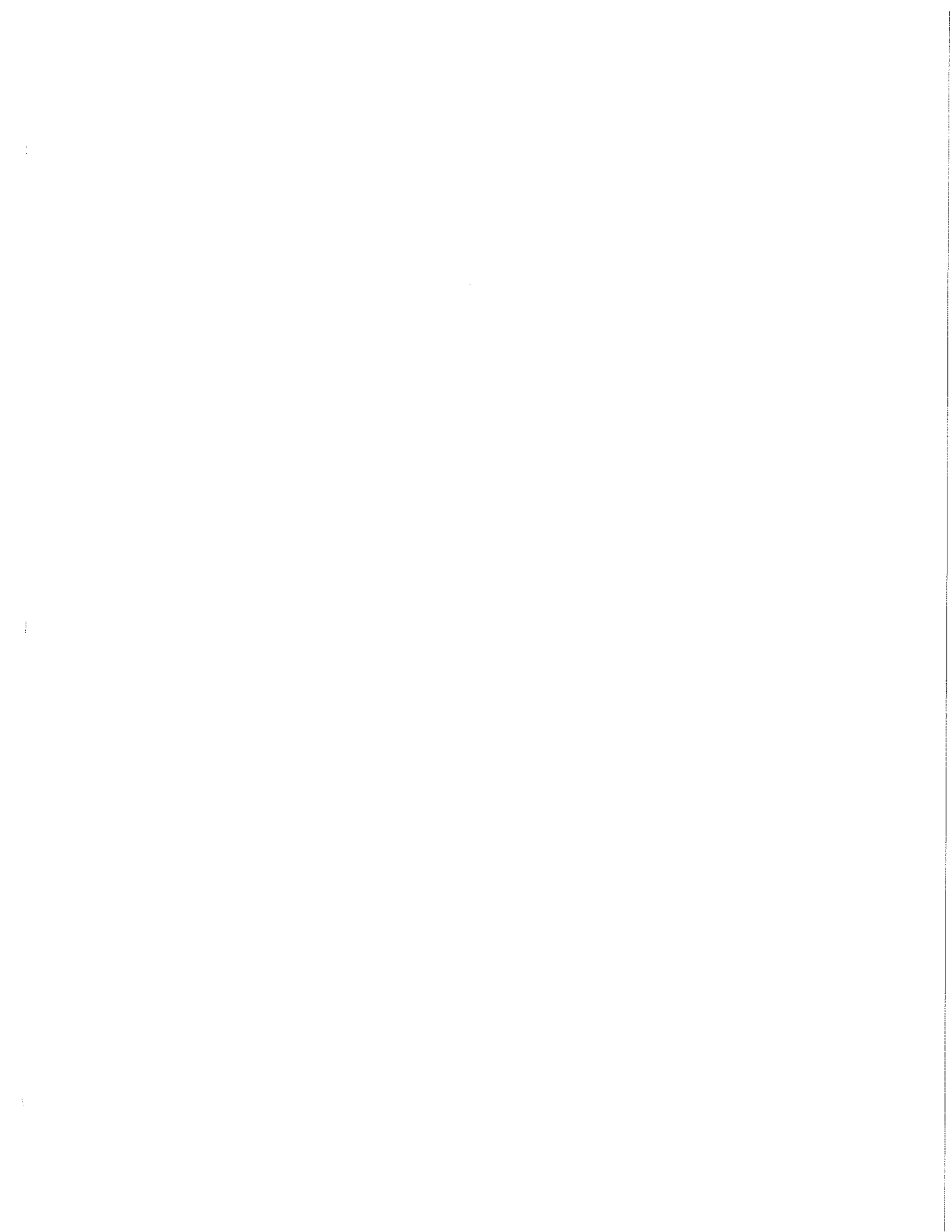


Payroll Approval

Checks Dated: 2-4-15

DESCRIPTION	Fund 001 CO.	Fund 003 Dog	Total
Gross Wages	\$ 3,172.24		\$ 3,172.24
6.2% Tax Payable OASDI	\$ 194.32		\$ 194.32
1.45% Tax Payable HI	\$ 45.45		\$ 45.45
Fed Withholding	\$ 467.38		\$ 467.38
WV State Withholding	\$ 156.06		\$ 156.06
PERS Retirement Deduct	\$ 67.62		\$ 67.62
Hosp. Pre-Tax	\$ 38.00		\$ 38.00
Cancer/ICU Pre-Taxed	\$ -		\$ -
Cancer/ICU Not Pre-Taxed	\$ -		\$ -
Optional Life Not Pre-Taxed	\$ -		\$ -
Christmas Club	\$ -		\$ -
Wage Attach #1	\$ -		\$ -
Wage Attach #2	\$ -		\$ -
Wage Attach #3	\$ -		\$ -
Wage Attach #4	\$ -		\$ -
DSRS Retirement Deduct 8.5%	\$ -		\$ -
457 - Nationwide	\$ -		\$ -
457I - ING	\$ -		\$ -
MD State Tax	\$ -		\$ -
DVF	\$ -		\$ -
VA. State Tax	\$ -		\$ -
COLONIAL(PLUS)	\$ -		\$ -
Total Deductions	\$ 968.83	\$ -	\$ 968.83
Net Wages Total	\$ 2,203.41	\$ -	\$ 2,203.41
Pay Dates	4-Feb-2015		

Special Payroll #1

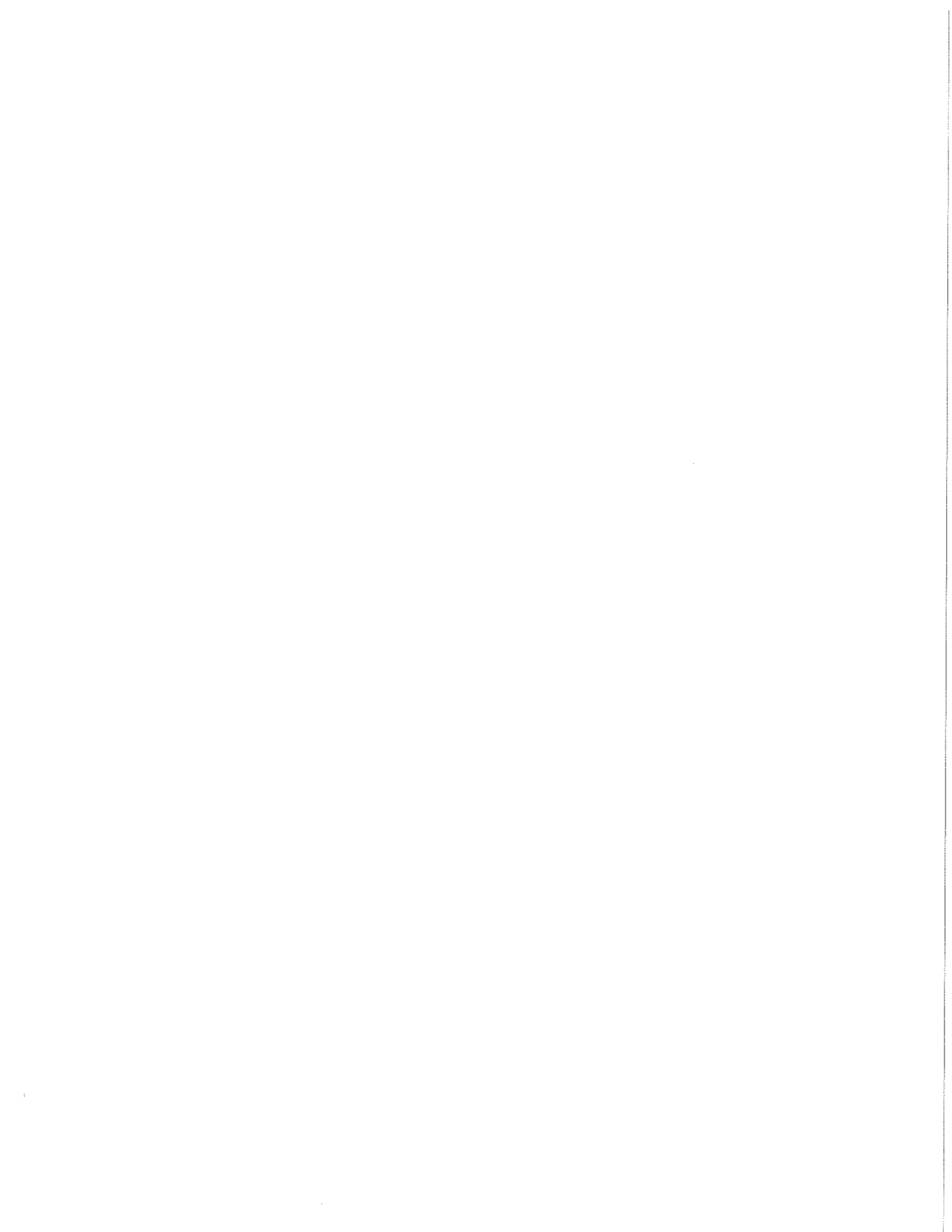


Payroll Approval

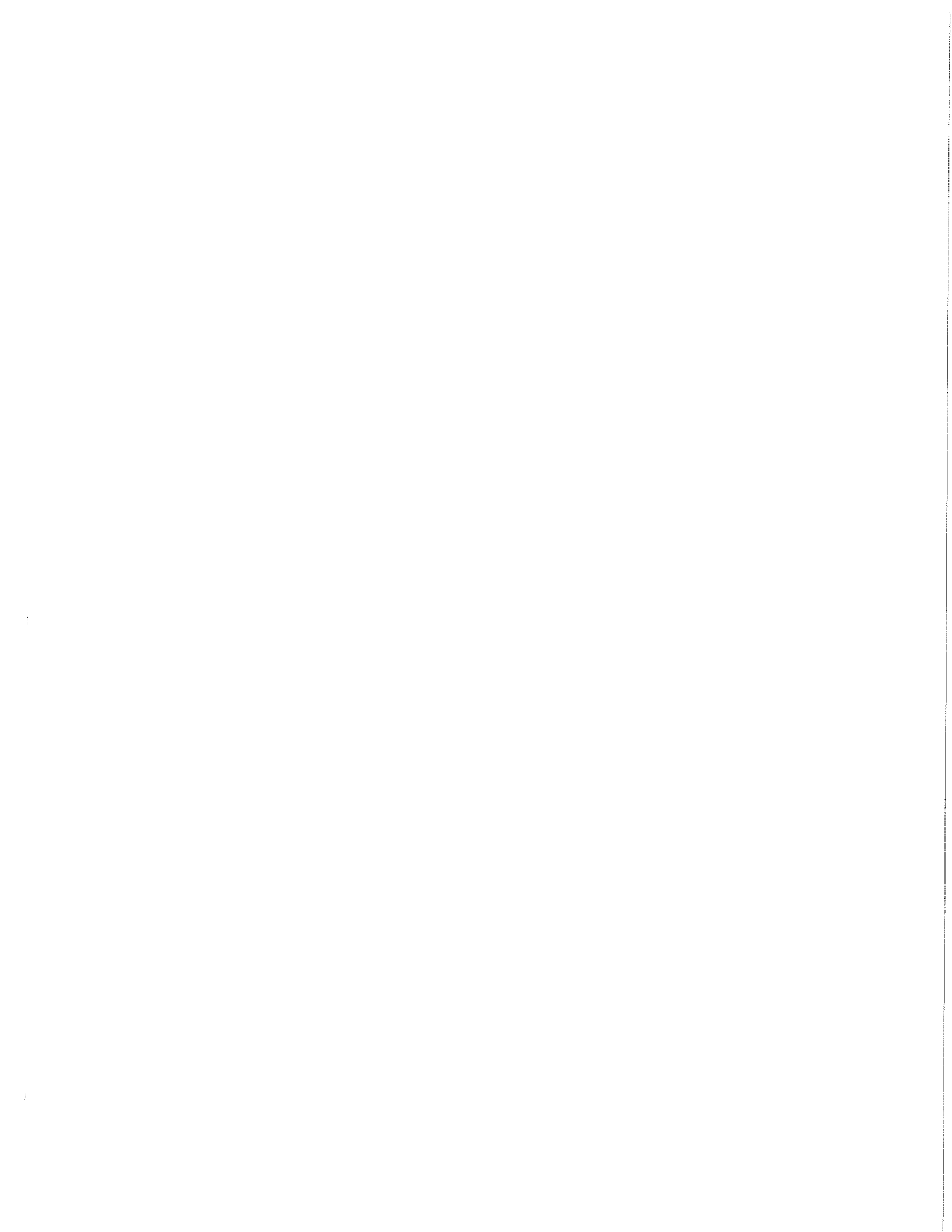
Checks Dated: 2-6-15

DESCRIPTION	Fund 001 CO.	Fund 003 Dog	Total
Gross Wages	\$ 742.84		\$ 742.84
6.2% Tax Payable OASDI	\$ 46.06		\$ 46.06
1.45% Tax Payable HI	\$ 10.77		\$ 10.77
Fed Withholding	\$ 57.34		\$ 57.34
WV State Withholding	\$ 22.79		\$ 22.79
PERS Retirement Deduct	\$ -		\$ -
Hosp. Pre-Tax	\$ -		\$ -
Cancer/ICU Pre-Taxed	\$ -		\$ -
Cancer/ICU Not Pre-Taxed	\$ -		\$ -
Optional Life Not Pre-Taxed	\$ -		\$ -
Christmas Club	\$ -		\$ -
Wage Attach #1	\$ -		\$ -
Wage Attach #2	\$ -		\$ -
Wage Attach #3	\$ -		\$ -
Wage Attach #4	\$ -		\$ -
DSRS Retirement Deduct 8.5%	\$ -		\$ -
457 - Nationwide	\$ -		\$ -
457I - ING	\$ -		\$ -
MD State Tax	\$ -		\$ -
D/VF	\$ -		\$ -
VA. State Tax	\$ -		\$ -
COLONIAL(PLUS)	\$ -		\$ -
Total Deductions	\$ 136.96	\$ -	\$ 136.96
Net Wages Total	\$ 605.88	\$ -	\$ 605.88
Pay Dates	6-Feb-2015		

Special Payroll # 2



DESCRIPTION	Fund 001 CO.	Fund 003 Dog	Total
Gross Wages	\$ 353,835.59		\$ 353,835.59
6.2% Tax Payable OASDI	\$ 21,137.69		\$ 21,137.69
1.45% Tax Payable HI	\$ 4,943.51		\$ 4,943.51
Fed Withholding	\$ 40,178.99		\$ 40,178.99
WV State Withholding	\$ 15,025.58		\$ 15,025.58
PERS Retirement Deduct	\$ 12,265.11		\$ 12,265.11
Hosp. Pre-Tax	\$ 10,278.50		\$ 10,278.50
Cancer/ICU Pre-Taxed	\$ 1,272.09		\$ 1,272.09
Cancer/ICU Not Pre-Taxed	\$ 904.31		\$ 904.31
Optional Life Not Pre-Taxed	\$ 502.48		\$ 502.48
Christmas Club	\$ 5,720.00		\$ 5,720.00
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%	\$ 5,421.13		\$ 5,421.13
457 - Nationwide	\$ 749.00		\$ 749.00
457I - ING	\$ 2,590.00		\$ 2,590.00
MD State Tax	\$ 361.25		\$ 361.25
D/VF	\$ 1,354.76		\$ 1,354.76
VA. State Tax	\$ 58.44		\$ 58.44
COLONIAL(PLUS)	\$ 258.09		\$ 258.09
Total Deductions	\$ 124,810.71	\$ -	\$ 124,810.71
Net Wages Total	\$ 229,024.88	\$ -	\$ 229,024.88
Pay Dates	12-Feb-2015		



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Angie Banks, Assessor

Department or Organization: **Assessor's Office**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **February 19, 2015**

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

Date Requested – 2nd Choice: Click here to enter text.

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

- Split Ticket
- Exonerations

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

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

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

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

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

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

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

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Ralph Lorenzetti
Department or Entity: Prosecutor's Office
Estimation of amount of time needed for appointment: 15 min
Date Requested -- 1st Choice: 2/19/05
Date Requested -- 2nd Choice: _____

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

Subject:

Request Approval of a New Hire

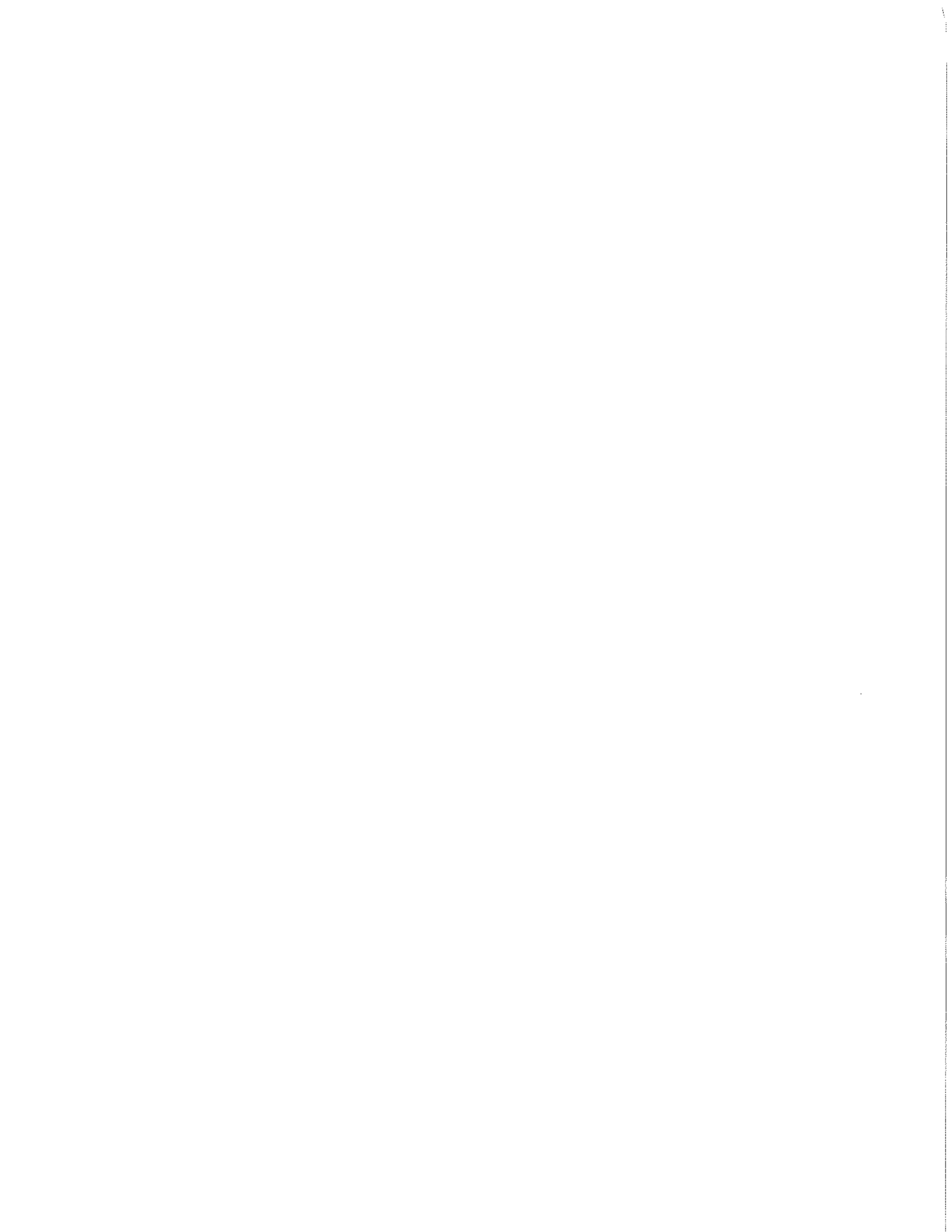
Please provide the County Commission with a description of your request or presentation, including any background information:

New hire will be responsible for covering planning & juveniles.

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

Motion for the approval of an assisting prosecuting attorney at \$68,124 - (Level 6, Step B)

Attachments:



Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Ralph Lorenzetti

Department or Entity: _____

Estimation of amount of time needed for appointment: 15 min

Date Requested -- 1st Choice: 2/19/15

Date Requested -- 2nd Choice: _____

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

Subject:

Re-use of Space in Magistrate Building

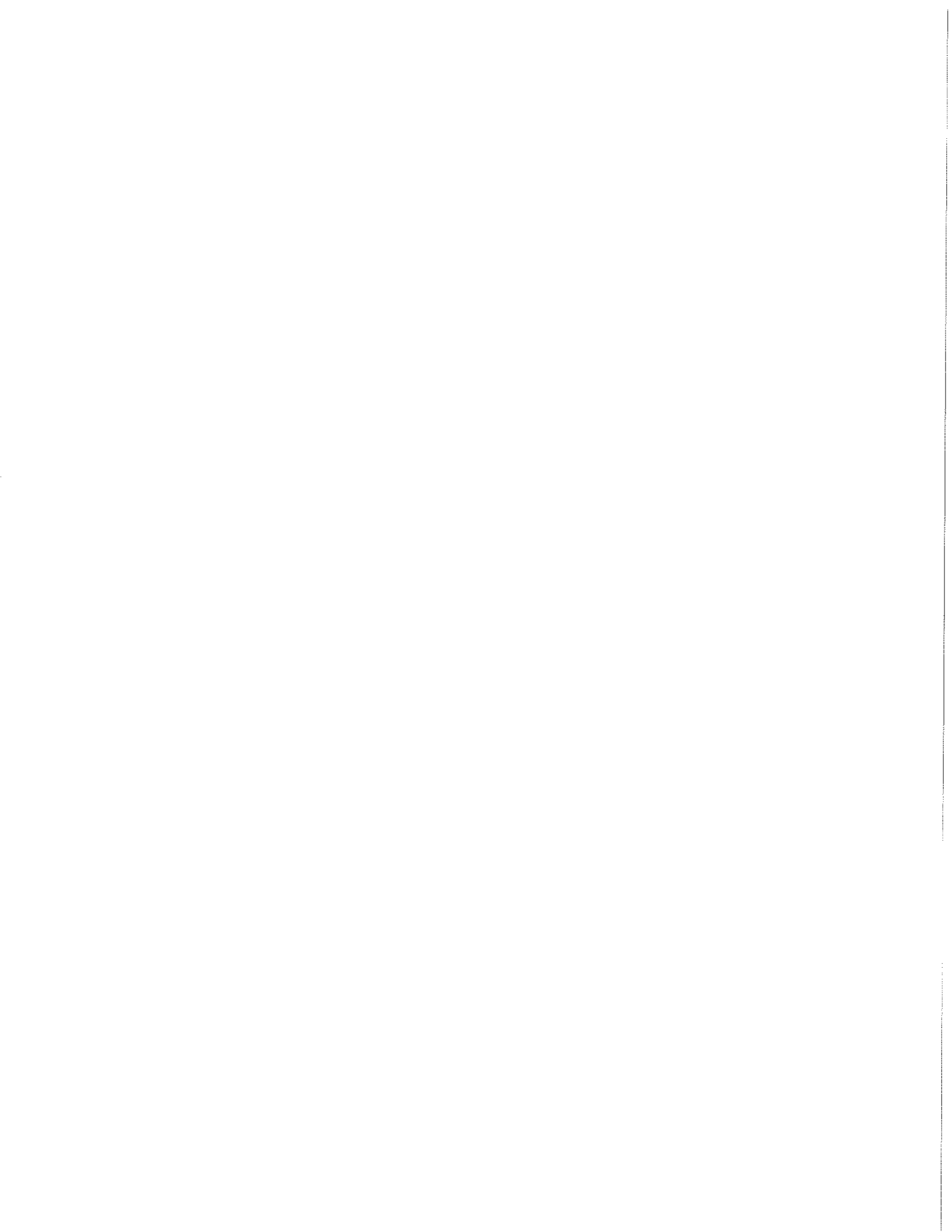
Please provide the County Commission with a description of your request or presentation, including any background information:

Possible re-use of 2nd floor space that the prosecutors office used to occupy.

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

Motion for approval of 2nd floor space in Magistrate Court building.

Attachments:



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Bill Polk

Department or Organization: **Maintenance Department**

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: **2/19/15**

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

Date Requested – 2nd Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): **Relocation of the oil tank in the back parking lot behind the Mason Building.**

Please provide the County Commission with a description of your request or presentation, including any background information:
This is to remove an unregistered oil tank at the back of the Mason Building.

Is this a funding request? Yes
If so, how much? \$12,151

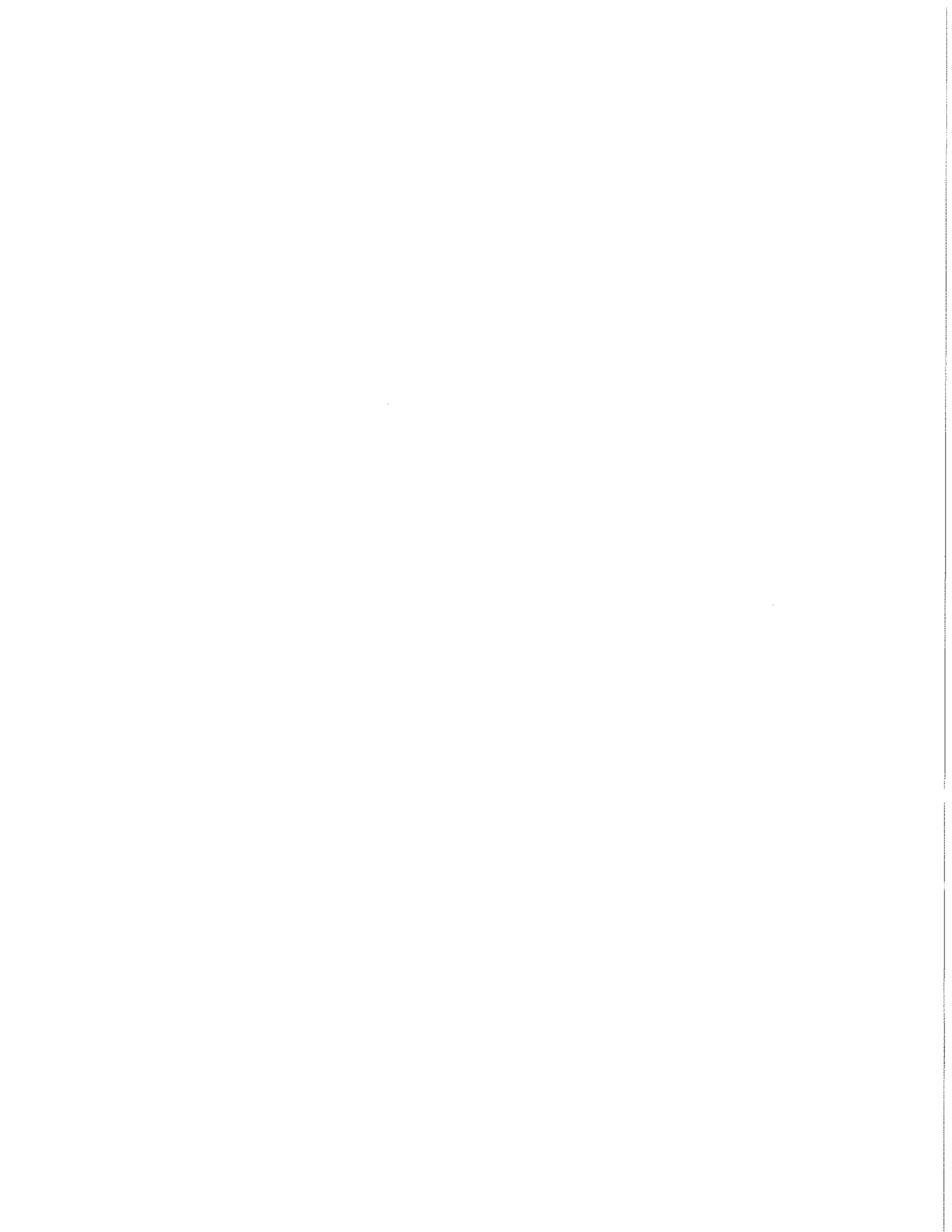
Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Move to approve the removal of the oil tank located behind the Mason Building.

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

Is equipment needed? NO

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Bill Polk

Department or Organization: **Jefferson County Maintenance Department**

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: **February 19, 2015**

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

Date Requested – 2nd Choice:

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

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

AGREEMENT

TEST HOLE DRILLING

THIS AGREEMENT, Made this _____ day of January, 2015, by and between JEFFERSON COUNTY COMMISSION, party/ies of the first part, and WEST VIRGINIA DIVISION OF HIGHWAYS, party of the second part.

WITNESSETH: That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid, the receipt of which is hereby acknowledged, the party/ies of the first part do hereby give unto West Virginia Division of Highways, its agents, employees and contractees, the right and privilege to enter upon the property of the party/ies of the first part, situate and located in Charles Town District, Jefferson County, West Virginia, for the purpose of test hole drilling; said project parcel described as follows:

See attached plan sheet.

WITNESS the following signature and seal:

JEFFERSON COUNTY COMMISSION

By: _____

Its: _____

STATE OF WEST VIRGINIA

COUNTY OF _____, to-wit:

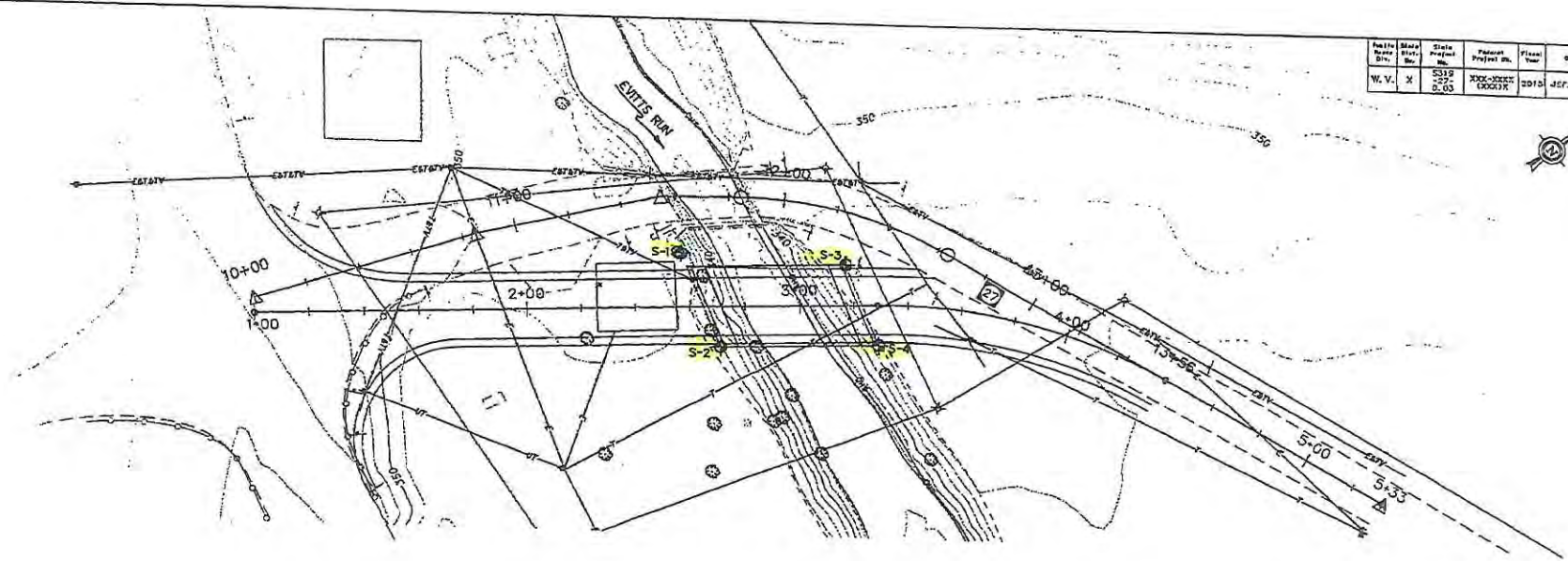
I, _____, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, whose name(s) is/are signed to the writing hereto annexed for Jefferson County Commission, bearing date the _____ day of January, 2015, has/have this day acknowledged the same before me in my said County and State.

Given under my hand this _____ day of _____, 2015.

My Commission expires _____.

Notary Public

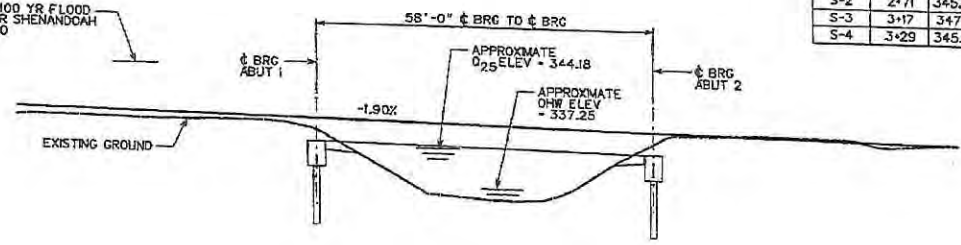
Project No.	State	Project No.	Project No.	Year	County	Sheet No.	Total Sheets
W.V. X	33	27	0001	2015	JEFFERSON		XX



PLAN
SCALE: 1" = 20'-0"

NUMBER	STATION	ELEV	OFFSET FROM MANLINE (FEET)	NORTHING	EASTING	DEPTH (FEET)
S-1	2+58	348.44	21 LT	N 279522.14	E 2444607.19	10
S-2	2+71	345.96	15 RT	N 279512.03	E 2444643.88	BELOW
S-3	3+17	347.81	15 LT	N 279567.93	E 2444646.19	TOP OF
S-4	3+29	345.69	15 RT	N 279556.31	E 2444677.48	ROCK

APPROXIMATE 100 YR FLOOD ELEVATION FOR SHENANDOAH RIVER - 356.00



ELEVATION
SCALE: 1" = 10'-0"

LEGEND
⊕ S-1 DENOTES PROPOSED BORING LOCATION.

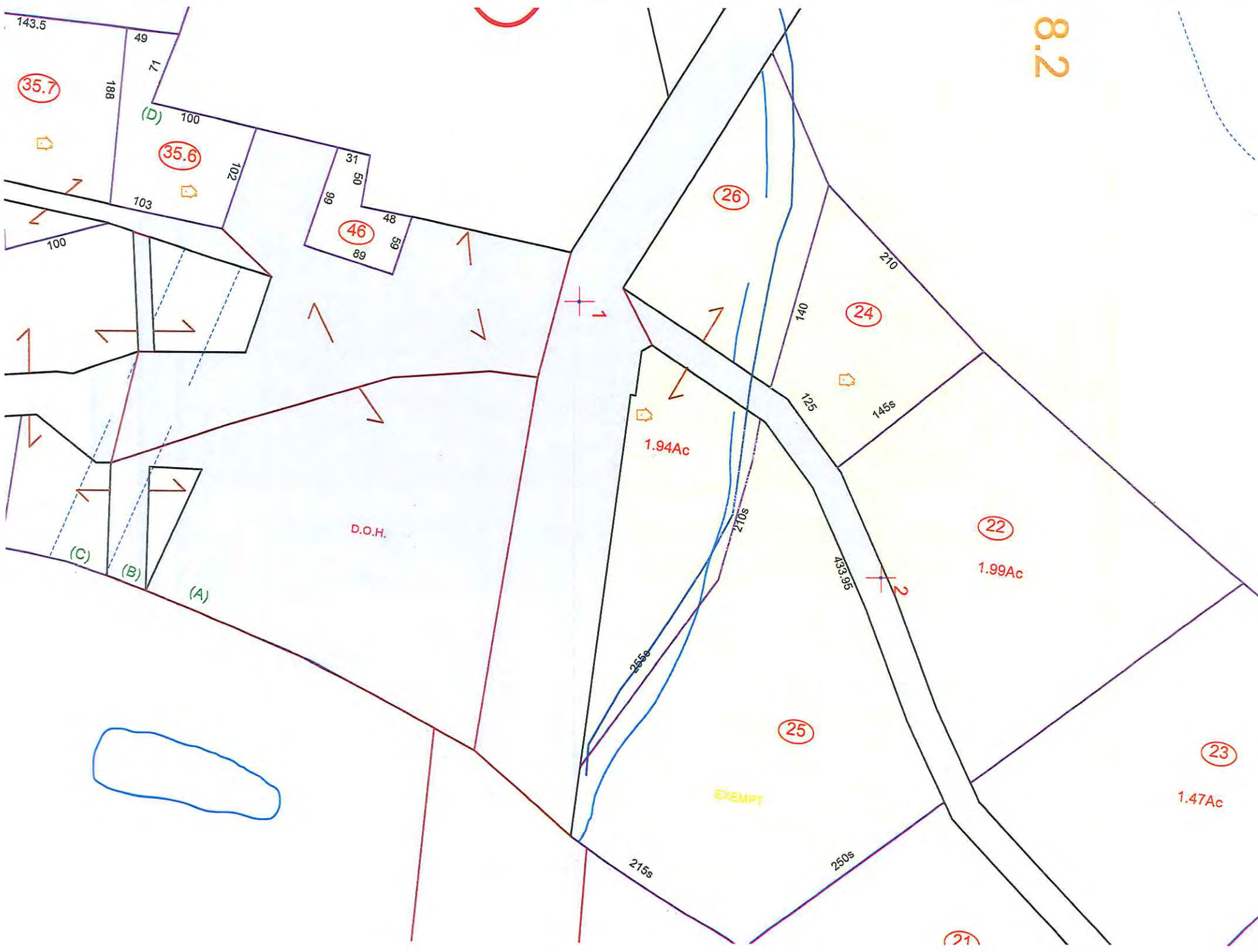
DESIGNED	DATE	BY
JMB	10/14	
DRAWN	DATE	BY
EW	10/14	
CHECKED	DATE	BY
	10/14	
CHECKED	DATE	BY
	10/14	

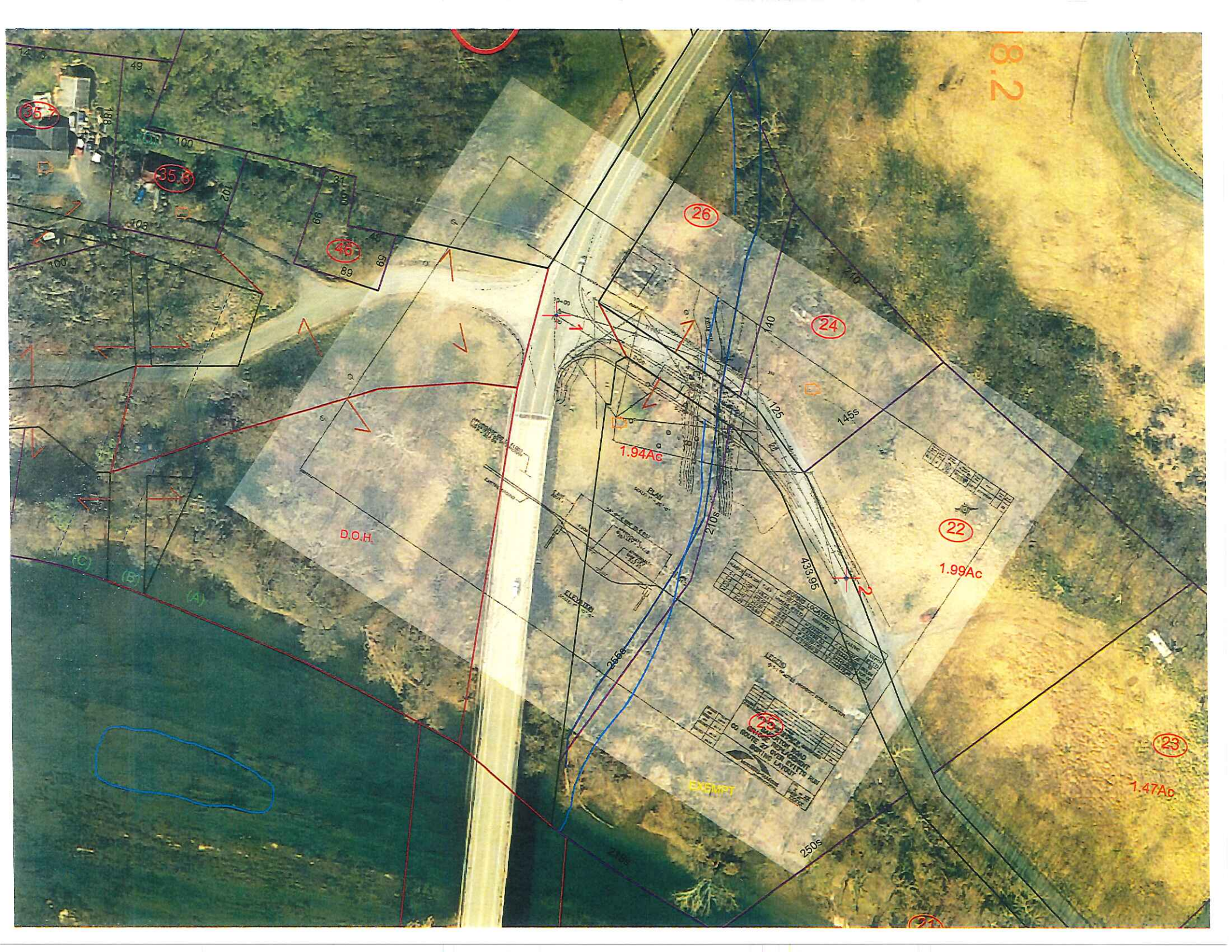
THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

**BAKERTON ROAD
BRIDGE REPLACEMENT
CO ROUTE 27 OVER EVITTS RUN
BORING LAYOUT**

MODJESKI-MASTERS
Professional Surveyors

DTG
X or XX
BRIDGE NO.
XXXXXX





18.2

35.7

35.6

45

26

24

22

23

21

D.O.H.

1.94Ac

1.99Ac

1.47Ac

EXEMPT

(C)
(B)
(A)

NO.	AREA	ACRES	PERCENT	TOTAL ACRES
1
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NO.	AREA	ACRES	PERCENT	TOTAL ACRES
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49
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210S

250S

433.95

250S

125

145S

140

100

49

188

102

106

100

100

100

100

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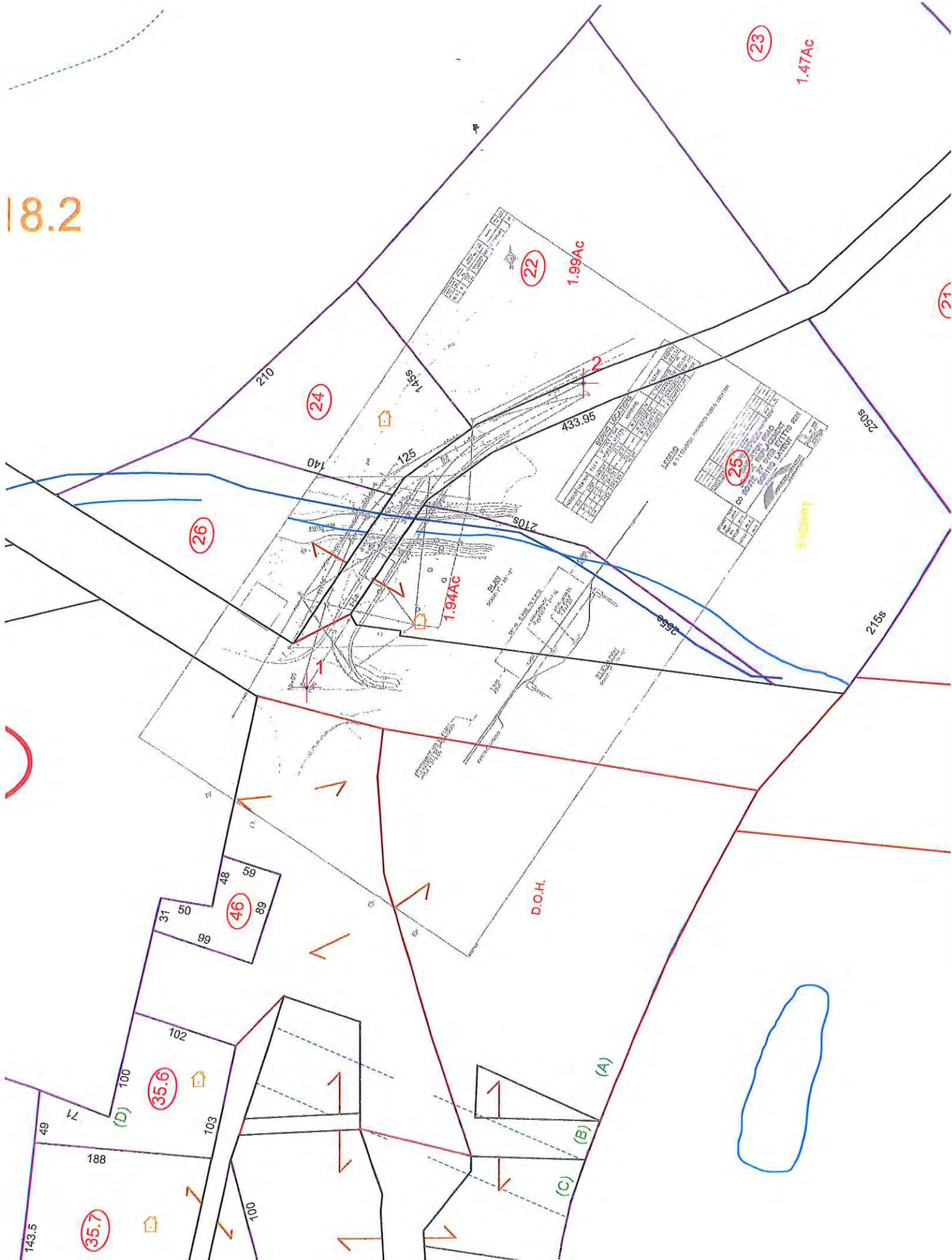
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THIS DEED, made this 22nd day of July, 1999, by and between MARY MAGDALENE OTT, party of the first part and hereinafter referred to as Grantor, and JEFFERSON COUNTY COMMISSION, party of the second part and hereinafter referred to as Grantee.

WITNESSETH: That for and in valuable consideration, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey unto said Grantee, with general warranty of title, free and clear of all monetary liens and encumbrances, in fee simple, to-wit:

All that certain tract of land with improvements thereon, situate in Charles Town District, Jefferson County, West Virginia, more particularly described as follows: That certain lot or parcel of land, with all improvements thereon, described on previous conveyances as being all that part of the "Old Turner" purchase lying on the north side of Evitt's Run and between the lines of H. H. Hummer, formerly J. J. Pittman, and the Shenandoah River and more particularly described by metes and bounds as follows:

Beginning at a point in the road on the north side of Evitt's Run at H. H. Hummer's corner, formerly J. J. Pittman, running thence with his line along or near the east side of the road N73E 26.3 poles to a sycamore tree and stump on the bank of the Shenandoah River, said Hummer's corner, thence up the river, at low water mark, to the north side of Evitt's Run, thence following north side of said run to the beginning.

AND BEING the same lot or parcel of real estate which was conveyed to Martha E. Ott and William W. Ott as joint tenants with right of survivorship, by deed dated November 11, 1977, from Catherine C. Corner, recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Deed Book 431 at Page 662. Martha E. Ott departed this life on the 4th day of August, 1993, vesting title solely in William W. Ott. William W. Ott departed this life on the 7th day of January, 1999, and by his Last Will and Testament dated July 19, 1996, and probated in said Clerk's Office in Will Book 24 at Page 214, he devised said real estate to his wife Mary Magdalene Ott, the Grantor herein.

THIS CONVEYANCE IS MADE SUBJECT TO and TOGETHER WITH all covenants, conditions, restrictions, easements and rights of way of record, and, as set forth in Exhibit A.

DECLARATION OF CONSIDERATION OR VALUE

The undersigned Grantor does hereby certify that the document to which this declaration is attached is a transfer from an individual to a government entity and is therefore exempt from the West Virginia excise tax on the transfer of real property.

WITNESS the following signature and seal.

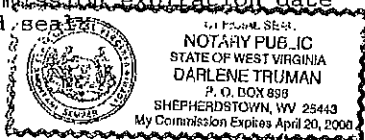
Mary M. Ott (SEAL)
MARY MAGDALENE OTT

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON, to-wit:

The foregoing instrument was acknowledged before me this 22nd day of July, 1999, by MARY MAGDALENE OTT.

Commission expiration date and seal



Dae J
NOTARY PUBLIC

This document was prepared by James B. Crawford, III of CRAWFORD & JACKSON, Attorneys at Law, Liberty & George Streets P.O. Box 266, Charles Town, West Virginia 25414.

JBCIII/dae/99-557J

EXHIBIT A

In reference to the Deed between (the property owners) participating in the FEMA acquisition project Mary Magdalene Ott, the Grantor, and the Jefferson County Commission, the Grantee.

WHEREAS, The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended ("The Stafford Act"), identified the use of disaster relief funds under Section 404 (Hazard Mitigation Grant Program, "HMGP"), including the acquisition and relocation of structures in the flood plain;

WHEREAS, Section 404 of the Stafford Act provides a process for a Community, through the State, to make application for funding to be used to acquire interests in property, including the purchase of structures in flood plain, to demolish and/or remove the buildings, and to convert the land use into perpetual open space;

WHEREAS, the West Virginia Office of Emergency Services has made such application and has entered into a FEMA-State Agreement dated March 7, 1997, and herein incorporated by reference;

WHEREAS, the County of Jefferson, acting by and through the Jefferson County Commission, has entered into a cooperative grant agreement with West Virginia Office of Emergency Services dated June 24, 1999 ("Grant Agreement");

WHEREAS, the terms of the Stafford Act, regulations promulgated thereunder (44 C.F.R. Section 206.434), and the FEMA-State Agreement require that the Grantee agree to conditions which were intended to restrict the use of the land to open spaces in perpetuity in order to protect and preserve natural flood plain values; and

NOW, THEREFORE, the grant is made subject to the following terms and conditions:

1. Terms. Pursuant to the terms of the Stafford Act, regulations promulgated thereunder (44 C.F.R. 206.434), as they read now and may be amended in the future, and the FEMA-State Agreement, the following conditions and restrictions shall apply in perpetuity to each property described in the attached deed and acquired by the Grantee pursuant to the Stafford Act Section 404 acquisition program:

(a) Compatible uses: The land shall be used only for purposes compatible with open space, recreational, or wetlands management practices; in general such uses include parks for outdoor recreational activities, nature reserves, unimproved pervious parking lots and other uses described in 44 C.F.R. Section 206.434, as it reads now and may be amended in the future.

(b) Structures: No new structures or improvements shall be erected on the property other than:

(i) A public facility that is open on all sides and functionally

related to the open space use;

(ii) A public rest room; or

(iii) A structure that is compatible with the uses described in Paragraph 1(a), above, and approved by the Director, in writing prior to the commencement of the construction of the structure.

Any structures built on the property according to this paragraph shall be floodproofed or elevated to the Base Flood Elevation plus one foot of freeboard.

(c) Disaster Assistance. No future disaster assistance from any Federal source for any purpose related to the property may be sought, nor will such assistance be provided;

(d) Transfer: The Grantee agrees that it shall convey any interest in the property only with prior approval of the transferee from the Regional Director of FEMA and only to another public entity or to an organization qualified under Section 170(h) of the Internal Revenue Code of 1954, as amended, and the applicable regulations promulgated thereunder. However, the Grantee may convey a lease to a private individual or entity for purposes compatible with the uses described in Paragraph 1(a), above, including agriculture, with the prior approval of the Regional Director.

If title to the property is transferred to a public entity other than a qualified state or federal agency with a conservation mission, it must be conveyed subject to a Conservation Easement that shall be recorded with the deed and shall incorporate all terms and conditions set forth herein, including the easement holder's responsibility to enforce the easement. This shall be accomplished by one of the following means:

(i) The Grantee shall convey, in accordance with section (d), above, a conservation easement to someone other than the title holder, or

(ii) At the time of title transfer, the Grantee shall retain such conservation easement, and record it with the deed.

2. Inspection. FEMA, its representatives, and assigns, including ["WVOES"], shall have the right to enter upon the property, at reasonable times and with reasonable notice, for the purpose of inspecting the property to ensure compliance with the terms of the grant.

3. Monitoring and Reporting. Beginning in 2001, every two (2) years on December 31, the Grantee, through ["WVOES"], shall submit to the FEMA Regional Director a report certifying that the Grantee has inspected the subject property within the month preceding the report, and that the property continued to be maintained consistent with the provisions of the grant.

4. Enforcement. If the subject property is not maintained according to the terms of the grant, the Grantee, ["WVOES"], and FEMA, its representatives, and assigns

are responsible for taking measures to bring the property back into compliance.

(a) The State will notify the Grantee in writing and advise the Grantee that it has 60 days to correct the violation.

(b) If the Grantee fails to demonstrate a good faith effort to come into compliance with the terms of the grant within the 60-day period, the State shall enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to bringing an action at law or in equity in a court of competent jurisdiction.

(c) FEMA, its representatives and assigns may enforce the terms of the grant by taking any measures it deems appropriate including but not limited to the following:

(i) Requiring the transfer of title in accordance with Paragraph 1(d). The Grantee shall bear the costs of bringing the property back into compliance with the terms of the grant; or

(ii) Bringing an action at law or in equity in a court of competent jurisdiction against the State or the Grantee.

5. Severability. Should any provision of this grant or the application thereof to any person or circumstance be found to be invalid or unenforceable, the rest and remainder of the provisions of this grant and their application shall not be affected and shall remain valid and enforceable.

WITNESS the following signatures and seals:

FEMA, REGION III

By: *Barry J. Macciocca*
BARRY MACCIOCCA
Hazard Mitigation Project Officer

JEFFERSON COUNTY COMMISSION

By: *Darrell H. Penwell*
DARRELL PENWELL
Director, Office of Emergency Services

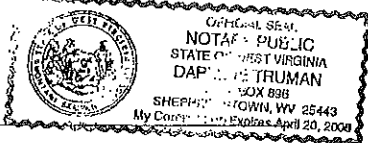
STATE OF WEST VIRGINIA

By: *Alto M. Lilly* 7-22-99
Governor's Authorized Representative

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

The foregoing instrument was acknowledged before me this 22 day of
July, 1999, by Darrell Penwell, Director, Jefferson County Office of Emergency
Services, on behalf of the County.

Commission seal and
expiration date:

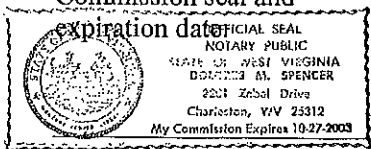


Darrell Penwell
NOTARY PUBLIC

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

The foregoing instrument was acknowledged before me this 23 day of
July, 1999, by Barry Macciocca, Hazard Mitigation Project Officer, of the Federal
Emergency Management Agency, Region III, on behalf of the Agency.

Commission seal and
expiration date:

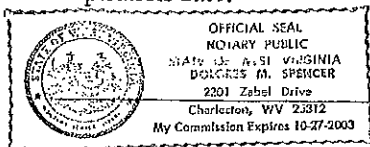


Dolores M. Spencer
NOTARY PUBLIC

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

The foregoing instrument was acknowledged before me this 23 day of July,
1999, by Albert M. Usko, Jr., Authorized Representative of Governor
Cecil W. Underwood, Governor of the State of West Virginia, on behalf of the
Governor.

Commission seal and
expiration date:



Dolores M. Spencer
NOTARY PUBLIC

This document was prepared by James B. Crawford, III, of
CRAWFORD & JACKSON, P.L.L.C., Attorneys at Law
120 N. George Street, P.O. Box 266, Charles Town, WV 25414

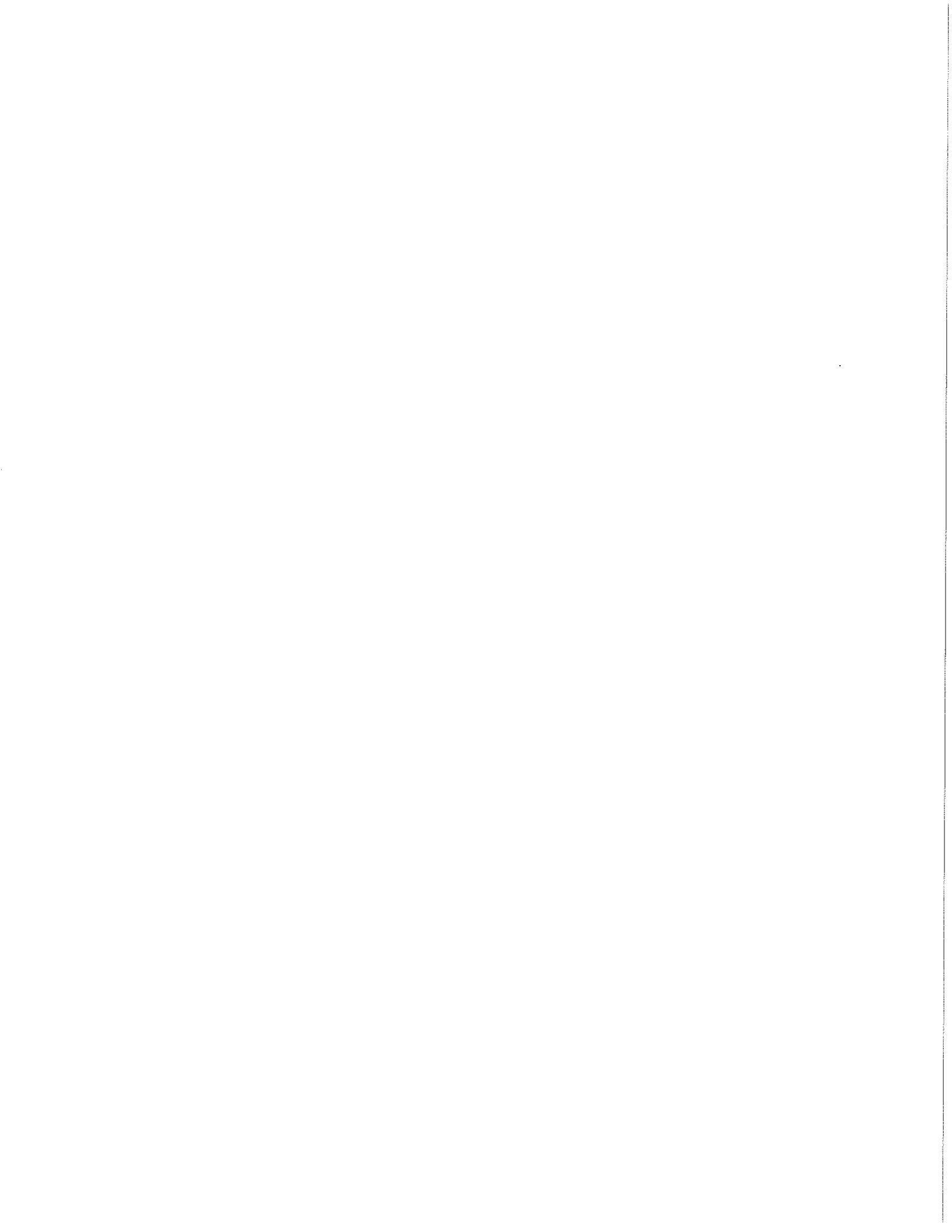
JBCIII/dae/99-557J

JEFFERSON COUNTY, WV
FILED
July 29, 1999 10:30:13

JOHN E. OTT
COUNTY CLERK
TRANSACTION NO: 1999015033

BOOK OF DEEDS
Book: 00928 Page: 00728





AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Debra Young
Department or Organization: Jefferson County Victim Assistance Program

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

Date Requested – 1st Choice: February 19, 2015

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

Grant Application must be signed and in Charleston, WV by March 6, 2015.

Date Requested – 2nd Choice:

Subject (Wording to be placed on agenda): Approval of VOCA Grant Application

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

Is this a funding request? Y/N

If so, how much? \$

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

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

If not attached, explain: Attached

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

Contact information: Debra Young

Email address:

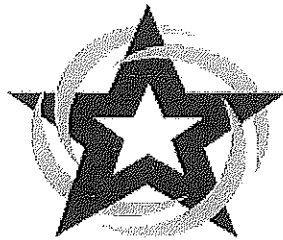
dyoung@jeffersoncountywv.org

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Appendix A

Application Checklist



Division of
Justice &
Community
Services

Note: This checklist is the desired order the grant application should be submitted to DJCS.

VOCA Application Checklist

Applicant: Jefferson County Commission

Amount
Requested:

\$60,870.00

- General Administrative Information – Page 1
- Applicant Information Complete
 - Type of Agency is Marked
 - Project Director Information Complete
 - Fiscal Officer Information Complete
 - Amount Requested is Complete
 - Percent Breakdown by Crime Category is Complete
 - Number of Years Previously Funded is Provided
 - Estimated Number of Victims to be Served is Provided
 - Geographic Area to be Served is Provided
 - Project Title is Provided
 - Project Description is Provided
 - Authorized Official Information is Complete – with ORIGINAL Signature
- Budget Information – Pages 2 - 4
- Budget Summary (Complete with Applicant Name and FEIN and DUNS Number)
 - Funding Strategy Complete – List all funding sources
 - Budget Detail Provided (for all applicable agencies & categories)
 - Budget Justification Provided (Detailed w/ match included & labeled)
- Project Narrative – Page 5
- Narrative addresses all minimum information contained within the grant application instructions section – including, but not limited to **(and in this order)**. All sections must be clearly titled with the bolded headings below:
- ☞ **Problem Statement/Statement of Need**
 - Target population identified and described and needs outlined
 - Supporting data is provided
 - Past efforts shown
 - ☞ **Program Description and/or Solution to the Problem**
 - ☞ **Underserved Populations Component**
 - Identified underserved Population
 - Provided supporting statistical information for the service area requesting funding
 - Identified how they will provide outreach to identified underserved Population
 - ☞ **Limited Language Proficiency Plan**
 - ☞ **Volunteer Recruitment and Utilization Plan**
 - ☞ **Victim's Rights Notification Plan**
 - ☞ **Collaboration**
 - ☞ **Training Requirement**
 - ☞ **Plan of Sustainability**

- Goals and Objectives – Page 6
 - At least one goal and one objective are required for each discipline requesting funding.
 - At least one objective addresses the outreach for the identified underserved population(s).
 - An activity, an outcome, and an implementation schedule is required for each objective.

- Organizational Charts – Page 7
Included both an organizational chart for each agency requesting funding. The chart also includes:
 - ☞ Staff members
 - ☞ Titles
 - ☞ Salaries
 - ☞ Source of salaries

- Hiring Procedures and Job Descriptions – Page 8
Hiring procedures, job descriptions, and applicable resumes and licenses are provided for each position requesting personnel funding.

- Attachments A through E
 - Organization Budget for Applying Agency
 - List of Governing Board Members (Board of Director Members, Advisory Board Members, County Commissions, City Council, etc.)
 - Support Letters (**For New Projects Only**)
 - Memorandum of Understanding
 - Proof of Non-Profit Status for **New Projects Only**:
 - ☞ Articles of Incorporation with proof of approval by WVSOS Office
 - ☞ Certificate of Incorporation issued by the WVSOS Office
 - ☞ IRS Determination Letter

- Appendices
 - System for Award Management (SAM) Registration
 - Project Director & Fiscal Officer Role and Responsibilities
 - Standard and Special ConditionsORIGINAL signature of the Authorized Official is provided

**Victim of Crime Act (VOCA)
Victim Assistance Grant
Program Application**

**General Administrative Information
Page 1**

<i>Applicant Agency:</i>	Jefferson County Commission	<u>Type of Agency</u> <input type="checkbox"/> State <input checked="" type="checkbox"/> County <input type="checkbox"/> Municipal Non-Profit
<i>Address:</i>	PO Box 250 Charles Town, WV 25414	
<i>Phone:</i>	304-725-3284	
<i>Fax Number:</i>	304-728-7916	

<u><i>Project Director:</i></u>	Ralph A. Lorenzetti	<u><i>Fiscal Officer:</i></u>	Tim Stanton
<i>Address:</i>	PO Box 729 Charles Town, WV 25414	<i>Address:</i>	PO Box 250 Charles Town WV 25414
<i>Phone:</i>	304-728-3243	<i>Phone:</i>	304-728-3284
<i>Fax:</i>	304-728-3293	<i>Fax:</i>	304-725-7916
<i>Email:</i>	rlorenzetti@jeffersoncountywv.org	<i>Email:</i>	tstanton@jeffersoncountywv.org

Amount Requested: **\$60,870.00** *Amount Awarded:* _____
Project Period: **October 1, 2015 – September 30, 2016**

<i>Percent Breakdown by Crime Category:</i>	<i>Number of years previously funded:</i> <u>17</u>	<i>Geographic Area Served:</i>
30 Domestic Violence		County(ies): Jefferson
30 Sexual Assault	<i>Estimated number of victims to be served by grant:</i> 500	Population: 55,073
30 Child Abuse		Rural/Urban: Rural
10 Underserved Pop.		

Project Title: **Jefferson County Victim Assistance Program**

Project Description: The Program provides direct services to all victims of crime but places an emphasis on serving the needs of victims of violent crime and under-served populations. The Program will seek to prevent the re-victimization of crime victims by offering comprehensive specialized services.

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 the governing body and the applicant will comply with the attached special conditions and assurances, if funding is provided.

<i>Authorized Official:</i> Jane Tabb	<i>Title:</i> President, Jefferson County Commission
<i>Address:</i> Jefferson County Commission PO Box 250 Charles Town, WV 25414	<i>Phone:</i> 304-728-3284 <i>Fax:</i> 304-725-7916 <i>E-Mail:</i> vinemont@frontier.net
<i>Signature:</i>	<i>Date:</i>

Victim of Crime Act (VOCA) Victim Assistance Grant Program Application

**Budget Summary
Page 2**

Applicant:	Jefferson County Commission	FEIN Number:	55-6000333
		DUNS Number:	0774114548

Category	VOCA Requested Funds	Matching Funds	Total Budget
Personnel / Contractual	60,370.00	15,218.00	75,588.00
Travel / Training	500.00		500.00
Space			
Other			
Totals	60,870.00	15,218.00	76,088.00

Funding Strategy

Funding Source(s)	Amount	Status
VOCA Grant Funds	60,870.00	P
Match	15,218.00	C
Total	76,088.00	

Funding Source - Separately list each source of funds that will be used in the program.

Amount - Enter the amount received or anticipated for each

Status - Indicate the status of each funding source as follows:

P – Projected grant, loan or donation

A – Application submitted and under review

C – Funds Committed

R – Funds received, appropriated or on hand

Detailed Project Cost by Budget Category	Requested VOCA Funds	Matching Funds	Recommendation
<u>Personnel / Contractual</u>			DJCS Use Only
Full-Time Victim Advocate			
Debra Young - Salary	\$25,680.00		
FICA@7.65%	\$1,965.00		
Retirement@14%	\$3,595.00		
Match		\$7,159.00	
Full- Time Victim Advocate			
Jennifer May-Sanner	\$23,946.00		
FICA@7.65%	\$1,832.00		
Retirement@14%	\$3,352.00		
Match		\$7,159.00	
Volunteer Hours		\$900.00	
<u>Travel / Training</u>	\$500.00		
<u>Space:</u>			
<u>Other</u>			
Total Requested VOCA Funds	\$60,870.00		
Total Matching Funds		\$15,218.00	
Total of Recommendation (DJCS Only)			

Provide here a justification and explanation of the budget items shown on pages 3 and 3a 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 major budget category involved (e.g., Personnel/Contractual, Travel/Training, Equipment, and Other). Please differentiate between project grant and matching funds (if applicable). For all Personnel/Contractual positions (salary, hourly, overtime) that are requesting Fringes please list the percentages (%) for each. **For all full-time hourly positions and part-time hourly positions (not salaried) please include an hourly rate x hours per month.** *Please note that effective July 1, 2012 all salaried positions (whether it be 100%, 80%, etc.) may be reimbursed on a 12 month cycle. Example: If you are a salaried employee requesting 100% of your salary of \$35,000, the most you will be reimbursed for a month period is \$2,916.66. If you are a salaried employee requesting 80% of your total salary of \$35,000, the most you will be reimbursed per month will be \$2,333.33 over 12 months, not to exceed the \$28,000, or 80% of the \$35,000 salary.* **Requested Increase in Grant Funds: If requesting an increase or change in grant funds from previous grant awarded amounts, applicants are to include a detailed description and justification for the increase/change in funds.**

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

Additionally, provide an identified breakdown of matching funds. **Be sure to label the matching funds breakdown as such.** Attach additional pages if necessary.

Funds requested from VOCA are to be used as Personnel/Contractual Salaries and Benefits for two Full-time Victim Advocates. A request for an increase of Retirement from 11% to 14% has been submitted to help defray increase in costs. The requested VOCA Funds are crucial to provide direct services to Crime Victims in Jefferson County. Please see the attached sheet for specific breakdown of Personnel/Contractual funds.

Travel and Training funds requested from VOCA are to be used for registration, mileage, lodging or meals for the two Full-time Victim Advocates in order to fulfill VOCA's required 8 hour Trainings for Advocates. The Program's Advocates have attempted and will continue to attempt to find Trainings that are either free or cost-effective. The Prosecuting Attorney/Project Director has and will continue to include Victim Advocate Trainings within his office budget. The Program is requesting VOCA grant funds of five hundred dollars (\$500) to help defray Travel/Training costs.

Appendix G

Standard and Special Conditions and Assurances

VOCA

**WEST VIRGINIA
DIVISION OF JUSTICE & COMMUNITY
SERVICES**

STANDARD CONDITIONS AND ASSURANCES

All correspondence to DJCS, 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 DJCS grant program, should be mailed to the following address:

West Virginia Division of Justice & Community Services
1204 Kanawha Boulevard, East
Charleston, West Virginia 25301

1. LAWS OF WEST VIRGINIA:

This grant 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 DJCS, regardless of the original funding source. This grant is on a "REIMBURSEMENT ONLY" mechanism.

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

4. COMMENCEMENT WITHIN 60 DAYS:

This project must be operational within 60 days of the project starting date, as specified in the grant contract agreement. If the project is not operational within 60 days of the specified project starting date, the grantee must report by letter to DJCS, the steps taken to initiate the project, the reasons for delay, and the expected starting date.

5. OPERATIONAL WITHIN 90 DAYS:

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

6. WRITTEN APPROVAL OF CHANGES:

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

**WEST VIRGINIA
DIVISION OF JUSTICE & COMMUNITY
SERVICES**

STANDARD CONDITIONS AND ASSURANCES

7. CIVIL RIGHTS COMPLIANCE:

Grantee will comply with any applicable federal nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § § 12131-34); the Education Amendments of 1972 (20 U.S.C. § § 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. § § 6101-07); 28 C.F.R. pt. 31 (U.S. Department of Justice Regulations-OJJDP Grant Programs); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations-Nondiscrimination; Equal Employment Opportunity; Policies and Procedures); Exec. Order No. 13279 (equal protection of the laws for faith-based and community organizations); Exec. Order No. 13559 (fundamental principles and policymaking criteria for partnerships with faith-based and neighborhood organizations); and 28 C.F.R. pt.38 (U.S. Department of Justice Regulations-Equal Treatment for Faith-Based Organizations).

In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, or sex against a recipient of funds, the grantee will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs and the West Virginia Division of Justice and Community Services.

8. PRESS RELEASE:

Pursuant to the Stevens Amendment, any release of information pertaining to this grant must include the following information:

1. grant amount;
2. State involvement (name of state entity responsible for administering the grant); and,
3. Federal involvement if applicable (name of federal entity responsible for administering the grant).

9. LOBBYING:

Grantee will comply with any and all lobbying provisions and/or restrictions as outlined in OMB circular A-122, and/or relevant State laws.

10. ACCESS TO RECORDS:

DJCS, through any authorized representative, shall have access to and the right to examine all records, books, papers, or documents related to the grant and to relevant books and records of contractors.

11. CONFLICT OF INTEREST:

No public official or employee of the 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 reasonably be expected to result in any benefit or remuneration to that individual or that individual's immediate family.

12. POLITICAL ACTIVITY:

The Hatch Act restricts the political activity of executive branch employees of the federal government, District of Columbia government and some state and local employees who work in connection with federally funded programs. In 1993, Congress passed legislation that significantly amended the Hatch Act as it applies to federal and D.C. employees (5 U.S.C. §§ 7321-7326). (These amendments did not change the provisions that apply to state and local employees. 5 U.S.C. §§ 1501- 1508.)

**WEST VIRGINIA
DIVISION OF JUSTICE & COMMUNITY
SERVICES**

STANDARD CONDITIONS AND ASSURANCES

13. RELEASE OF INFORMATION:

All records, papers and other documents kept by recipients of grant funds are required to be made available to DJCS. These records and other documents submitted to DJCS and its grantees, including plans and application for funds, reports, etc., may be subsequently required to be made available to entities under Federal Freedom of Information Act, 5. U.S.C. §552, or Chapter 29B, Article 1 (West Virginia Freedom of Information) of the West Virginia Code.

DJCS 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, personnel or juvenile 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 state control is subject to requests made pursuant to the Chapter 29B, Article 1 of the West Virginia Code, all determinations concerning the release of information of this nature are made on a case-by-case basis by DJCS, and may fall within one or more of the available exemptions under the Act.

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 DJCS regarding concerns or questions about the release of potentially sensitive information under state and local laws.

14. NATIONAL AND STATE EVALUATION EFFORTS:

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

15. OBLIGATION OF PROJECT FUNDS:

Funds may not, without prior written approval from DJCS, be obligated prior to the effective start date or subsequent to the termination date of the project period. Obligations outstanding as of the project termination date shall be liquidated within thirty (30) days.

16. USE OF FUNDS:

Funds awarded through DJCS may be expended **ONLY** for the purposes and activities specifically covered by the grantee's approved project description and budget. By attaching their signature, the grantee recognizes that any deviations from the original grant budget are unallowable.

17. ALLOWABLE AND UNALLOWABLE COSTS:

Allowable and unallowable costs incurred under this grant shall be determined in accordance with General Accounting Office principles and standards.

18. PEER REVIEW SUB GRANTEE EVALUATION PROCESS:

The applicant agrees to discharge if necessary - at the request of DJCS - knowledgeable, competent personnel (preferably a Project Director) to participate in a contemplated "peer review" process/advisory council. The purpose of this process would be to assist DJCS in making grant funding recommendations and furthered policy development regarding individual grant programs throughout the State. This would be no more than 2-3 days per annum.

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19. NON-SUPLANTING:

Grant funds must be used to supplement existing funds for program activities and may not replace (supplant) 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 state grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The grantee hereby certifies that funds made available under this grant will not be used to supplant other funding sources.

20. MATCHING CONTRIBUTION:

The grantee will have available, and will expend as needed, adequate resources to defray that portion of the total costs as set forth in this application as "match" and as approved by the West Virginia Division of Justice & Community Services. The applicant assures that the matching funds required to pay the grant portion of the cost of each program and project, for which funds are made available, 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. Matching contributions are subject to the same expenditure guidelines established by the West Virginia Division of Justice & Community Services for this program. All grantees must maintain records that clearly show the source, the amount and the timing of all matching contributions. Please be reminded that if match is not "required" by the grant program for which you are making application, but committed and indicated on the budget pages of this application, then this special condition shall be affected.

21. PROJECT INCOME:

All income earned by the 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 DJCS as are established for granted funds. All 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.

22. CONSULTANT FEES:

Approval of this grant does not indicate an approval of consultant rates in excess of \$450 per day. Specific and detailed justification must be submitted to, and approved by DJCS prior to obligation or expenditure of such funds.

23. SUSPENSION OF FUNDING:

DJCS may suspend, in whole or in part, terminate, or impose other sanctions on any 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 cause shown.

24. SANCTIONS FOR NONCOMPLIANCE:

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

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

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25. SUBMISSION/RELEASE OF PUBLICATIONS/PRESS RELEASE:

The grantee shall submit one copy of all reports and proposed publications resulting from this agreement to DJCS 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 West Virginia Division of Justice & Community Services (or simply "DJCS"). 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 State of West Virginia or the Division of Justice & Community Services."

"This project supported by Grant No. _____ awarded by the West Virginia Division of Justice & Community Services and the U.S. Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also included the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United State Department of Justice."

26. PROPERTY ACCOUNTABILITY:

The 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 grant by DJCS. This obligation continues as long as the property is retained by the grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from DJCS. Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program (if applicable), with copies provided to DJCS. Property must be used for the intended grant purposes, if not being used in accordance with terms of the grant property will revert back to DJCS.

27. CRIMINAL PENALTIES:

Whoever embezzles or endeavors to embezzle, willfully misapplies, steals or obtains by fraud any funds, assets, or property which are the subject of grant or contractor or other form of assistance pursuant to this title, whether received directly or indirectly from the administration; or whether receives, conceals, or retains such funds, assets, or property to his use or gain, knowing such funds, assets, or property to have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to the Act shall be subject to prosecution under the provisions of Section 1011 of Title 18, United States Code. Any law enforcement and criminal justice program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to the Act, whether received directly or indirectly from the administration, shall be subject to the provisions of Section 871 of Title 18, United States Code.

28. REPORTS:

Each grantee shall submit such reports as DJCS shall deem reasonably necessary to the execution of monitoring, stewardship and evaluation of programmatic and fiscal responsibilities.

29. PURCHASING:

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

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30. COLLABORATION W/OTHER FED. AND STATE GRANTS:

Where warranted, this initiative/grantee shall make every effort to support or assist other federally funded or State grant programs in any manner, including but not limited to, providing personnel, supplies, equipment and any other resources deemed necessary by DJCS.

31. INFORMATION SYSTEMS:

With respect to programs related to criminal justice information systems, the grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:

- a. That all computer programs (software produced under this grant) will be made available to DJCS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
- b. To provide a complete copy of the computer programs and documentation, upon requests, to DJCS. The documentation will include, but not be limited to, system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
- c. That whenever possible all application programs will be written in standardized programming languages (i.e. Cobol, Fortran, C, C++, XML, etc.) or will adhere to Open Database Connectivity format for use on general operating systems that can be utilized on at least three different manufacturers of computer hardware with similar size and configuration capabilities.
- d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Criminal Justice Systems Clearinghouse (916/392-2550) should be contacted to determine availability of software prior to any development effort.

32. INCIDENT BASED REPORTING COMPLIANCY:

Grant applicants (cities & county commissions) will not be considered for funding if the applicant is not current with submitting Incident Based Reporting (IBR) information to the West Virginia State Police (if applicable). Grantees must remain current with submitting IBR information to the West Virginia State Police or grant funding will be withheld until such time as that grantee becomes IBR compliant.

33. TIME EXTENSIONS:

In general, time extensions for this program will not be granted. Unexpended grant funds remaining at the close of the grant period shall be deobligated.

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

Grantee understands and agrees that it cannot use any 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.

35. LIMITED ENGLISH PROFICIENCY:

Grantee must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency. For more information on the civil rights responsibilities that grantees have in providing language services to limited English proficiency individuals, please see the website www.lep.gov.

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36. COMPUTER EQUIPMENT:

Grantees purchasing computer equipment (hardware, software, or peripherals) with grant funds are required to adhere to the established bidding procedures for their respective units of government or agency. To ensure reputable vendors are obtained, grantees may consider utilizing the current applicable State computer contract. The following are minimum hardware requirements, as well as software requirements, established by DJCS for this grant program, which must be recognized when purchasing computer equipment, in whole or in part, utilizing grant funds:

Minimum Hardware Requirements:

- Intel Pentium III 733 MHz Processor; 133MHz front side bus
- 512K L2 Cache
- 128 MB SDRAM 100 MHz expandable to at least 384 MB
- 10 Gig. EIDE Ultra ATA 7200RPM Hard Drive
- 3.5" 1.44 MB Floppy Diskette Drive
- 48X Max Internal CD-ROM drive or 8X DVD-ROM drive
- 3 PCI, 1 16-bit ISA slot, 1 PCI/ISA (shared), 1 AGP slot
- ATI 8 MB AGP 2X Rage Pro Video Card
- 1 Parallel, 2 Serial, 2 USB
- 101/104-Key Keyboard (PS/2)
- PS/2 Port Compatible Mouse

Recommended Hardware Components:

- Mid-tower case
- 16-Bit 3D Sound Blaster Compatible w/ 64 voice wavetable and speakers (may be integrated)
- 3Com 10/100 PCI Ethernet Network Card
- APC UPS Backup power protection (adequate size to handle power load)
- Iomega Internal Zip Disk Drive

Software Requirements:

Whenever possible, software should operate within open industry standards. For example, Windows 2000 Operating System, Microsoft Office 2000 Professional, etc.

Warranty Requirements:

3 Year on-site warranty

37. PUBLIC SAFETY AND JUSTICE INFORMATION SHARING:

Grantees must support public safety and justice information sharing. The grantee is required to use the Global Justice Data Model specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at www.it.ojp.gov/gjxdm.

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38. 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. If applicable, 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 DJCS 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. 10th Street
Jeffersonville, IN 47132

39. PROGRAM ACCOUNTABILITY – STATE AUDIT REQUIREMENTS:

- I.) Sub grantee assures that it has read, understands, and is in full compliance with all requirements as set forth in §12-4-14., Code of West Virginia, or as amended, and is not currently debarred from receiving state grant funds as a result of non-compliance with §12-4-14. Sub grantee further understands that if it is currently debarred or is not in compliance with §12-4-14., it is ineligible to receive funding from the West Virginia Division of Justice Community Services.

40. CONFIDENTIALITY OF RESEARCH INFORMATION:

Pursuant to Section 229 of the Act, research information identifiable to an individual, which was obtained through a project funded wholly or in part with United States Department of Justice program funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).

41. LEASE AGREEMENTS:

Grantee agrees to provide DJCS with a description of proposals to use grant funds to enter into lease arrangements with private entities for the purpose of fulfilling the goals and objectives of this project.

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42. EQUAL EMPLOYMENT OPPORTUNITY PLAN:

The grantee will provide an Equal Employment Opportunity Plan (EEO) to the Office for Civil Rights, Office of Justice Programs (OCR) and the West Virginia Division of Justice and Community Services, if it has received a single award of \$500,000 or more. If the grantee receives \$25,000 or more and has 50 or more employees, it will maintain a current EEO on file and submit an EEO Certification Form to the OCR, certifying that its EEO is on file. For public grantee agencies receiving less than \$25,000, or public grantee agencies with fewer than 50 employees, regardless of the amount of the award, the grantee will provide an EEO Certification Form to the OCR certifying it is not required to submit or maintain an EEO. EEO Certification Forms are available at: <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

43. VETERANS PREFERENCE:

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

44. IMMIGRATION AND NATURALIZATION VERIFICATION:

The 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 state funds to verify that employees are eligible to work in the United States.

45. PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:

It is the sense of DJCS that to the greatest extent practicable, all equipment and products purchased with state funds made available under this grant should be American-made.

46. PERSONNEL TRAINING:

For projects involving payment of personnel or overtime pay, DJCS reserves the right to require training as a condition of the grant before or at any time during the project period.

47. ACCOUNTING REQUIREMENTS:

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 grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material, must be retained and be available for audit purposes.

48. OFFICE OF JUSTICE PROGRAMS (OJP) FINANCIAL GUIDE:

Grantee agrees to comply with the financial and administrative requirements as set forth in the current edition of the OJP Financial Guide.

49. TRANSFER OF FUNDS PROHIBITION:

The grantee is expressly prohibited from transferring funds between any DJCS programs.

50. MARKING OF EQUIPMENT:

Grantee will ensure that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the West Virginia Division of Justice & Community Services."

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51. PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:

Grantee acknowledges that DJCS 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.

Grantee agrees to consult with DJCS re the allocation of any patent rights that arise from, or are purchased with, this funding.

52. SYSTEM FOR AWARD MANAGEMENT

Grantee agrees to register with the System for Award Management (SAM), <https://www.sam.gov> and submit documentation verifying a valid registration date to DJCS with the grant application. Grantee agrees to maintain a valid registration date throughout the grant cycle and will submit to DJCS within 30-days of registration expiration documentation verifying that the registration date has been renewed.

53. DATA UNIVERSAL NUMBERING SYSTEM:

Grantee agrees to acquire a Data Universal Numbering System (DUNS) number, www.dnb.com and provide documentation to DJCS within 30 days of award notification that they have done so.

54. JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT:

Grantee agrees to comply with the four core protections under the Juvenile Justice & Delinquency Prevention (JJDP) Act of 1974, reauthorized 2002.

- Deinstitutionalization of status offenders (DSO).
- Separation of juveniles from adults in institutions (separation).
- Removal of juveniles from adult jails and lockups (jail removal).
- Reduction of disproportionate minority contact (DMC), where it exists.

This includes, but is not limited to, completing the annual the WV Certification of Non-Secure Facilities and submitting to DJCS, if applicable, and submitting a monthly Secure Holding Log, if applicable.

55. BIDDING PROCEDURES:

Funds for renovation, expansion or construction awarded to grantees or subgrantees, which require the letting of any single contract amounting to \$100,000 or more to a private company or individual shall require: a bid guarantee equivalent to 5% (five percent) of the bid price; the bid guarantee must consist of a firm commitment such as a bid bond, certified check, or negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified after forms are presented to the successful bidder; a performance bond on the part of the 100% (one hundred percent) of the contract price ("Performance bond" means a bond executed in connection with a contract to ensure payments required by all persons supplying labor and materials in the execution of the work provided for in the contract.); a payment bond on the part of the contractor for 100% (one hundred percent) of the contract price. ("Payment bond" is one executed in connection with a contract to ensure payment as required by law, of all persons supplying labor or materials in the execution of the work provided for in the contract.) Recipient/subgrantee is expected to follow the competitive bid process in the award of contracts involving Federal grant funds.

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56. COMPLIANCE WITH FEDERAL PROCEDURES:

The applicant assures that it will comply with the provisions of 28 Code of Federal Regulation (CFR) applicable to grants and cooperative agreements, including:

- a. Part 11, Applicability of Office of Management and Budget Circulars.
- b. Part 18, Administrative Review Procedures.
- c. Part 20, Criminal Justice Information Systems.
- d. Part 22, Confidentiality of Identifiable Research and Statistical Information.
- e. Part 23, Criminal Intelligence Systems Operating Policies.
- f. Part 30, Intergovernmental Review of Department of Justice Programs and Activities
- g. Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures

57. ADDITIONAL REGULATIONS AND PROCEDURES:

In addition, all grantees must comply with the following applicable federal regulations and/or the United States Department of Justice, Office of Justice Programs - M 7100.1D manual, OMB Circulars No. A-21, A-110, A-122, A-128, A-87, E.O. 12372, Uniform Administrative Requirements for Grants and Cooperative Agreements 28 CFR, Part 66, Common Rule, and all other applicable Federal regulations, policies, acts and guidelines.

- a. National Environmental Policy Act of 1969 (NEPA).
- b. National Historic Preservation Act of 1966.
- c. Flood Disaster Protection Act of 1973.
- d. Clean Air Act and Federal Water Pollution Control Act Amendments of 1972.
- e. Control Act Amendments of 1972.
- f. Safe Drinking Water Act.
- g. Endangered Species Act of 1973.
- h. Wild and Scenic Rivers Act.
- i. Fish and Wildlife Coordination Act.
- j. Historical and Archaeological Data Preservation.
- k. Coastal Zone Management Act of 1979.
- l. Animal Welfare Act of 1970.
- m. Impoundment Control Act of 1974.
- n. Uniform Relation Assistance and Real Property Acquisitions Policies Act of 1970.
- o. Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended
- p. Death in Custody Act of 2000.

58. RELIGIOUS ACTIVITIES

Grantees must ensure that services are offered without regard to religious affiliation and that receipt of services is not contingent upon participation in a religious activity or event. Furthermore, all religious activities must be separate in time or place from the funded project. Participation in such activities by individuals receiving services must be voluntary.

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59. ADMINISTRATIVE CHANGES:

The applicant must advise DJCS immediately in writing if there are any changes in the: (1) Project Director, (2) Fiscal Officer, (3) Authorized Official, or (4) VOCA Grant-funded staff position(s). Please also submit to DJCS a new membership list if there are any changes in the members of a governing board, such as County Commission or City Council, or changes in members of the Advisory Board/Committee.

60. LATE REPORTING:

Applicant understands that projects which become 60 days delinquent in the submission of reporting requirements will forfeit one month of reimbursable expenses for the entire project. Each additional 30 days past the initial 60-day delinquency period shall result in an additional forfeiture of a month's reimbursable expenses.

61. CLIENT FILES:

Applicant must maintain client files for all victims served to document type of crime and services provided throughout the grant period. Sub-grantee also agrees to collect and maintain Civil Rights Information, where such information is voluntarily furnished by those receiving service, on race, sex, national origin, age and disability. These records are to be available at any time for review by DJCS.

62. CLIENT SURVEYS/EVALUATIONS:

The applicant is required to implement client surveys for evaluation purposes. DJCS may require a copy of these surveys/evaluations or request proof survey is being implemented. All surveys/evaluations must ensure client confidentiality. All surveys/evaluations will include the two following outcome measures: (1) Victim safety, (2) Public awareness, results will be required on the VOCA Annual Performance Report.

63. CLIENT CONFIDENTIALITY:

Applicant must maintain a written confidentiality policy that prohibits the disclosure of victim's name, address, phone number, any contact information, or any other personally identifying information without prior voluntary written consent of the victim (or legal guardian). Client information should only be accessible to authorized direct service staff of the funded program. All programs who also receive funds under the STOP Violence Against Women Act (VAWA) must adhere to all confidentiality requirements under the Violence Against Women Reorganization Act of 2005.

64. NOTIFICATION OF VICTIM COMPENSATION PROGRAM:

Applicant is required to assist crime victims in seeking available and eligible crime victim compensation benefits. Such assistance may include identifying and notifying crime victims of the availability of the victim compensation fund, assisting with the application forms and procedures, obtaining necessary documents, and/or checking on claim status.

65. GRANT FILE:

Applicant must maintain a grant file containing all grant-related documents, such as the grant agreement, monthly financial reports, monthly progress reports, and any grant-related correspondence. In some situations, the project site maybe at a different location than the official sub-grantee. Therefore, an official grant file should be maintained by both the official sub-grantee and the project site. These records are to be available at any time for review by DJCS.

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66. ADMINISTRATIVE MANUAL:

All pertinent information in regard to the Victim of Crime Act and amendments and all applicable federal and state laws, orders, circulars and regulations are updated and maintained in the appropriate administrative manual by sub-grantees

67. TRAVEL/TRAINING:

Any applicant receiving VOCA Grant funding for training must submit in writing to DJCS a training plan, and must also request in writing any adjustments to a training plan. Also, any VOCA grant-funded staff position who attends any training workshop or conference must submit a written narrative identifying the training, its purpose, what specific workshops were attended, and the useful information obtained that will assist in implementing the VOCA grant project. All training must be approved in advance by DJCS by submitting a written request (from project director) identifying the staff person who will be attending, the name of the conference and purpose, and attaching a brochure outlining the costs and the agenda.

Please note – sub-grantee representatives (project director and VOCA-funded staff positions/volunteers) may be required to attend training workshops deemed critical by DJCS.

68. VOCA FUNDED TRAINING EVENTS:

All agenda topics and trainers must be pre-approved by DJCS for any training events (conferences, workshops, symposiums, etc.) paid for with VOCA funds. A written request must be submitted to DJCS prior to entering into any agreements for agenda topics, speakers, and/or trainers. The request must include workshop descriptions and speaker biographies.

Please note – all VOCA funded training events must include an evaluation component and the results of the evaluations must be submitted to DJCS with the corresponding monthly report.

69. INTERAGENCY AGREEMENTS:

Where applicable, sub-grantee must develop a formal referral and inter agency agreements in a Memorandum of Understanding (MOU); copies of interagency agreements and referral Memorandum of Understanding are to be submitted with the application.

70. HIRING PROCEDURES:

Hiring procedures outlined in the grant application should be followed in hiring VOCA grant-funded staff positions. Staff hired must meet the qualifications outlined in the job description for the position. DJCS is to be advised in writing if there are any difficulties in filling VOCA grant-funded staff positions.

71. EQUAL TREATMENT FOR FAITH-BASED ORGANIZATIONS:

Such organizations receiving VOCA funds must ensure that services are offered to all victims without regard to religious affiliation and that the receipt of services is not contingent upon participation in a religious activity or event. Furthermore, all religious activities must be separate in time or place from the VAWA funded project. Further, participation in such activities by individuals receiving services must be voluntary.

72. VOLUNTEERS:

The applicant must utilize at least one volunteer during the grant period, as well as VOCA-funded staff to implement the grant project

73. ACTIVITIES THAT MAY COMPROMISE VICTIM SERVICES:

Applicants are strongly discouraged from proposing projects or supporting programs that include any activities that may compromise victim safety as outlined in the Victim of Crime Act.

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74. AUDITS:

All programs will submit a copy of an audit to DJCS each fiscal year. Additionally, programs who are not required to submit an audit under §12-4-14 are still required to submit a copy of an audit or an annual internal financial review to the Program Administrator at DJCS, showing the total budget expenditures and revenues from all sources for the prior year, along with a systematic method for timely and appropriate resolution of findings and/or recommendations

75. BOARD OF DIRECTORS:

Non-profit agencies are required to maintain a Board of Directors that will meet at least quarterly to review the status of grant objectives, to develop strategies for resolving any problems or barriers, and to perform periodic evaluations. Board Meeting minutes must be submitted with corresponding monthly reports. All state and local government agencies must submit any county commission minutes (which discuss the sub-grant or VOCA staff) or advisory board meeting minutes with the corresponding monthly reports

76. Printed Materials:

Any brochures or materials printed with VOCA funds must be submitted to DJCS 30 days for approval prior to printing.

77. DEBARMENT:

Any funded agency that is debarred with the State of West Virginia or Federally must inform DJCS in writing within 30 days of becoming debarred and have a plan of action stating the steps to address this issue. Funds will be frozen and the sub-grantee has 30 days to address this issue and then funds may be deobligated.

78. TEXT MESSAGING:

Applicant and all funded agencies will develop and implement a written policy which bans employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers

79. VOLUNTEERS:

The applicant must utilize at least one volunteer during the grant period for VOCA allowable activities, as well as VOCA-funded staff to implement the grant project. All sub-grantees will be required to submit a volunteer log quarterly. If a log is not submitted, DJCS will hold funds until it is submitted.

80. TRAINING:

All funded VOCA staff will be required to complete eight (8) hours per year of pre-approved victim assistance training. They must submit a certificate showing they completed this training. If this is not completed by March 30th, 2014 the sub-grantee must submit in writing why they have not attended a training; when they will attend and what type of training they plan to attend to DJCS. This will be reviewed for compliance at grant reviews.

WEST VIRGINIA
DIVISION OF Justice and Community
Services

VICTIM OF CRIME ACT (VOCA) GRANT
SPECIAL CONDITIONS AND ASSURANCES

81. ENSURING VICTIMS RIGHTS:

All funded programs/agencies will practice a "Victim Centered Approach". They are required to inform victims of their rights and ensure victims are afforded their rights.

82. VOCA-FUNDED TRAINING EVENTS:

All agenda topics and trainers must be pre-approved by DJCS for any training events (conferences, workshops, symposiums, etc.) paid for with VOCA funds. A written request must be submitted to DJCS 90 days prior to entering into any agreements, for agenda topics, speakers, and/or trainers. The request must include workshop descriptions and speaker biographies. All state agencies are required to work with the WV Coalition Against Domestic Violence and/or the WV Foundation for Rape Information and Services in acquiring appropriate speakers prior to the conference.

Please note - all VOCA funded training events must include an evaluation component and the results of the evaluations must be submitted to DJCS with the corresponding monthly report. If a program charges registration fees, they must provide certificates and/or certification that participants actually attended training in order to be reimbursed for registration fees. They must include a sign-in sheet of participants to DJCS.

83. VOCA GUIDELINES:

The Recipient assures that it will comply with the conditions of the Victims of Crime Act (VOCA) of 1984, sections 1404 (a)(2) and 1404 (b) (1) and (2), 42 U.S.C. 10603(a)(2) and (b) (1) and (2) and the applicable program guidelines and regulations; as required.

Specifically, the recipient certifies that funds under this sub-award will a) eligible victim assistance organizations 42 U.S.C. 1063 (a)(2); b) not be used to supplant State and local public funds that would otherwise be available for crime victim assistance; and c) be allocated in accordance with program guidelines or regulations implementing 42 U.S.C. 1063(a)(2)(A) and 42 U.S.C. 1063 (a)(2)(B) to, at a minimum assist victims in the following categories: sexual assault, child abuse, domestic violence, and underserved victims of violent crimes identified by the State.

84. Project Director & Fiscal Officer Monitoring Requirement:

The recipient acknowledges that the Project Director and Fiscal Officer of the grant are REQUIRED to be in attendance for the DJCS on-site monitoring visit.

I certify that I have read the entire Standard and Special Conditions and Assurances of this grant program and agree to comply with these requirements.

Printed/Typed Authorized Official Name

**SIGNATURE (Original) of Authorized
Official**

DATE

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Roger Goodwin, Chief County Engineer**

Department or Organization: **Office of Impact Fees**

Estimation of amount of time needed for appointment: **30 minutes**

Date Requested – 1st Choice: **February 19, 2015** (the County Commission directed that this issue be taken up on this date)
If a specific date is needed, please provide reason for specific date:

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Impact Fees Recalculation Project – Presentation of Final Reports:**

- **Parks & Recreation, EMS and Law Enforcement Impact Fees report (12/28/2014); and**
- **Schools Impact Fees report (02/10/2015)**

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

Schools Impact Fees:

At the last impact fees workshop on October 23, 2014, the County Commission directed that the Impact Fees Committee revisit the schools land value/cost determination to see if the \$70,000/acre figure is valid.

In addition to the cost information provided by the school board, additional information was gathered from the Jefferson County Assessor's office. The Chief County Engineer also met with the Berkeley County Schools superintendent to gather any information they could offer regarding their experiences with school construction/land costs. The Impact Fees Committee met on January 29, 2015 and discussed all the information and established a "land cost" figure for each of the school types, as follows:

Elementary School	\$57,419/acre
Middle School	\$68,966/acre
High School	\$26,821/acre

Note: The land cost figures include the raw land cost plus the average cost of bringing water and sewer services to the site and/or building water and sewer systems on the site. The figures vary since the average acreage of a school site varies for each type of school. The raw land cost portion of each of these figures is \$12,000/acre. Instead of having one \$70,000/acre figure for all school types, the above figures are what are determined to be appropriate.

The proposed impact fees for the Schools is shown in Figure 2, Page 3 of the report.

Parks & Recreation, EMS and Law Enforcement Impact Fees:

At the last impact fees workshop on October 23, 2014, the County Commission also directed that the EMS calculation provide for a "cost recovery" for future growth's share of the remaining debt on the EMS facility. Future growth's share of the \$1,970,124.00 remaining debt is \$520,328.00. The share of growth's cost over the next six years, based on projected growth over the next six years, is \$128,300.00

The proposed impact fees for the three impact fee entities are shown in Figure 3, Page 4 of the report.

Summary:

It appears that the overall net outcome of the Schools, Parks & Recreation, EMS and Law Enforcement recalculated impact fees is as follows for residential housing:

Proposed Residential Impact Fees			
Housing Unit Type	Current Fee	Proposed Fee	Net Change
Single-family & Mobile Home	\$13,070	\$9,065	(\$4,005)
Townhome	\$9,868	\$10,094	+\$226
Duplex	\$9,868	9,850	(\$18)
Multi-Family (Apartments & Condos)	\$7,594	\$6,366	(\$1,228)

Finally, I want to note that this meeting is not a public hearing. I defer to the County Commission as to whether they want to hold a public hearing and the date of the public hearing.

Is this a funding request? Y/N **No** If so, how much? \$ **N/A**

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

- 1. Move to accept the Impact Fees Recalculation Report for Parks & Recreation, EMS and Law Enforcement.**
- 2. Move to accept the Impact Fees Recalculation Report for the Schools.**

Attach supporting documents for request, or request may be denied.
If not attached, explain:

Is equipment needed? Projector Y/N **Yes** Internet/Wi Fi Y/N **No** Telephone for conference call Y/N **No**

Contact information:
Email address: engineering@jeffersoncountywv.org Phone Number: 304-728-3257

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

DRAFT – IMPACT FEES

Prepared for:

Jefferson County, WV

December 28, 2014

TischlerBise
Fiscal, Economic & Planning Consultants

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EXECUTIVE SUMMARY

TischlerBise was retained by the Jefferson County Commission to recalibrate the County’s impact fees using current level of service standards for:

- Parks & Recreation
- Law Enforcement
- Fire & EMS

Impact fees are one-time payments used to defray the cost impacts of facilities necessary to accommodate new development. The payment amount represents new growth’s fair share of capital facility needs. TischlerBise evaluated possible methodologies and documented appropriate demand indicators by type of development for the fee amounts. Specific capital costs have been identified using local data and current dollars. Level of Service (LOS) standards and cost factors are presented in this report and are the basis for the calculations. It should be noted that although growth affects both capital and operating expenses, the impact fee analysis addresses new development’s impact on *capital* facilities only. It is further limited to capital improvements that provide additional capacity as opposed to maintenance or rehabilitation.

APPROACH AND METHODOLOGY

There are three basic *methodologies* used to calculate impact fees. The **incremental expansion method** documents the current level of service for each type of public facility in both quantitative and qualitative measures. The intent is to use fee revenue to expand or provide additional facilities, as needed to accommodate new development, based on the current cost to provide capital improvements. The **plan-based method** is commonly used for public facilities that have adopted plans or engineering studies to guide capital improvements, such as utility systems. A third approach, known as the **cost recovery method**, is based on the rationale that new development is paying for its share of the useful life and remaining unused capacity of an existing facility or land.

A general requirement common to impact fee calculations is the evaluation of *credits*. Two types of credits should be considered, **future revenue credits** and **site-specific credits**. Revenue credits may be necessary to avoid potential double payment situations arising from a one-time facility fee plus the payment of other revenues that may also fund growth-related capital improvements. Revenue credits are dependent upon the fee methodology used in the cost analysis.

To avoid this potential double payment situation, future revenue credits are appropriate to account for outstanding debt on County facilities. A credit is necessary since new residential units that will pay the fee will also contribute to future principal payments on this remaining debt through property taxes. A credit is not necessary for interest payments because interest costs are not included in the costs.

The second type of credit, a **site-specific credit**, is for system improvements that have been included in the fee calculations. Policies and procedures related to site-specific credits for system improvements should be addressed in the ordinance that establishes the County’s impact fees. However, the general concept is that developers may be eligible for site-specific credits or reimbursements *only if they provide system improvements that have been included in the fee calculations*. Project improvements normally required as part of the development approval process are not eligible for credits against impact fees.

Figure 1 shows the method used to derive each component of the fees in Jefferson County.

Figure 1. Proposed Impact Fees: Methodologies

Type of Fee	Cost Recovery (past)	Incremental Expansion (present)	Plan-Based (future)
Parks & Recreation		Park Land Community Center Improvements Vehicles and Equipment	
Law Enforcement		Facilities Vehicles Equipment	
Fire & EMS	Facilities	Equipment	

MAXIMUM SUPPORTABLE IMPACT FEES

Figure 2 displays the current impact fees for Jefferson County. As shown below, the current fees include three residential floor area types, including Single Family Detached, Townhome/Duplex, and Multifamily. However, an ordinance was passed in 2013 that reduced the nonresidential fees by 99.5% to encourage nonresidential growth starting July 2013.

Figure 2. Current Impact Fees

Development Type	Parks & Rec	Law Enforcement	Fire & EMS
<i>Residential (per housing unit)</i>			
Single Family Detached	\$752	\$262	\$698
Townhome/Duplex	\$575	\$200	\$533
Multifamily	\$566	\$197	\$525
<i>Nonresidential (per 1,000 sq ft of floor area)</i>			
Commercial*	\$0	\$101	\$1,903
Office/Institutional*	\$0	\$42	\$776
Business Park	\$0	\$33	\$618
Light Industrial	\$0	\$18	\$338
Warehousing	\$0	\$13	\$240
Manufacturing	\$0	\$10	\$185

*Nonresidential fees are averages of floor areas for each land use type.

Figure 3 provides the schedule of *Maximum Supportable Impact Fees* for Jefferson County Parks & Recreation, Law Enforcement, and Fire & EMS. The amounts shown are “maximum supportable” amounts based on the methodologies, level of service, and costs for the capital improvements identified herein. The fees represent the highest amount feasible for each type of applicable development, which represent new growth’s fair share of the capital costs as detailed in this report. Jefferson County can adopt amounts that are lower than the maximum amounts shown. However, a reduction in fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in the County’s level of service.

As shown in Figure 3, the categories have changed slightly, to “Single Family, Townhouse and Mobile Home,” “Duplex,” and “Multi-family” The U.S. Census Bureau has switched to a continuous monthly mailing of surveys, known as the American Community Survey (ACS) which is limited by sample-size constraints in areas with relatively few residents. Data on detached housing units are now combined with attached single units (commonly known as townhouses). **Because of this, separate fees can no longer be determined for Single Family Detached and Townhouses.** A Single Unit (as discussed in the Land Use Assumptions Appendix to this report) includes single family detached units, single family attached units, and mobile homes. 2+ Units refers to structures with 2 or more units, which include Duplexes and Multi-family (apartments and condos), which is why these two categories have the same fee.

Figure 3. Maximum Supportable Impact Fees

Development Type	Parks & Rec			Law Enforcement			Fire & EMS		
	Current Fee	Proposed Fee	Change	Current Fee	Proposed Fee	Change	Current Fee	Proposed Fee	Change
Residential (per housing unit)									
Single Unit (Single-Family, Townhouse & Mobile Home)	\$752	\$625	(\$127)	\$262	\$230	(\$32)	\$698	\$67	(\$631)
Duplex	\$575	\$460	(\$115)	\$200	\$169	(\$31)	\$533	\$49	(\$484)
Multi-Family (Apartments & Condos)	\$566	\$460	(\$106)	\$197	\$169	(\$28)	\$525	\$49	(\$476)
Nonresidential (per 1,000 sq ft of floor area)									
Commercial*	\$0	\$0	N/A	\$101	\$397	\$296	\$1,903	\$73	(\$1,830)
Office/Institutional*	\$0	\$0	N/A	\$42	\$155	\$113	\$776	\$121	(\$655)
Business Park	\$0	\$0	N/A	\$33	\$175	\$142	\$618	\$113	(\$505)
Light Industrial	\$0	\$0	N/A	\$18	\$98	\$80	\$338	\$84	(\$254)
Warehousing	\$0	\$0	N/A	\$13	\$50	\$37	\$240	\$33	(\$207)
Manufacturing	\$0	\$0	N/A	\$10	\$53	\$43	\$185	\$65	(\$120)

*Nonresidential fees are averages of floor areas for each land use type.

OVERVIEW

INTRODUCTION TO IMPACT FEES

Definition

Impact fees, also known as development fees, are one-time payments used to fund capital improvements necessitated by new growth. Impact fees have been utilized by local governments in various forms for at least fifty years. Impact fees do have limitations, and should not be regarded as the total solution for infrastructure financing needs. Rather, they should be considered one component of a comprehensive portfolio to ensure adequate provision of public facilities with the goal of maintaining current levels of service in a community. Any community considering facility fees should note the following limitations:

- Impact fees can only be used to finance capital infrastructure and cannot be used to finance ongoing operations and/or maintenance and rehabilitation costs;
- Impact fees cannot be deposited in the County's General Fund. The funds must be accounted for separately in individual accounts and earmarked for the capital expenses for which they were collected; and
- Impact fees cannot be used to correct existing infrastructure deficiencies unless there is a funding plan in place to correct the deficiency for all current residents and businesses in the community.

Legal Framework

U. S. Constitution. Like all land use regulations, development exactions—including impact and facility fees—are subject to the Fifth Amendment prohibition on taking of private property for public use without just compensation. Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against regulatory takings. To comply with the Fifth Amendment, development regulations must be shown to substantially advance a legitimate governmental interest. In the case of impact fees, that interest is in the protection of public health, safety, and welfare by ensuring that development is not detrimental to the quality of essential public services.

There is little federal case law specifically dealing with impact fees, although other rulings on other types of exactions (e.g., land dedication requirements) are relevant. In one of the most important exaction cases, the U. S. Supreme Court found that a government agency imposing exactions on development must demonstrate an “essential nexus” between the exaction and the interest being protected. (See *Nollan v. California Coastal Commission*, 1987.) In a more recent case (*Dolan v. City of Tigard, OR*, 1994), the Court ruled that an exaction also must be “roughly proportional” to the burden created by

development. However, the *Dolan* decision appeared to set a higher standard of review for mandatory dedications of land than for monetary exactions such as impact or facility fees.

Required Findings

There are three reasonable relationship requirements for impact fees that are closely related to “rational nexus” or “reasonable relationship” requirements enunciated by a number of state courts. Although the term “dual rational nexus” is often used to characterize the standard by which courts evaluate the validity of development impact fees under the U. S. Constitution, we prefer a more rigorous formulation that recognizes three elements: “impact or need,” “benefit,” and “proportionality.” The dual rational nexus test explicitly addresses only the first two, although proportionality is reasonably implied, and was specifically mentioned by the U.S. Supreme Court in the *Dolan* case. The reasonable relationship language of the statute is considered less strict than the rational nexus standard used by many courts. Individual elements of the nexus standard are discussed further in the following paragraphs.

Demonstrating an Impact. All new development in a community creates additional demands on some, or all, public facilities provided by local government. If the supply of facilities is not increased to satisfy that additional demand, the quality or availability of public services for the entire community will deteriorate. Impact/facility fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is a consequence of development that is subject to the fees. The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate conditions created by the developments upon which they are imposed. That principle clearly applies to impact fees. In this study, the impact of development on improvement needs is analyzed in terms of quantifiable relationships between various types of development and the demand for specific facilities, based on applicable level-of-service standards.

Demonstrating a Benefit. A sufficient benefit relationship requires that facility fee revenues be segregated from other funds and expended only on the facilities for which the fees were charged. Fees must be expended in a timely manner and the facilities funded by the fees must serve the development paying the fees. However, nothing in the U.S. Constitution or the State enabling Act authorizing the County’s impact fee requires that facilities funded with fee revenues be available *exclusively* to development paying the fees. In other words, existing development may benefit from these improvements as well.

Procedures for the earmarking and expenditure of fee revenues are typically mandated by the State enabling act, as are procedures to ensure that the fees are expended expeditiously or refunded. All of these requirements are intended to ensure that developments benefit from the fees they are required to pay. Thus, an adequate showing of benefit must address procedural as well as substantive issues.

Demonstrating Proportionality. The requirement that exactions be proportional to the impacts of development was clearly stated by the U.S. Supreme Court in the *Dolan* case (although the relevance of

that decision to impact fees has been debated) and is logically necessary to establish a proper nexus. Proportionality is established through the procedures used to identify development-related facility costs, and in the methods used to calculate impact fees for various types of facilities and categories of development. The demand for facilities is measured in terms of relevant and measurable attributes of development.

Methodologies and Credits

Any one of several legitimate methods may be used to calculate impact fees. The choice of a particular method depends primarily on the service characteristics and planning requirements for the facility type being addressed. Each method has advantages and disadvantages in a particular situation, and to some extent can be interchangeable, because each allocates facility costs in proportion to the needs created by development.

Reduced to its simplest terms, the process of calculating impact fees involves two main steps: (1) determining the cost of development-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities. The following paragraphs discuss three basic methods for calculating facility fees and how those methods can be applied.

Plan-Based Fee Calculation. The plan-based method allocates costs for a specified set of improvements to a specified amount of development. The improvements are identified by a facility plan and development is identified by a land use plan. In this method, the total cost of relevant facilities is divided by total demand to calculate a cost per unit of demand. Then, the cost per unit of demand is multiplied by the amount of demand per unit of development (e.g. housing units or square feet of building area) in each category to arrive at a cost per specific unit of development (e.g., single family detached unit).

Cost Recovery Fee Calculation. The rationale for the cost recovery approach is that new development is paying for its share of the useful life and remaining capacity of facilities already built or land already purchased from which new growth will benefit. This methodology is often used for systems that were oversized such as sewer and water facilities. To calculate a fee using the cost recovery approach, the facility cost is divided by ultimate number of demand units the facility will serve.

Incremental Expansion Fee Calculation. The incremental expansion method documents the current level of service (LOS) for each type of public facility in both quantitative and qualitative measures, based on an existing service standard (such as square feet per student). The level of service standards are determined in a manner similar to the current replacement cost approach used by property insurance companies. However, in contrast to insurance practices, the fee revenues would not be for renewal and/or replacement of existing facilities. Rather, revenue will be used to expand or provide additional facilities, as needed, to accommodate new development. An incremental expansion cost method is best

suites for public facilities that will be expanded in regular increments, with LOS standards based on current conditions in the community. This approach is utilized for this study.

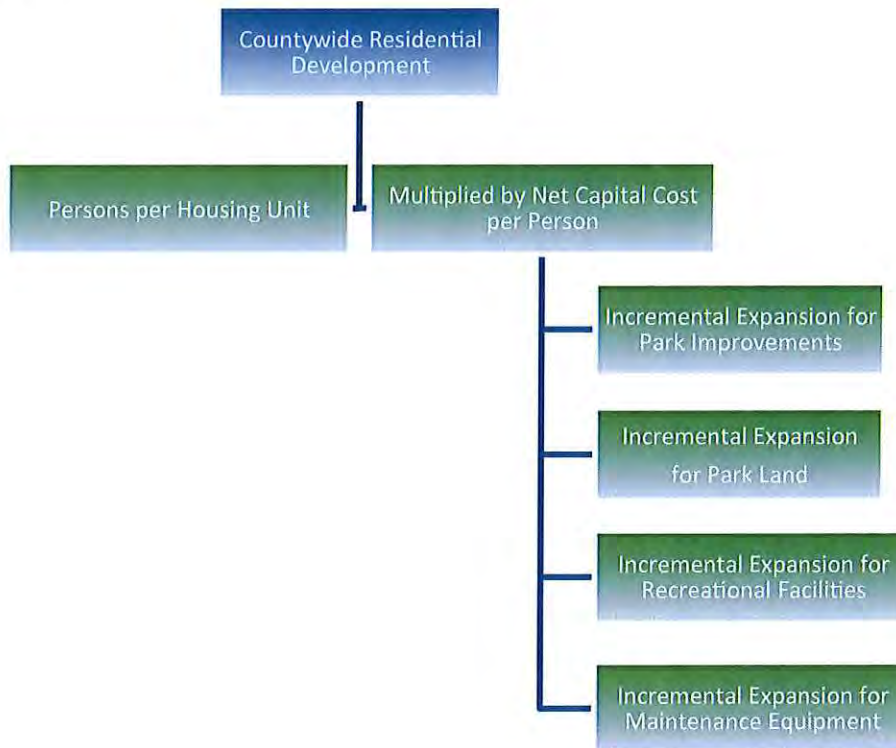
Credits. Regardless of the methodology, a consideration of “credits” is integral to the development of a legally valid impact fee methodology. There are two types of “credits” each with specific, distinct characteristics, but both of which should be addressed in the development of facility fees. The first is a credit due to possible double payment situations. This could occur when contributions are made by the property owner toward the capital costs of the public facility covered by the impact fee. This type of credit is integrated into the impact fee calculation. The second is a credit toward the payment of a fee for dedication of public sites or improvements provided by the developer and for which the facility fee is imposed. This type of credit is addressed in the administration and implementation of an impact fee program.

PARKS & RECREATION

METHODOLOGY

The incremental expansion method is used to calculate all components of the Parks & Recreation Impact Fee, including park improvements, park land, recreational facilities, and maintenance equipment. The methodology for the parks and recreation impact fee is diagrammed in Figure 4. All cost components are allocated 100% to residential development.

Figure 4. Parks & Recreation Impact Fee Methodology



CAPITAL COSTS PER PERSON

The Parks & Recreation Impact Fee includes components for park improvements, park land, recreational facilities, and maintenance equipment. This section of the report details the current LOS and cost factors which are used in the impact fee calculations.

Park Improvements

Figure 5 displays the inventory of park improvements in Jefferson County.

Figure 5. Parks Improvement Inventory

Improvements	#	2014 Cost	Improvements	#	2014 Cost	Improvements	#	2014 Cost
Bolivar Nature Park			Mount Mission Park			Moulton Park		
Gazebo	1	\$32,300	Pavillion/ Kitchen	1	\$60,000	Camping Pads	11	\$11,025
Infrastructure*	1	\$2,260	Playground Equipment	1	\$80,750	Fence	1	\$12,920
Landscaping	1	\$2,150	Old Church Bldg. (Storage)	1	\$220,050	Boat Ramp	1	\$21,530
Nature Trail	1	\$1,080	Perimeter Fencing	1	\$12,920	Parking Lot	1	\$21,530
Picnic Tables	3	\$3,230	Baseball Field	1	\$53,840	Sign	1	\$1,080
Sign	1	\$1,080	Picnic Tables	9	\$6,460	Infrastructure*	1	\$2,260
Total	8	\$42,100	Sign	1	\$1,080	Total	16	\$70,345
			Landscaping	1	\$2,260			
Leetown Park			Horseshoe Pits	1	\$1,080	South Jefferson Park		
Concession Stand	1	\$52,500	Total	17	\$438,440	Concession Stand	1	\$64,600
Tennis Courts	2	\$100,000	Sam Michaels Park			Baseball Fields w/ Lights	7	\$398,380
Pavillion	1	\$53,840	Pavillion	1	\$175,000	Perimeter Fencing	1	\$107,670
Softball Fields w/ Lights	2	\$90,000	Maintenance Building	1	\$192,500	Maintenance Building	1	\$48,450
Storage / Dugouts	4	\$53,840	Soccer Field Complex	1	\$161,510	Basketball Courts	1	\$32,300
Perimeter Fencing	1	\$126,000	Walking Trail	1	\$40,931	Tennis Courts	2	\$64,600
Playground Equipment	1	\$92,259	Pavillion/ Kitchen	2	\$50,000	Volleyball Court	1	\$5,380
Horseshoe Pits	1	\$1,080	Playground Equipment	2	\$59,988	Playground Equipment	1	\$80,750
Picnic Tables	6	\$6,460	Fencing/ Dog Park	1	\$100,000	Picnic Tables	1	\$6,460
Sign	1	\$1,080	Stage	1	\$50,000	Sign	1	\$1,080
Landscaping	1	\$6,460	Baseball Field with Lights	3	\$333,780	Soccer Field	1	\$53,840
Infrastructure*	1	\$107,670	Concession Stand	1	\$50,000	Landscaping	1	\$3,230
Total	22	\$691,189	Picnic Tables	6	\$6,460	Infrastructure*	1	\$107,670
			Horseshoe Pits	1	\$1,080	Total	20	\$974,410
Harvest Hills Park			Volleyball Courts	2	\$5,380			
Sign	1	\$1,080	Cross Country Trail	1	\$32,300	Total	112	\$6,711,983
Total	1	\$1,080	Sign	1	\$1,080			
			Landscaping	1	\$3,230			
Heather Marriot Park			Infrastructure*	1	\$3,230,100			
Sign	1	\$1,080	Total	27	\$4,493,339			
Total	1	\$1,080						

Source: Inventory and costs from 2010 Park & Recreation Impact Fee Study. Costs updated to February 2014 dollars for inflation. Some items and costs were added using "2013 Current Inventory and Acreage of Each Park", provided by Jefferson County Parks and Recreation Commission staff.

*Infrastructure includes site preparation, utilities, parking, and internal road improvements.

A summary of the inventory of park improvements by park is shown in Figure 6. (James Hite Park is not included because there are not any improvements at this point.) In total, there are 112 improvements on 265.17 acres of parks that have a replacement cost of approximately \$6,711,983. The level of service is 2.0 improvements per thousand persons, which is found by dividing the number of improvements (112 by the 2014 population (57,012) and multiplying by 1,000. The average cost per improvement is approximately \$60,000 (replacement value of \$6,536,983 divided by 112 improvements). Multiplying the average cost per improvement (\$60,000) by the level of service (2.0 improvements per 1,000) results in a cost per person of \$117.87.

Figure 6. Park Improvement LOS Standards

<i>Park</i>	<i>Acres</i>	<i># of Improvements</i>	<i>Total Cost</i>
Bolivar Nature Park	6.80	8	\$42,100
Leetown Park	10.87	22	\$691,189
Harvest Hills Park	21.77	1	\$1,080
Heather Marriot Park	11.00	1	\$1,080
Moulton Park	2.88	16	\$70,345
Mount Mission Park	3.50	17	\$438,440
Sam Michael's Park	137.24	27	\$4,493,339
South Jefferson Park	71.11	20	\$974,410
Total	265.17	112	\$6,711,983

Average Cost Per Improvement	\$60,000
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Level of Service (LOS) Standards

Total Improvements	112
2014 Jefferson County Population	57,012
Improved Park Acres	265.17
Improved Acres per 1,000 Persons	4.7
LOS: Improvements per 1,000 Persons	2.0

Cost Analysis

LOS: Improvements per 1,000 Persons	2.0
Cost per Improvement	\$60,000
Improvement Cost per Person	\$117.87

Park Land

An inventory of parks in Jefferson County is shown in Figure 7. In total, there are 384.90 acres of parks. This results in level of service of 6.8 acres per thousand persons, which is found by dividing the total number of park acres (384.90) by the 2014 Jefferson County population (57,012) and multiplying by 1,000. The cost per acre to purchase land is \$10,800. To determine the cost per demand unit, the level of service standard of 6.8 acres per thousand persons is multiplied by the average cost per acre (\$10,800) and divided by 1,000 to determine a cost per person of \$72.91.

Figure 7. Park Land LOS Standards

<i>Parks</i>	<i>Total Acres</i>
Bolivar Nature Park	6.80
Leetown Park	10.87
James Hite Park	119.73
Harvest Hills Park	21.77
Heather Marriot Park	11.00
Moulton Park	2.88
Mount Mission Park	3.50
Sam Michael's Park	137.24
South Jefferson Park	71.11
Total	384.90

Source: Jefferson County staff.

Park Cost per Acre¹	\$10,800
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1. Cost per acre from 2010 Impact Fee Study, updated for inflation.

Level of Service (LOS) Standards

Total Park Acres	385
2014 Jefferson County Population	57,012
LOS: Acres per 1,000 Persons	6.8

Cost Analysis

LOS: Acres per 1,000 persons	6.8
Cost per Acre	\$10,800
Park Cost per Person	\$72.91

Recreational Facilities

Jefferson County has one recreational facility, the Jefferson County Community Center, as shown in Figure 8. It is 19,577 square feet, and has a replacement cost of \$3,375,000. The level of service is 343.4 square feet per thousand persons, which is found by dividing the total square feet (19,577) by the 2014 population (57,012) and multiplying by 1,000

The cost per square foot (\$172) is multiplied by the level of service (343.4 square feet per 1,000 persons) and divided by 1,000 to yield a cost per person of \$59.20.

Figure 8. Recreational Facility LOS Standards

<i>Recreational Facility</i>	<i>Sq Ft</i>	<i>Cost</i>	<i>Cost per Sq Ft</i>
Jefferson County Community Center (Sam Michaels Park)	19,577	\$3,375,000	\$172

Level of Service (LOS) Standards

Total Square Feet	19,577
2014 Jefferson County Population	57,012
LOS: Square Feet per 1,000 Persons	343.4

Cost Analysis

LOS: Square Feet per 1,000 Persons	343.38
Cost per Square Foot	\$172
Recreational Facility Cost per Person	\$59.20

Maintenance Equipment

Figure 9 displays the inventory of parks and recreation maintenance equipment. There are 21 units of maintenance equipment which have a replacement cost of \$344,265. The level of service is 0.4 units per thousand persons, which is found by dividing the total number of units (21) by the 2014 Jefferson County population (57,012) and multiplying by 1,000. The average cost per unit of maintenance equipment is \$16,000. To determine the cost per demand unit, the level of service standard of 0.4 units per 1,000 persons is multiplied by the average cost per piece of maintenance equipment (\$16,000) and divided by 1,000, for a cost per person of \$5.89.

Figure 9. Maintenance Equipment LOS Standards

Item	#	Total Cost
Dump Truck	1	\$50,000
Pick-Up Truck	4	\$160,765
Scag Mowers	6	\$53,000
Tractors	6	\$59,500
Trailers	3	\$11,000
Miscellaneous Tools	1	\$10,000
Total	21	\$344,265

Source: Jefferson County Parks and Recreation Commission.

Average Cost per Unit	\$16,000
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Level of Service (LOS) Standards

Total Maintenance Equipment Units	21
2014 Jefferson County Population	57,012
LOS: Units per 1,000 Persons	0.4

Cost Analysis

LOS: Units per 1,000 Persons	0.4
Cost per Piece of Maintenance Equipment	\$16,000
Maintenance Equipment Unit Cost per Person	\$5.89

PROJECTED NEED FOR PARK INFRASTRUCTURE

The need for additional parks and recreation infrastructure, based on projected population growth over the next six years and level of service standards as discussed above, is shown in Figure 10. Level of service standards and costs for park improvements and maintenance equipment are shown in Figure 10. Over the next six years, it is projected that Jefferson County will spend about \$669,000 on 11 park improvements, \$414,000 on 38 acres of parks, \$336,000 on 1,950 square feet of recreational facilities and \$33,000 on 2 maintenance equipment units. The projected demand for parks and recreation infrastructure totals approximately \$1.45 million.

Figure 10. Parks & Recreation Projected Growth Needs

		Park Improvements		Park Land		Recreational Facilities		Maintenance Equipment	
LOS		2.0	improvements per 1,000 persons	6.8	acres per 1,000 persons	343.4	square feet per 1,000 persons	0.4	units per 1,000 persons
Cost		\$60,000	per improvement	\$10,800	per acre	\$172	per square foot	\$16,000	per unit

		Projected Demand				
		Persons	Park Improvements	Park Land (acres)	Recreational Facilities (sq ft)	Maintenance Equipment (units)
Base	2014	57,012	112	385	19,577	21
1	2015	57,891	114	391	19,879	21
2	2016	58,851	116	397	20,208	22
3	2017	59,811	117	404	20,538	22
4	2018	60,771	119	410	20,868	22
5	2019	61,731	121	417	21,197	23
6	2020	62,691	123	423	21,527	23
6-Yr Total		5,679	11	38	1,950	2
Cost of Park Improvements		\$669,000				
Cost of Park Land		\$414,000				
Cost of Recreational Facilities		\$336,000				
Cost of Maintenance Equipment		\$33,000				
Total Cost		\$1,452,000				

IMPACT FEE CONSULTANT STUDY COST

The cost of preparing the Parks & Recreation Impact Fee is also included in the fee calculations. This cost (\$12,340) is allocated to the projected increase in persons over the next five years (4,719). On average, the County updates its impact fee methodologies and components every five years. This results in a consultant cost per demand unit of \$2.62 per person (\$12,340 / 4,719 persons = \$2.62 per person.)

PROPOSED IMPACT FEES FOR PARKS & RECREATION

Infrastructure standards used in the Parks & Recreation Impact Fee calculations are listed at the top of Figure 11. The net capital cost for Parks & Recreation is \$258.49 for each resident added to Jefferson County. Impact fees per unit are derived by multiplying persons per housing unit by the total infrastructure cost per person. Therefore, the impact fee for a single unit is \$625 (2.42 persons per housing unit X \$258.49 infrastructure cost per person = \$625).

Figure 11. Proposed Parks & Recreation Impact Fees

Cost per Person	
Improvements	\$117.87
Parks	\$72.91
Recreational Facilities	\$59.20
Vehicles and Equipment	\$5.89
Consultant Cost	\$2.62
Net Cost per Person	\$258.49

<i>Residential (per housing unit)</i>	<i>Land Use Assumptions Category</i>	<i>Persons per Housing Unit</i>	<i>Proposed Fee</i>	<i>Current Fee</i>	<i>Increase (Decrease)</i>	<i>% Change</i>
Single Unit (Single-Family, Townhouse & Mobile Home)	<i>Single Unit</i>	2.42	\$625	\$752	(\$127)	-17%
Duplex	<i>2+ Units</i>	1.78	\$460	\$575	(\$115)	-20%
Multi-Family (Apartments & Condos)	<i>2+ Units</i>	1.78	\$460	\$566	(\$106)	-19%

LAW ENFORCEMENT

METHODOLOGY

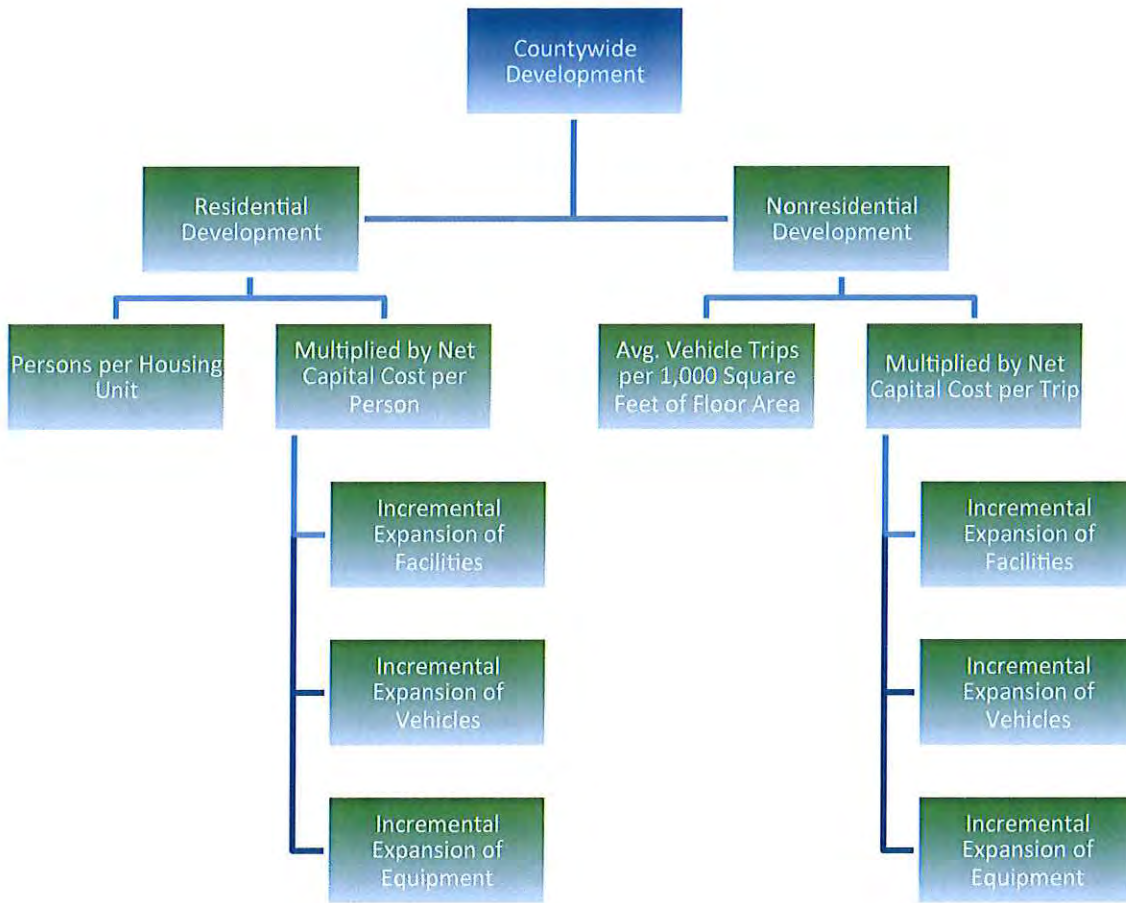
The Law Enforcement impact fee for Jefferson County utilizes an incremental expansion methodology, with infrastructure costs allocated to both residential and nonresidential development based on a functional population analysis (discussed in Figure 12). The methodology for the Law Enforcement Impact Fee is diagrammed in Figure 12. For residential development, Law Enforcement Impact Fees are a function of population growth.

For nonresidential impact fees, TischlerBise recommends using nonresidential vehicle trips as the best demand indicator for police facilities and equipment. Trip generation rates are used for nonresidential development because vehicle trips are highest for commercial developments, such as shopping centers, and lowest for industrial/warehouse development. Office and institutional trip rates fall between the other two categories. This ranking of trip rates is consistent with the relative demand for public safety from nonresidential development. Other possible nonresidential demand indicators, such as employment or floor area, will not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, police impact fees would be too high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator, police impact fees would be too high for industrial development.

Average weekday vehicle trip ends are from the reference book, *Trip Generation* (Ninth Edition, 2012), published by the Institute of Transportation Engineers (ITE). A vehicle trip end represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway). To calculate impact fees, trip generation rates are adjusted to avoid double counting each trip at both the origin and destination points—thereby allocating the trip to the appropriate land use.

The basic trip adjustment factor is 50 percent for all nonresidential development except commercial. For commercial/shopping center development, the trip adjustment factor is less than 50 percent because retail uses attract vehicles as they pass by on arterial and collector roads. For example, when someone stops at a convenience store on the way home from work, the convenience store is not the primary destination. For an average size shopping center, the ITE manual indicates that on average 25 percent of the vehicles that enter are passing by on their way to some other primary destination. The remaining 75 percent of attraction trips have the shopping center as their primary destination. Because attraction trips are half of all trips, the trip adjustment factor is 75 percent multiplied by 50 percent, or approximately 38 percent of the trip ends.

Figure 12. Law Enforcement Impact Fee Methodology



PROPORTIONATE SHARE

In Jefferson County development fees are based on both residential and nonresidential development. As shown in Figure 13, functional population was used to allocate law enforcement costs to residential and nonresidential development. Functional population is similar to what the U.S. Census Bureau calls “daytime population” by accounting for people living and working in a jurisdiction. Residents that don’t work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents that work in Jefferson County are assigned 14 hours to residential development. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2011 functional population data for Jefferson County the cost allocation for residential development is 77% while nonresidential development accounts for 23% of the demand for law enforcement infrastructure.

Figure 13. Functional Population

		<u>Service Units in 2011</u>	<u>Demand Hours/Day</u>	<u>Person Hours</u>
Residential				
Population*		54,377		
57% Residents Not Working		30,901	20	618,012
43% Resident Workers**		23,476		
30% Worked in County**		6,987	14	97,818
70% Worked Outside County**		16,489	14	230,846
		Residential Subtotal		946,676
		Residential Share =>		77%
Nonresidential				
Non-working Residents		30,901	4	123,602
Jobs Located in County**		15,420		
Residents Working in County**		6,987	10	69,870
Non-Resident Workers (inflow commuters)		8,433	10	84,330
		Nonresidential Subtotal		277,802
		Nonresidential Share =>		23%
		TOTAL		1,224,478

Source: Inflow/Outflow Analysis, OnTheMap web application, US Census Bureau data for all jobs.

CAPITAL COSTS PER PERSON

The Law Enforcement Impact Fee includes components for facilities, vehicles, and equipment. This section of the report details the current LOS and cost factors which are used in the impact fee calculations.

Facilities

An inventory of law enforcement facilities in Jefferson County is shown in Figure 14. In total, there are 16,000 square feet of facilities devoted to law enforcement. The current residential level of service is derived by multiplying the total square footage of law enforcement facilities (16,000) by the residential proportionate share factor (77%) and dividing by the total population ($16,000 \times 77\% / 57,012$) resulting in .22 sq. ft. per person. Similarly, nonresidential level of service is derived by multiplying total square footage by the nonresidential proportionate share and dividing by total average weekday vehicle trips ($16,000 \times 23\% / 57,894$) resulting in .06 sq. ft. per trip.

The cost per demand unit is derived using the average replacement cost per square foot (\$251) and existing levels of service discussed above. For residential development, the cost per person is \$54.24 (0.22 square feet per person \times \$251 per square foot). The cost per average weekday vehicle trip for nonresidential development is \$15.95 (0.06 square feet per vehicle trip \times \$251 per square foot).

Revenues from the facilities component of the law enforcement impact fees will likely be used to expand evidence storage, training space, and the firing range.

Figure 14. Law Enforcement Facility LOS Standards

	Square Feet	Cost per Sq Ft ¹	Total Cost
Sheriff's Building - Bardane	15,000	\$260	\$3,900,000
Blue Ridge Community Facility	1,000	\$120	\$120,000
Total	16,000		\$4,020,000

Average Cost per Sq Ft	\$251
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Source: Jefferson County Sheriff's Department. 2010 Law Enforcement Impact Fee Study.
 1. Costs used in 2010 Law Enforcement Impact Fee Study, updated in May 2011, were updated for inflation to show February 2014 costs. Sheriff's Building includes total acquisition and construction costs.

Level of Service (LOS) Standards	Residential	Nonresidential
Proportionate Share	77%	23%
2014 Demand Units	57,012 persons	57,894 trips
Level of Service	0.22 sq ft per person	0.06 sq ft per trip
Facility Cost per Demand Unit	\$54.24 per person	\$15.95 per trip

Vehicles

An inventory of law enforcement vehicles in Jefferson County is shown in Figure 15. In total, there are 51 law enforcement vehicles. This results in a residential level of service of 0.0007 vehicles per person, which is found by multiplying the total number of vehicles (51) by the residential proportionate share factor (77%) and then dividing by the 2014 Jefferson County population (57,012). The nonresidential level of service is 0.0002 vehicles per nonresidential vehicle trip, which is found by multiplying the number of vehicles (51) by the nonresidential proportionate share factor (23%) and then dividing by the current average weekday trips to nonresidential development (57,894) in 2014.

The cost per demand unit is derived using the average replacement cost per vehicle (\$54,000) and existing levels of service discussed above. For residential development, the cost per person is \$37.20 (0.0007 vehicles per person X \$54,000 per vehicle). The cost per average weekday vehicle trip for nonresidential development is \$10.94 (0.0002 vehicles per nonresidential trip X \$54,000 per vehicle).

Figure 15. Law Enforcement Vehicle LOS Standards

Vehicle	#	Replacement Cost	Total Cost
Ford Crown Victoria	31	\$57,300	\$1,776,300
Ford Explorer	9	\$54,800	\$493,200
Jeep Cherokee	3	\$56,460	\$169,380
Chevrolet Motorhome	1	\$161,050	\$161,050
BMW 5401	1	\$6,750	\$6,750
Buick LeSabre	1	\$5,200	\$5,200
Chrysler Concorde	1	\$3,120	\$3,120
Ford Taurus	1	\$48,880	\$48,880
Dodge Durango	3	\$28,110	\$84,330
Total	51		\$2,748,210

Average Cost per Vehicle	\$54,000
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Source: Jefferson County Sheriff's Department. 2010 Law Enforcement Impact Fee Study. show February 2014 costs. Costs are insurance estimate of replacement cost.

<i>Level of Service (LOS) Standards</i>	Residential		Nonresidential	
Proportionate Share	77%		23%	
2014 Demand Units	57,012	persons	57,894	trips
Level of Service	0.0007	vehicles per person	0.0002	vehicles per trip
Vehicle Cost per Demand Unit	\$37.20	per person	\$10.94	per trip

Equipment

An inventory of law enforcement equipment in Jefferson County is shown in Figure 16. In total, there are 6 units of equipment. This results in a residential level of service of 0.00008 units per person, which is found by multiplying the total number of units (6) by the residential proportionate share factor (77%) and then dividing by the 2014 Jefferson County population (57,012). The nonresidential level of service is 0.000024 units per nonresidential vehicle trip, which is found by multiplying the number of units (6) by the nonresidential proportionate share factor (23%) and dividing by the current number of average nonresidential weekday trips (57,894) in 2014. According to information provided by the County, the average cost of a law enforcement equipment unit is \$25,000.

The cost per demand unit is derived using the average cost per unit of equipment (\$25,000) and existing levels of service discussed above. For residential development, the cost per person is \$2.14 (0.00008 equipment units per person X \$25,000 per unit). The cost per average weekday vehicle trip for nonresidential development is \$0.60 (0.000024 equipment units per nonresidential trip X \$25,000 per unit).

Figure 16. Law Enforcement Equipment LOS Standards

Equipment	#	Cost per Unit*	Total Cost
Traffic Monitoring Camera	6	\$25,000	\$150,000
Total	6		\$150,000

Average Cost per Unit	\$25,000
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Source: Jefferson County Sheriff's Department. 2010 Law Enforcement Impact Fee Study.

*Costs used in 2010 Law Enforcement Impact Fee Study, updated in May 2011, were updated for inflation to show February 2014 costs. Cost provided by vendor.

<i>Level of Service (LOS) Standards</i>	Residential	Nonresidential
Proportionate Share	77%	23%
2014 Demand Units	57,012 persons	57,894 trips
Level of Service	0.00008 units per person	0.000024 units per vehicle trip
Equipment Cost per Demand Unit	\$2.14 per person	\$0.60 per trip

PROJECTED NEED FOR LAW ENFORCEMENT INFRASTRUCTURE

The need for additional law enforcement infrastructure, based on projected population growth over the next six years and level of service standards as discussed above, is shown in Figure 17. Level of service standards and costs for law enforcement facilities, vehicles, and equipment are shown in Figure 17. Over the next six years, it is projected that Jefferson County will spend about \$365,000 on 1,455 square feet of law enforcement facilities, \$250,000 on 5 law enforcement vehicles, and \$14,000 on a portion of one equipment unit. The projected demand for law enforcement infrastructure totals approximately \$629,000.

Figure 17. Projected Growth Needs

	Facilities		Vehicles		Equipment	
Res LOS	0.2	sq ft per person	0.0007	vehicles per person	0.00008	units per person
Nonres LOS	0.1	sq ft per trip	0.0002	vehicles per nonres vehicle trip	0.00002	units per nonres vehicle trip
Cost	\$251	per sq ft	\$54,000	per vehicle	\$25,000	per unit

		Projected Demand				
		Persons	Trips	Facilities (square feet)	Vehicles	Equipment
Base	2014	57,012	57,894	16,000	51	6
1	2015	57,891	58,491	16,228	52	6
2	2016	58,851	59,088	16,473	53	6
3	2017	59,811	59,685	16,719	53	6
4	2018	60,771	60,283	16,964	54	6
5	2019	61,731	60,880	17,209	55	6
6	2020	62,691	61,477	17,455	56	7
6-Yr Total		5,679	3,583	1,455	5	0.5
Cost of Facilities		\$365,000				
Cost of Vehicles		\$250,000				
Cost of Equipment		\$14,000				
Total Cost		\$629,000				

IMPACT FEE CONSULTANT STUDY COST

The cost of preparing the Law Enforcement Impact Fee is also included in the fee calculations. This cost (\$9,340) is divided between residential and nonresidential development using the proportionate shares discussed above (77% and 23%), and allocated to the five-year projected increase in persons (4,719) and trips (2,986). On average, the County updates its impact fee methodologies and components every five years. This results in a consultant cost per person of \$1.52 ($\$9,340 * 77\% / 4,719 \text{ persons} = \1.52 per person). The consultant cost per trip is \$0.72 ($\$9,340 * 23\% / 2,986 = \0.72 per trip).

PROPOSED IMPACT FEES FOR LAW ENFORCEMENT

Proposed law enforcement impact fees are shown in Figure 18. For residential development, law enforcement impact fees are based on unit type and persons per housing unit. For example, the

proposed law enforcement fee for single unit housing units is \$230 per unit (2.42 persons per housing unit x \$95.10 net cost per person = \$230 (truncated)). For nonresidential development, the fees are expressed per thousand square feet (KSF) of floor area.

Figure 18. Proposed Law Enforcement Impact Fees

Cost per Person	
Facilities	\$54.24
Vehicles	\$37.20
Equipment	\$2.14
Professional Services	\$1.52
Net Cost per Demand Unit	\$95.10

Residential Development Fees per Housing Unit

Residential (per housing unit)	Land Use Assumptions Category	Persons per Housing Unit	Proposed Fee	Current Fee	Increase (Decrease)	% Change
Single Unit (Single-Family, Townhouse & Mobile Home)	Single Unit	2.42	\$230	\$262	(\$32)	-12%
Duplex	2+ Units	1.78	\$169	\$200	(\$31)	-16%
Multi-Family (Apartments & Condos)	2+ Units	1.78	\$169	\$197	(\$28)	-14%

Cost per Trip	
Facilities	\$15.95
Vehicles	\$10.94
Equipment	\$0.60
Professional Services	\$0.72
Net Cost per Demand Unit	\$28.22

Nonresidential Development Fees per 1,000 Square Feet of Floor Area

Development Type	Inbound Vehicle Trips	Proposed Fee	Current Fee*	Increase (Decrease)	% Change
Commercial*	14.09	\$397	\$101	\$296	292%
Office/ Institutional*	5.52	\$155	\$42	\$113	273%
Business Park	6.22	\$175	\$33	\$142	430%
Light Industrial	3.49	\$98	\$18	\$80	444%
Warehousing	1.78	\$50	\$13	\$37	285%
Manufacturing	1.91	\$53	\$10	\$43	430%

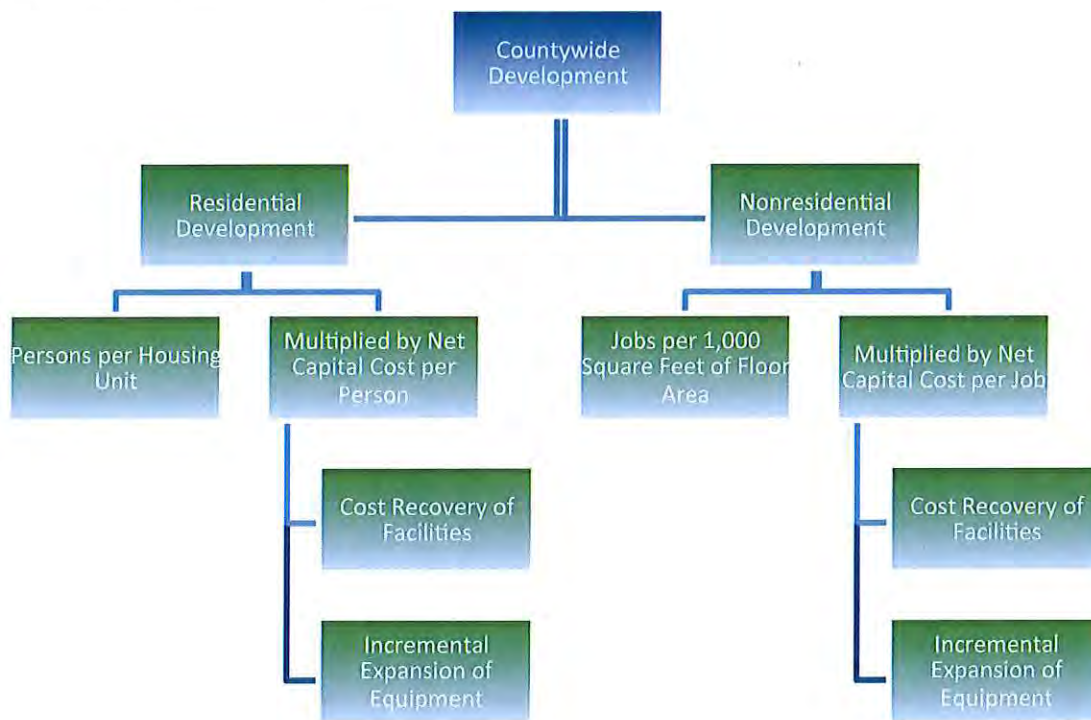
*Nonresidential fees are averages of floor areas for each land use type.

FIRE & EMS

METHODOLOGY

Jefferson County provides fire and emergency medical services to its residents and businesses through a combination of paid staff (Jefferson County Emergency Services Agency) and a system of volunteer fire companies. Since the Emergency Services Agency (ESA) is the only entity that is entirely funded by County taxpayers, the Fire and EMS impact fee is limited to ESA assets. Volunteer Fire Departments do receive an annual County contribution towards operations, but are largely dependent on State funding and contributions. The Fire and EMS impact fee for Jefferson County utilizes an incremental expansion approach for equipment and a cost recovery approach for facilities, with infrastructure costs allocated to both residential and nonresidential development based on an analysis functional population. The formula for the Fire and EMS impact fee is diagrammed in Figure 19. For residential development, Fire and EMS impact fees are a function of population growth. Fire & EMS impact fees for nonresidential development are based on the estimated number of employees per 1,000 square feet of floor area.

Figure 19. Fire & EMS Impact Fee Methodology



PROPORTIONATE SHARE

In Jefferson County development fees are based on both residential and nonresidential development. As shown in Figure 20, functional population was used to allocate fire and EMS (as well as law

enforcement) costs to residential and nonresidential development. Functional population is similar to what the U.S. Census Bureau calls “daytime population” by accounting for people living and working in a jurisdiction. Residents that don’t work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents that work in Jefferson County are assigned 14 hours to residential development. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2011 functional population data for Jefferson County the cost allocation for residential development is 77% while nonresidential development accounts for 23% of the demand for fire and EMS infrastructure.

Figure 20. Functional Population

<u>Service Units in 2011</u>			<i>Demand Hours/Day</i>	<i>Person Hours</i>
Residential				
Population*	54,377			
57% Residents Not Working	30,901		20	618,012
43% Resident Workers**	23,476			
30% Worked in County**	6,987	14		97,818
70% Worked Outside County**	16,489	14		230,846
				Residential Subtotal
				946,676
				Residential Share => 77%
Nonresidential				
Non-working Residents	30,901		4	123,602
Jobs Located in County**	15,420			
Residents Working in County**	6,987	10		69,870
Non-Resident Workers (inflow commuters)	8,433	10		84,330
				Nonresidential Subtotal
				277,802
				Nonresidential Share => 23%
				TOTAL
				1,224,478

Source: Inflow/Outflow Analysis, OnTheMap web application, US Census Bureau data for all jobs.

CAPITAL COSTS PER PERSON

The Fire & EMS Impact Fee includes components for facilities and equipment. This section of the report details the current LOS and cost factors that are used in the impact fee calculations.

Facilities

The cost recovery of existing debt for fire and EMS facilities is shown in Figure 21. The remaining principal and interest owed on the 2009 USDA loan is \$1,970,124. Of this amount, \$520,328 can be attributed to population and job growth (Remaining Principal and Interest x Growth Share). The population increase and job increase are derived by finding the difference between the 2014 population and jobs estimate and the 2039 (payoff of loan) population and jobs estimates.

The cost per demand unit is derived using the proportionate share, with the inclusion of the growth cost and the population or jobs increase. For residential development, the cost per person is \$18.74 (77% proportionate share X \$520,328 growth cost / 21,379 population increase). The cost per average job for nonresidential development is \$25.45 (23% proportionate share X \$520,328 growth cost / 4,702 job increase).

Figure 21. Fire & EMS Facility Cost Recovery

Year of Debt Obligation	Name of Debt Obligation	Growth Share*	Year of Final Payment	Remaining Principal and Interest	Growth Cost	Population Increase	Job Increase
2009	USDA Loan	26.4%	2039	\$1,970,124	\$520,328	21,379	4,702

Six-Year Growth Cost => \$128,300

* Growth share formula is $1 - ((\text{population \& Jobs in 2014}) / (\text{population \& jobs in 2039}))$

Cost Allocation		
	Share	USDA Loan
Residential (per person)	77%	\$18
Nonresidential (per job)	23%	\$25

Equipment

Figure 22 displays the inventory of fire and EMS equipment in Jefferson County.

Figure 22. Fire & EMS Equipment Inventory

<i>Jefferson County Emergency Services Agency</i>		
Lifepack Heart Monitors	3	\$81,000
Zoll Autopulse CPR Units	3	\$52,000
Veh 11 - Drector	1	\$54,000
Veh 11 - ALS Chase	2	\$108,000
MCU 11 GMC Truck	1	\$45,000
Ambulance 11	1	\$135,000
Reserve 11	1	\$135,000
Total	12	\$610,000

Total	12	610,000
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Source: Jefferson County, WV Fire and Rescue Association

A summary of the fire and EMS equipment inventory is shown in Figure 23. As shown below, there are 12 units of fire and EMS equipment. This results in a residential level of service of 0.0002 units per person, which is found by multiplying the total number of equipment units (12) by the residential proportionate share factor (77%) and then dividing by the 2014 Jefferson County population (12 X 77% / 57,012). The nonresidential level of service is 0.0002 vehicles per job, which is found by multiplying the number of equipment units (12) by the nonresidential proportionate share factor (23%) and then dividing by the current number of jobs (12 X 23% / 15,657) in 2014.

The cost per demand unit is derived using the average replacement cost per unit (\$51,000) and existing levels of service discussed above. For residential development, the cost per person is \$8.27 (0.0002 units per person X \$51,000 per unit). The cost per average job for nonresidential development is \$8.99 (.0002 vehicles per job X \$51,000 per unit).

Figure 23. Fire & EMS Equipment LOS Standards

<i>Company</i>	<i># of Units</i>	<i>Total Cost</i>
Jeff Co Emergency Services Agency	12	\$610,000
Total	12	\$610,000

Average Cost Per Unit	\$51,000
------------------------------	-----------------

<i>Level of Service (LOS) Standards</i>	Residential	Nonresidential
Proportionate Share	77%	23%
2014 Demand Units	57,012 persons	15,657 jobs
Level of Service	0.0002 units per	0.0002 units per
Equipment Cost per Demand Unit	\$8.27 per person	\$8.99 per job

PROJECTED NEED FOR FIRE & EMS INFRASTRUCTURE

The need for additional fire and EMS infrastructure, based on projected population growth over the next six years and level of service standards as discussed above, is shown in Figure 24. Level of service standards and costs for fire and EMS equipment are shown in Figure 24.

Over the next six years, it is projected that Jefferson County will need to spend approximately \$57,000 on 1 unit of equipment. The projected demand for fire and EMS infrastructure totals approximately \$57,000.

Figure 24. Fire & EMS Projected Growth Needs

		Equipment		
	Res LOS	0.0002	units per person	
	Nonres LOS	0.0002	units per job	
	Cost	\$51,000	per unit	

		Projected Demand		
		Persons	Jobs	Equipment Units
Base	2014	57,012	15,657	12
1	2015	57,891	15,845	12
2	2016	58,851	16,033	12
3	2017	59,811	16,221	13
4	2018	60,771	16,409	13
5	2019	61,731	16,597	13
6	2020	62,691	16,785	13
6-Yr Total		5,679	1,128	1.1
Cost of Equipment		\$57,000		
Total Cost		\$57,000		

IMPACT FEE CONSULTANT STUDY COST

The cost of preparing the Fire & EMS Impact Fee is also included in the fee calculations. This cost (\$11,140) is divided between residential and nonresidential development using the proportionate shares discussed above (77% and 23%), and allocated to the six-year projected increase in persons (4,719) and jobs (940). On average, the County updates its impact fee methodologies and components every five years. This results in a consultant cost per person of \$1.82 ($\$11,140 \times 77\% / 4,719 \text{ persons} = \1.82 per person). The consultant cost per job is \$2.72 ($\$11,140 \times 23\% / 940 = \2.72 per trip).

PROPOSED IMPACT FEES FOR FIRE & EMS

Proposed Fire & EMS Impact Fees are shown in Figure 25. For residential development, Fire & EMS Impact Fees are based on unit type and persons per housing unit. For example, the proposed Fire & EMS Impact Fee for single unit housing units is \$69 per unit (2.42 persons per housing unit x \$28.82 net cost per person = \$69 (truncated)). For nonresidential development, the fees are expressed per thousand square feet (KSF) of floor area.

Figure 25. Proposed Fire & EMS Impact Fees

Cost per Person	
Facilities	\$18.74
Equipment	\$8.27
Professional Services	\$1.82
Net Cost per Demand Unit	\$28.82

Residential Development Fees per Housing Unit

Residential (per housing unit)	Land Use Assumptions Category	Persons per Housing Unit	Proposed Fee	Current Fee	Increase (Decrease)	% Change
Single Unit (Single-Family, Townhouse & Mobile Home)	Single Unit	2.42	\$69	\$698	(\$629)	-90%
Duplex	2+ Units	1.78	\$51	\$533	(\$482)	-90%
Multi-Family (Apartments & Condos)	2+ Units	1.78	\$51	\$525	(\$474)	-90%

Cost per Job	
Facilities	\$25.45
Equipment	\$8.99
Professional Services	\$2.72
Net Cost per Demand Unit	\$37.17

Nonresidential Development Fees per 1,000 Square Feet of Floor Area

Development Type	Employees per 1,000 sq ft	Proposed Fee	Current Fee*	Increase (Decrease)	% Change
Commercial*	2.00	\$74	\$1,903	(\$1,829)	-96%
Office/ Institutional*	3.32	\$123	\$776	(\$653)	-84%
Business Park	3.08	\$114	\$618	(\$504)	-82%
Light Industrial	2.31	\$85	\$338	(\$253)	-75%
Warehousing	0.92	\$34	\$240	(\$206)	-86%
Manufacturing	1.79	\$66	\$185	(\$119)	-64%

*Nonresidential fees are averages of floor areas for each land use type.

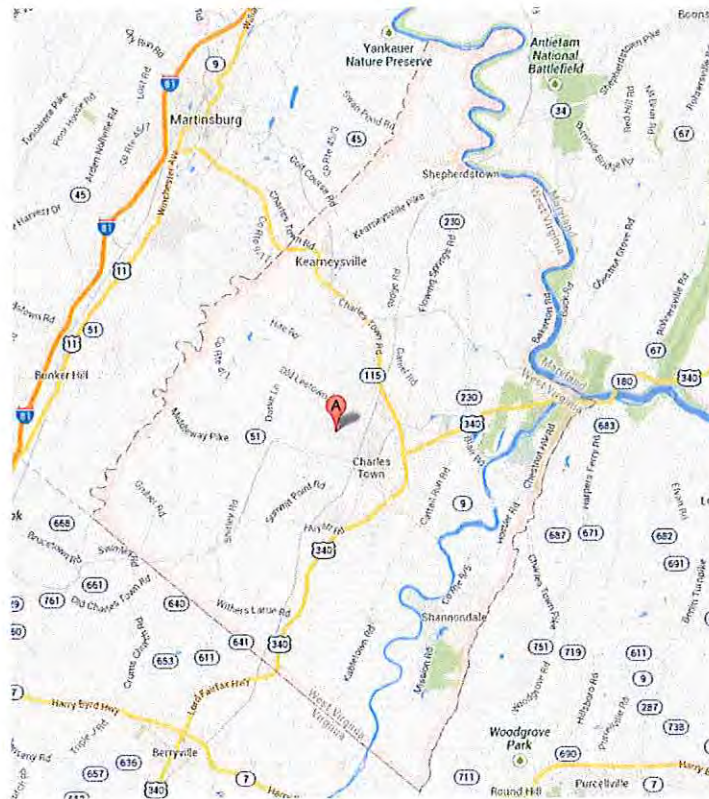
APPENDIX A: LAND USE ASSUMPTIONS

INTRODUCTION

Service Area

The estimates and projections of residential and nonresidential development in this *Land Use Assumptions* document are for areas within the boundaries of Jefferson County. The map below illustrates the area within the County’s boundaries.

Figure A1. Map of Jefferson County Service Area



Summary of Growth Indicators

TischlerBise has prepared this *Land Use Assumptions* document which details current demographic *estimates* and future development *projections* for both residential and nonresidential development that will be used in the calculation of the impact fees. The development projections are used for calculating the level of service to be provided to future development by planned capital projects or existing infrastructure that was oversized in anticipation of new development. The development projections are also used in forecasting the amount and cost of infrastructure required by new development that will be documented in the cash flow analysis.

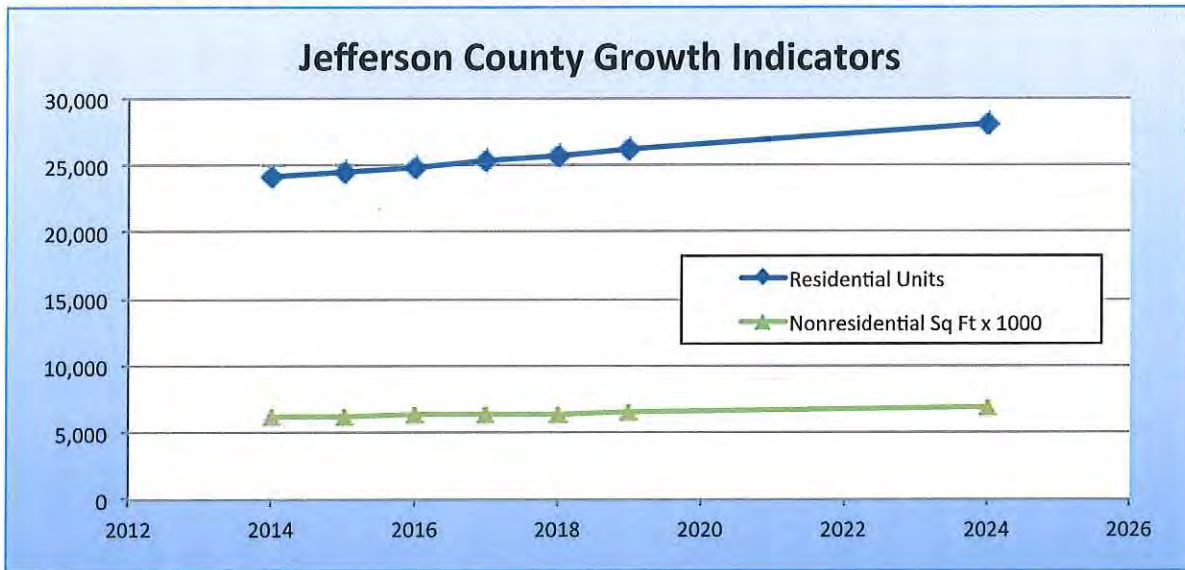
Impact fee methodologies are designed to reduce sensitivity to accurate development projections in the determination of the proportionate-share fee amounts. If actual development is slower than projected, impact fee revenues will also decline, but so will the need for growth-related infrastructure. In contrast, if development is faster than anticipated, the County will receive an increase in impact fee revenue, but will also need to accelerate the capital improvements program to keep pace with development.

Development projections and growth rates are summarized in Figure A2. Jefferson County specific base data for the demographic analysis and development projections include 2010 Census calculations of population and housing units and American Community Survey tables. The projected increase in population is based on projections for Jefferson County made by West Virginia University. Projected population was converted to housing units using the 2011 average of 2.36 year-round residents per housing unit. For housing units, the impact fee study assumes a compound annual growth rate of 1.6% for the first ten years.

The projected increase nonresidential floor area is based on conversations with the Jefferson County Development Authority. Projected nonresidential square footage within Jefferson County was converted to jobs using average square-feet-per-employee multipliers provided by the Institute of Transportation Engineers. For nonresidential development, the impact fee study assumes a compound annual growth rate of 1.1%.

Figure A2. Development Projections and Growth Rates

	2014	2015	2016	2017	2018	2019	2024	2014 to 2024	
								Average Annual Increase	Compound Growth Rate
Residential Units ^{1,2}	24,158	24,530	24,937	25,344	25,750	26,157	28,050	389	1.5%
Nonresidential Sq Ft x 1000 ³	6,167	6,237	6,307	6,377	6,447	6,517	6,867	70	1.1%



1. WVU College of Business and Economics Projected Population for Jefferson County 2000-2035.
2. 2010 Census and 2010-2012 ACS.
3. OnTheMap web application, U.S. Census Bureau, 2011.

RESIDENTIAL DEVELOPMENT

Current estimates and future projections of residential development are detailed in this section, including housing units by type and population.

Current Estimates of Residential Development

The 2010 census did not obtain detailed information using a “long-form” questionnaire. Instead, the U.S. Census Bureau has switched to a continuous monthly mailing of surveys, known as the American Community Survey (ACS) which is limited by sample-size constraints in areas with relatively few residents. For counties like Jefferson County, data on detached housing units are now combined with attached single units (commonly known as townhouses).

According to the U.S. Census Bureau, a household is a housing unit that is occupied by year-round residents. Impact fees often use per capita standards and persons per housing unit or persons per

household to derive proportionate-share fee amounts. When persons per housing unit are used in the fee calculations, infrastructure standards are derived using year-round population. When persons per household are used in the fee calculations, the impact fee methodology assumes all housing units will be occupied, thus requiring seasonal or peak population to be used when deriving infrastructure standards. TischlerBise recommends that impact fees for residential development in Jefferson County be imposed according to the number of year-round residents per housing unit.

Census data indicates that County had 22,037 housing units and 52,107 persons not in group quarters in 2010. As shown in Figure A3, in 2010, dwellings with a single unit per structure (detached, attached, and mobile homes) averaged 2.42 persons per housing unit. Dwellings in structures with multiple units (including structures with two or more units, boats, RVs, and vans) averaged 1.78 year-round residents per unit.

Figure A3. Person per Housing Unit by Type of Housing Unit

2010-2012 American Community Survey

Type	Persons	Households	Housing Units
Single Unit ¹	49,623	18,059	20,376
2+ Units ²	3,197	1,622	1,786
TOTAL	52,820	19,681	22,162

1. Single Unit includes detached, attached, and mobile homes.

2. 2+ Units includes boats, vans and RVs.

Source: Tables B25024, B25032, and B25033.

2010-2012 American Community Survey, U.S. Census Bureau.

2010 Census

Type	Persons	Households	Housing Units	Persons per Housing Unit
Single Unit ¹	48,953	18,288	20,261	2.42
2+ Units ²	3,154	1,643	1,776	1.78
Subtotal	52,107	19,931	22,037	2.36
Group Quarters	1,391			
TOTAL	53,498	19,931	22,037	

1. Single Unit includes detached, attached, and mobile homes.

2. 2+ Units includes boats, vans and RVs.

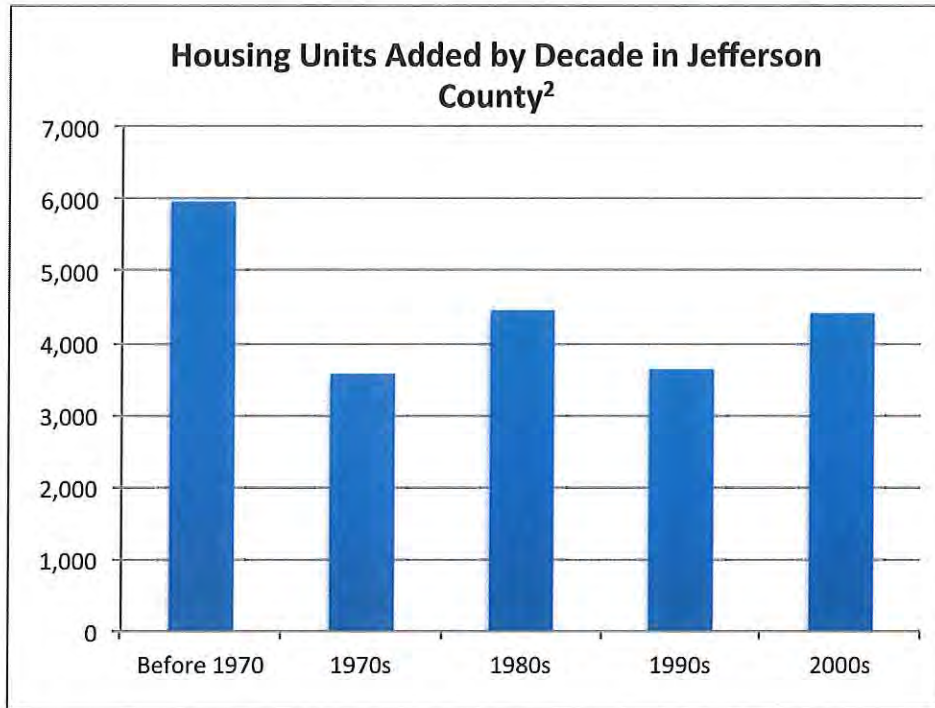
Source: Totals from Summary File 1, U.S. Census.

Recent Residential Construction

From 2000-2010 the number of housing units in Jefferson County has increased by an average of 441 units per year. The chart at the bottom of Figure A4 indicates the estimated number of housing units added by decade in Jefferson County.

Figure A4. Housing Units by Decade

2010 Population ¹	53,498	From 2000 to 2010, Jefferson County added an average of 441 housing units per year.
2010 Housing Units ¹	22,037	
Total Housing Units in 2000 ¹	17,623	
New Housing Units	4,414	



1. Census SF1.

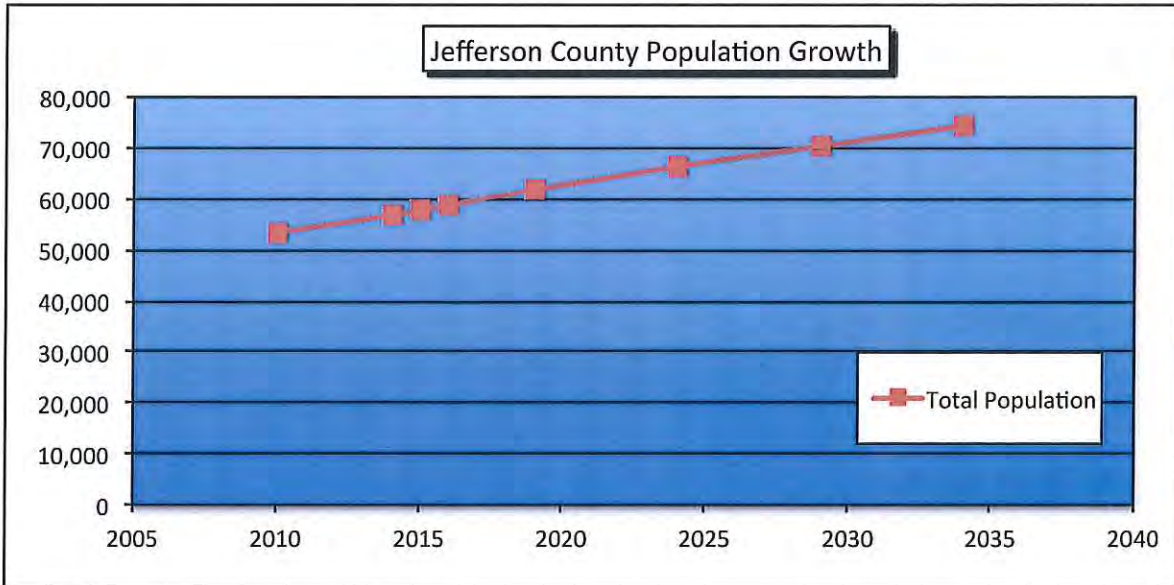
2. Source for 1990s and earlier is Table B25034, American Community Survey (2009-2011) scaled to equal total housing units in 2000.

Residential Development Forecast

Figure A5 displays total population projections (including persons in group quarters) for Jefferson County made by the West Virginia University College of Business and Economics. The projections assume a growth rate of 1.6% from 2012 to 2020, a growth rate of 1.3% from 2020 to 2030, and a growth rate of 1.1% from 2030 to 2034.

Figure A5. Total Population Projections

	2010	2014	2015	2016	2019	2024	2029	2034
Total Population ¹	53,498	57,012	57,891	58,851	61,731	66,198	70,381	74,270



1. Total Population includes persons in group quarters.

Source: West Virginia Population Projection by County, West Virginia University College of Business and Economics.

Figure A6 shows the projected residential population and projected housing units in Jefferson County from 2014 to 2034. The growth rates of 1.6% from 2010 to 2020, 1.3% from 2020 to 2030, and 1.1% from 2030 to 2034 (based on the West Virginia University projections) are used to estimate population to 2034. Numbers shaded in blue are estimates provided by West Virginia University’s College of Business and Economics. Next, the residential population is divided by the persons per housing unit ratio of 2.36 to determine the total number of housing units. The split between housing unit types uses the ratio in the 2010 Census, which was 91.9% single units and 8.1% units in structures with two or more units.

Figure A6. Projected Residential Population and Housing Units

	Growth Rate ¹										
	2010 to 2020	2020 to 2030	2030 to 2034	2010	2014	2015	2016	2020	2025	2030	2034
	1.6%	1.3%	1.1%	Base	1	2	6	11	16	20	
Persons per Housing Unit ²	2.36	2.36	2.36	2.36	2.36	2.36	2.36	2.36	2.36	2.36	2.36
Residential Population ³	53,498	57,012	57,891	58,851	62,691	67,075	71,208	74,270			
Annual Residential Population Increase		879	879	960	960	877	827	765			
Total Housing Units⁴	22,669	24,158	24,530	24,937	26,564	28,422	30,173	31,470			
Single Unit (91.9%) ⁵	20,842	22,211	22,553	22,927	24,423	26,131	27,741	28,934			
2+ Units (8.1%) ⁵	1,827	1,947	1,977	2,010	2,141	2,290	2,432	2,536			
Annual Housing Unit Increase			372	372	407	372	350	324			

1. WVU College of Business and Economics
2. 2010 Census and 2010-2012 ACS.
3. WVU College of Business and Economics 2000-2035 Projected Population for Jefferson County.
4. Found by dividing population by PPHU ratio of 2.36.
5. Split between housing unit type from 2010 Census.

NON-RESIDENTIAL DEVELOPMENT

Jobs by Type of Nonresidential Development

Figure A7 indicates the County’s 2011 job estimate and nonresidential floor area, estimated using square feet per employee multipliers obtained from the Institute of Transportation Engineers (ITE 2012). The prototype for Commercial is an average-size shopping center. For Office/ Institutional, the development prototype is an average-sized office. The prototype development for Industrial jobs is light industrial. General land use types are based on two-digit industry sectors, with the percentage distribution of jobs by type of development from U.S. Census Bureau’s OnTheMap web application.

As shown below, in 2011 there were 15,420 jobs in Jefferson County and approximately 6,075,751 square feet of nonresidential floor area.

Figure A7. Jobs and Floor Area Estimate

	2011 Jobs ¹	% of Total	Sq Ft per Job ²	Floor Area
Commercial ³	5,893	38%	500	2,946,500
Office/ Institutional ⁴	7,545	49%	301	2,271,045
Industrial	1,982	13%	433	858,206
Total	15,420	100%		6,075,751

1. OnTheMap web application, U.S. Census Bureau.
2. Trip Generation, Institute of Transportation Engineers, 2012.
3. Retail, Food and Accomodation Services.
4. Major sectors are Health Care, Education, Public Administration, Administration & Support (office jobs), and Professional/Scientific/Technical Services.

Figure A8. Employee and Building Area Ratios

ITE Code	Land Use / Size	Demand Unit	Wkdy Trip Ends Per Dmd Unit*	Wkdy Trip Ends Per Employee*	Emp Per Dmd Unit**	Sq Ft Per Emp
Commercial / Shopping Center						
820	Shopping Center (avg size)	1,000 Sq Ft	42.70	na	2.00	500
General Office						
710	General Office (avg size)	1,000 Sq Ft	11.03	3.32	3.32	301
Other Nonresidential						
770	Business Park***	1,000 Sq Ft	12.44	4.04	3.08	325
760	Research & Dev Center	1,000 Sq Ft	8.11	2.77	2.93	342
610	Hospital	1,000 Sq Ft	13.22	4.50	2.94	340
565	Day Care	student	4.38	26.73	0.16	na
550	University/College	student	1.71	8.96	0.19	na
540	Community College	student	1.23	15.55	0.08	na
530	High School	1,000 Sq Ft	12.89	19.74	0.65	1,531
520	Elementary School	1,000 Sq Ft	15.43	15.71	0.98	1,018
254	Assisted Living	bed	2.66	3.93	0.68	na
620	Nursing Home	1,000 Sq Ft	7.60	3.26	2.33	429
320	Motel	room	5.63	12.81	0.44	na
110	Light Industrial	1,000 Sq Ft	6.97	3.02	2.31	433
130	Industrial Park	1,000 Sq Ft	6.83	3.34	2.04	489
140	Manufacturing	1,000 Sq Ft	3.82	2.13	1.79	558
150	Warehousing	1,000 Sq Ft	3.56	3.89	0.92	1,093

* Trip Generation, Institute of Transportation Engineers, 9th Edition (2012).

** Employees per demand unit calculated from trip rates, except for Shopping Center data, which are derived from Development Handbook and Dollars and Cents of Shopping Centers, published by the Urban Land Institute.

*** According to ITE, a Business Park is a group of flex-type buildings served by a common roadway system. The tenant space includes a variety of uses with an average mix of 20-30% office/commercial and 70-80% industrial/warehousing.

Nonresidential Development Forecast

Figure A9 displays projected jobs and nonresidential floor area in Jefferson County from 2011 to 2034. The 2011 estimates are based on Figure A7. Square footage projections were made based on conversations with the Jefferson County Development Authority. Nonresidential square footage was converted to jobs using ITE multipliers.

Figure A9. Projected Jobs and Nonresidential Floor Area

Growth Rate
0.5%

	2011	2014	2015	2016	2020	2025	2030	2034
		Base	1	2	7	12	17	20
Jefferson County	15,420	15,657	15,845	16,033	16,973	17,914	18,854	19,418
Annual Job Increase		158	188	188	188	188	188	188

	2011	2014	2015	2016	2021	2026	2031	2034
Nonres Sq Ft in 1000's (KSF)		Base	1	2	7	12	17	20
Commercial	2,947	2,991	3,018	3,045	3,178	3,312	3,446	3,526
Office/ Institutional	2,271	2,305	2,339	2,374	2,545	2,716	2,887	2,990
Industrial/ Flex	858	871	880	889	934	979	1,024	1,051
Total	6,076	6,167	6,237	6,307	6,657	7,007	7,357	7,567
Annual Nonres Floor Area Increase (KSF)		62	70	70	70	70	70	70

Source: Square footage estimate based on conversations with Jefferson County Development Authority. Nonresidential square footage was converted to jobs using ITE multipliers. Mix of job types from OnTheMap, U.S. Census Bureau web application.

DETAILED DEVELOPMENT PROJECTIONS

Demographic data shown in Figure A10 provides key inputs for updating impact fees in Jefferson County. Cumulative data are shown at the top and projected annual increases by type of development are shown at the bottom of the table.

Figure A10. Annual Demographic Data

	2014	2015	2016	2020	2025	2030	2034	20-Year Increase
	Base Yr	1	2	6	11	16	20	
Residential Population	57,012	57,891	58,851	62,691	67,075	71,208	74,270	17,257
Jobs	15,657	15,845	16,033	16,785	17,726	18,666	19,418	3,761
Housing Units								
Single Unit	22,211	22,553	22,927	24,423	26,131	27,741	28,934	6,723
2+ Units	1,947	1,977	2,010	2,141	2,290	2,432	2,536	589
Total Housing Units	24,158	24,530	24,937	26,564	28,422	30,173	31,470	7,312
<i>Jobs to Housing Ratio</i>	0.65	0.65	0.64	0.63	0.62	0.62	0.62	
<i>Persons per Hsq Unit</i>	2.36	2.36	2.36	2.36	2.36	2.36	2.36	
Nonres Sq Ft in 1000s (KSF)								
Commercial	2,991	3,018	3,045	3,152	3,285	3,419	3,526	535
Office/ Institutional	2,305	2,339	2,374	2,511	2,682	2,853	2,990	685
Industrial/ Flex	871	880	889	925	970	1,015	1,051	180
Total KSF	6,167	6,237	6,307	6,587	6,937	7,287	7,567	1,400
Avg Sq Ft Per Job	394	394	393	392	391	390	390	
Annual Increase		14-15	15-16	19-20	24-25	29-30	33-34	2014-34 Avg Anl
Population		879	960	960	877	827	765	863
Jobs		188	188	188	188	188	188	188
Housing Units		372	407	407	372	350	324	366
Commercial KSF		27	27	27	27	27	27	27
Office/ Institutional KSF		34	34	34	34	34	34	34
Industrial/ Flex KSF		9	9	9	9	9	9	9
Total KSF		70	70	70	70	70	70	67



DRAFT - School Impact Fees

Prepared for:

Jefferson County, WV

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EXECUTIVE SUMMARY

TischlerBise was retained by the Jefferson County Commission to recalibrate the County's school impact fees using current level of service standards for building and site area, school construction and land acquisition costs, and other applicable FY 2013-2014 budget information. This report is an update to the 2011 *School Impact Fees Report* prepared by TischlerBise.

Impact fees are one-time payments used to defray the cost impacts of school facilities necessary to accommodate new development. The payment amount represents new growth's fair share of capital facility needs. TischlerBise evaluated possible methodologies and documented appropriate demand indicators by type of development for the fee amounts. Specific capital costs have been identified using local data and current dollars. Level of Service (LOS) standards and cost factors are presented in this report and are the basis for the calculations. It should be noted that although growth affects both capital and operating expenses incurred by schools, the impact fee analysis addresses new development's impact on *capital* facilities only. It is further limited to capital improvements that provide additional capacity as opposed to maintenance or rehabilitation.

APPROACH AND METHODOLOGY

There are three basic *methodologies* used to calculate impact fees. The **incremental expansion method** documents the current level of service for each type of public facility in both quantitative and qualitative measures. The intent is to use fee revenue to expand or provide additional facilities, as needed to accommodate new development, based on the current cost to provide capital improvements. The **plan-based method** is commonly used for public facilities that have adopted plans or engineering studies to guide capital improvements, such as utility systems. A third approach, known as the **cost recovery method**, is based on the rationale that new development is paying for its share of the useful life and remaining unused capacity of an existing facility or land.

Maximum supportable school impact fees for Jefferson County Schools are derived using the incremental expansion approach. For school capital improvements, the most common methodology employed is typically the incremental expansion method when future capacity needs are anticipated. This approach allows for the greatest flexibility in providing future capacity improvements. Under this methodology, the fees are based on current levels of service (LOS) and project costs for each type of school facility (i.e., elementary, middle, and high), land for school sites, buses, and administrative facilities. The LOS is documented in both quantitative and qualitative measures and the intent is to use fee revenue to provide additional or expanded public school facilities as needed to accommodate new development.

The current LOS and capital costs for new or expanded facilities are used to derive a cost per student for each type of school facility. Using the cost per student and the average Jefferson County public school student generation rate, a cost by type of residential unit is derived. The term "student generation rate" refers to the average number of public school students per housing unit in the District school system. To proportionately capture the demand over the life of a housing unit, student generation rates are calibrated to reflect the average demand from all units (as opposed to the demand from *new* units) in the District school system.

A general requirement common to impact fee calculations is the evaluation of *credits*. Two types of credits should be considered, **future revenue credits** and **site-specific credits**. Revenue credits may be necessary to avoid potential double payment situations arising from a one-time facility fee plus the payment of other revenues that may also fund growth-related capital improvements. Revenue credits are dependent upon the fee methodology used in the cost analysis.

To avoid this potential double payment situation, future revenue credits are appropriate to account for outstanding debt on County school facilities. A credit is necessary since new residential units that will pay the fee will also contribute to future principal payments on this remaining debt through property taxes. A credit is not necessary for interest payments because interest costs are not included in the costs.

The second type of credit, a **site-specific credit**, is for system improvements that have been included in the fee calculations. Policies and procedures related to site-specific credits for system improvements should be addressed in the ordinance that establishes the County’s impact fees. However, the general concept is that developers may be eligible for site-specific credits or reimbursements *only if they provide system improvements that have been included in the fee calculations*. Project improvements normally required as part of the development approval process are not eligible for credits against impact fees.

MAXIMUM SUPPORTABLE SCHOOL IMPACT FEES

Figure 1 displays the current impact fees for Jefferson County. As shown below, the current fees include three residential floor area types, including Single Family Detached, Townhome/ Duplex, and Multi-family.

Figure 1. Current Impact Fees

Development Type	School
<i>Residential (per housing unit)</i>	
Single Family Detached	\$11,358
Townhome/ Duplex	\$8,560
Multi-family	\$6,306

Figure 2 provides the schedule of *Maximum Supportable School Impact Fees* for Jefferson County Schools. The school impact fees are applied only to residential development and are assessed per housing unit, reflecting the proportionate demand by type of unit. The amounts shown are “maximum supportable” amounts based on the methodologies, level of service, and costs for the capital improvements identified herein. The fees represent the highest amount feasible for each type of applicable development, which represent new growth’s fair share of the capital costs as detailed in this report. The Jefferson County Commission can adopt amounts that are lower than the maximum amounts shown. However, a reduction in fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in the County’s level of service.

As shown in Figure 2, the categories are “Single Unit” (single-family detached and mobile home), “Townhome / Duplex” (single-family attached and two unit structures), and “Multi-Family” (three or more units).

For a single unit (which includes single-family detached and mobile homes), the maximum supportable fee amount is \$8,143. For a townhome or duplex (single-family attached or structures with two units),

the maximum supportable fee amount is \$9,172. For a unit in a structure with three or more units (which includes apartments and condos), the maximum fee amount is \$5,688. Factors for the differences in the proposed fees compared to the current fees include the following:

- Changes in pupil generation rates:
 - Higher pupil generation rates for units in structures with two or more units in this study compared to the previous study.
- Changes in components:
 - Previous study included buses, portables and indoor/ outdoor equipment. This study does not.
- Changes in costs:
 - Different cost per acre for land in this study compared to previous study.
 - This study includes 61% of the costs for school building will be local, whereas the previous study assumed it would be 100%.

Figure 2. Maximum Supportable School Impact Fees

MAXIMUM SUPPORTABLE SCHOOLS IMPACT FEES: Jefferson County Schools								
Housing Unit Type	Land Use Assumptions Category	Elementary	Middle	High	Proposed Fee	Current Fee	Increase (Decrease)	% Change
Single Unit (Single-Family & Mobile Home)	Single Unit	\$3,550	\$2,035	\$2,558	\$8,143	\$11,358	(\$3,215)	-28%
Townhome / Duplex	2 Units	\$5,044	\$2,035	\$2,093	\$9,172	\$8,560	\$612	7%
Multi-Family (Apartments & Condos)	3+ Units	\$2,055	\$610	\$3,023	\$5,688	\$6,306	(\$618)	-10%

OVERVIEW

INTRODUCTION TO IMPACT FEES

Definition

Impact fees, also known as development fees, are one-time payments used to fund capital improvements necessitated by new growth. Impact fees have been utilized by local governments in various forms for at least fifty years. Impact fees do have limitations, and should not be regarded as the total solution for infrastructure financing needs. Rather, they should be considered one component of a comprehensive portfolio to ensure adequate provision of public facilities with the goal of maintaining current levels of service in a community. Any community considering facility fees should note the following limitations:

- ⌈ Impact fees can only be used to finance capital infrastructure and cannot be used to finance ongoing operations and/or maintenance and rehabilitation costs;
- ⌈ Impact fees cannot be deposited in the local District School Board’s General Fund. The funds must be accounted for separately in individual accounts and earmarked for the capital expenses for which they were collected; and
- ⌈ Impact fees cannot be used to correct existing infrastructure deficiencies unless there is a funding plan in place to correct the deficiency for all current residents and businesses in the community.

Legal Framework

U. S. Constitution. Like all land use regulations, development exactions—including impact and facility fees—are subject to the Fifth Amendment prohibition on taking of private property for public use without just compensation. Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against regulatory takings. To comply with the Fifth Amendment, development regulations must be shown to substantially advance a legitimate governmental interest. In the case of impact fees, that interest is in the protection of public health, safety, and welfare by ensuring that development is not detrimental to the quality of essential public services.

There is little federal case law specifically dealing with impact fees, although other rulings on other types of exactions (e.g., land dedication requirements) are relevant. In one of the most important exaction cases, the U. S. Supreme Court found that a government agency imposing exactions on development must demonstrate an “essential nexus” between the exaction and the interest being protected. (See *Nollan v. California Coastal Commission*, 1987.) In a more recent case (*Dolan v. City of Tigard, OR*, 1994), the Court ruled that an exaction also must be “roughly proportional” to the burden created by development. However, the *Dolan* decision appeared to set a higher standard of review for mandatory dedications of land than for monetary exactions such as impact or facility fees.

Required Findings

There are three reasonable relationship requirements for impact fees that are closely related to “rational nexus” or “reasonable relationship” requirements enunciated by a number of state courts. Although the term “dual rational nexus” is often used to characterize the standard by which courts evaluate the validity of development impact fees under the U. S. Constitution, we prefer a more rigorous formulation that recognizes three elements: “impact or need,” “benefit,” and “proportionality.” The dual rational nexus test explicitly addresses only the first two, although proportionality is reasonably implied, and was specifically mentioned by the U.S. Supreme Court in the *Dolan* case. The reasonable relationship language of the statute is considered less strict than the rational nexus standard used by many courts. Individual elements of the nexus standard are discussed further in the following paragraphs.

Demonstrating an Impact. All new development in a community creates additional demands on some, or all, public facilities provided by local government. If the supply of facilities is not increased to satisfy that additional demand, the quality or availability of public services for the entire community will deteriorate. Impact/facility fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is a consequence of development that is subject to the fees. The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate conditions created by the developments upon which they are imposed. That principle clearly applies to impact fees. In this study, the impact of development on improvement needs is analyzed in terms of quantifiable relationships between various types of development and the demand for specific facilities, based on applicable level-of-service standards.

Demonstrating a Benefit. A sufficient benefit relationship requires that facility fee revenues be segregated from other funds and expended only on the facilities for which the fees were charged. Fees must be expended in a timely manner and the facilities funded by the fees must serve the development paying the fees. However, nothing in the U.S. Constitution or the State enabling Act authorizing the District School Board’s impact fee requires that facilities funded with fee revenues be available *exclusively* to development paying the fees. In other words, existing development may benefit from these improvements as well.

Procedures for the earmarking and expenditure of fee revenues are typically mandated by the State enabling act, as are procedures to ensure that the fees are expended expeditiously or refunded. All of these requirements are intended to ensure that developments benefit from the fees they are required to pay. Thus, an adequate showing of benefit must address procedural as well as substantive issues.

Demonstrating Proportionality. The requirement that exactions be proportional to the impacts of development was clearly stated by the U.S. Supreme Court in the *Dolan* case (although the relevance of that decision to impact fees has been debated) and is logically necessary to establish a proper nexus. Proportionality is established through the procedures used to identify development-related facility costs, and in the methods used to calculate impact fees for various types of facilities and categories of development. The demand for facilities is measured in terms of relevant and measurable attributes of development. For example, the need for school improvements is measured by the number of public school-age children generated by development.

Methodologies and Credits

Any one of several legitimate methods may be used to calculate impact fees. The choice of a particular method depends primarily on the service characteristics and planning requirements for the facility type being addressed. Each method has advantages and disadvantages in a particular situation, and to some extent can be interchangeable, because each allocates facility costs in proportion to the needs created by development.

Reduced to its simplest terms, the process of calculating impact fees involves two main steps: (1) determining the cost of development-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities. The following paragraphs discuss three basic methods for calculating facility fees and how those methods can be applied.

Plan-Based Fee Calculation. The plan-based method allocates costs for a specified set of improvements to a specified amount of development. The improvements are identified by a facility plan and development is identified by a land use plan. In this method, the total cost of relevant facilities is divided by total demand to calculate a cost per unit of demand. Then, the cost per unit of demand is multiplied by the amount of demand per unit of development (e.g. housing units or square feet of building area) in each category to arrive at a cost per specific unit of development (e.g., single family detached unit).

Cost Recovery Fee Calculation. The rationale for the cost recovery approach is that new development is paying for its share of the useful life and remaining capacity of facilities already built or land already purchased from which new growth will benefit. This methodology is often used for systems that were oversized such as sewer and water facilities. To calculate a fee using the cost recovery approach, the facility cost is divided by ultimate number of demand units the facility will serve.

Incremental Expansion Fee Calculation. The incremental expansion method documents the current level of service (LOS) for each type of public facility in both quantitative and qualitative measures, based on an existing service standard (such as square feet per student). The level of service standards are determined in a manner similar to the current replacement cost approach used by property insurance companies. However, in contrast to insurance practices, the fee revenues would not be for renewal and/or replacement of existing facilities. Rather, revenue will be used to expand or provide additional facilities, as needed, to accommodate new development. An incremental expansion cost method is best suited for public facilities that will be expanded in regular increments, with LOS standards based on current conditions in the community. This approach is utilized for this study.

Credits. Regardless of the methodology, a consideration of “credits” is integral to the development of a legally valid impact fee methodology. There are two types of “credits” each with specific, distinct characteristics, but both of which should be addressed in the development of facility fees. The first is a credit due to possible double payment situations. This could occur when contributions are made by the property owner toward the capital costs of the public facility covered by the impact fee. This type of credit is integrated into the impact fee calculation. The second is a credit toward the payment of a fee for dedication of public sites or improvements provided by the developer and for which the facility fee is imposed. This type of credit is addressed in the administration and implementation of an impact fee program.

JEFFERSON COUNTY SCHOOLS IMPACT FEE OVERVIEW

The County has seen residential growth over the past several years and with it increased enrollment. Growth is expected to continue in the future. TischlerBise provides detail on land use and demographic assumptions and projections in the Jefferson County Land Use Assumptions document. To ensure that schools have adequate capacity to accommodate growth, the Jefferson County Commission is updating its school impact fee methodology and assumptions.

As mentioned in the previous section, the school impact fee is derived using the incremental expansion approach. This approach determines current level of service standards for school buildings (elementary, middle, and high), land for school sites, and administrative facilities. Level of service standards are derived using *2013-2014 enrollment* and are expressed as follows:

School buildings: Square feet per student by type of school

Land: Acres per student by type of school

Administration facilities: Square feet per student

A credit is included in the impact fee to account for outstanding debt on school improvements. Further detail on the approach, levels of service, costs, and credits is provided in the body of this report.

availability by geography from the U.S. Census, the first step in estimating student generation rates is to gather aggregated data from the five counties in the PUMS data set, as shown in Figure 4. This is done for each school level (i.e. elementary, middle and high) by housing unit type and by the number of bedrooms. In addition, the total number of housing unit is entered at the bottom of the table. **These totals represent the number of students and housing units for the five-county area.**

Figure 4. Public School Students by Housing Unit Type and Number of Bedrooms (U.S. Census for WV PUMA 0400)

**Public School Students
by Housing Unit Type and Number of Bedrooms
for PUMA Region 0400**

<i>Elementary School Students (Grades K-5)</i>	Bedrooms				TOTAL
	0-2	3	4	5+	
Single Unit	1,350	7,191	3,246	1,101	12,888
Townhome / Duplex	185	668	289	22	1,164
Multi-Family	304	295	-	-	599
	1,839	8,154	3,535	1,123	14,651

<i>Middle School Students (Grades 6-8)</i>	Bedrooms				TOTAL
	0-2	3	4	5+	
Single Unit	827	6,150	3,036	1,216	11,229
Townhome / Duplex	13	592	147	-	752
Multi-Family	224	96	-	-	320
	1,064	6,838	3,183	1,216	12,301

<i>High School Students (Grades 9-12)</i>	Bedrooms				TOTAL
	0-2	3	4	5+	
Single Unit	1,091	6,661	3,710	1,172	12,634
Townhome / Duplex	67	504	102	-	673
Multi-Family	542	652	-	-	1,194
	1,700	7,817	3,812	1,172	14,501

Grand Total (all grades) 41,453

<i>Housing Units</i>	Bedrooms				TOTAL
	0-2	3	4	5+	
Single Unit	31,399	54,372	16,464	3,925	106,160
Townhome / Duplex	2,952	3,384	681	65	7,082
Multi-Family	7,731	807	121	5	8,664
	42,082	58,563	17,266	3,995	121,906

Source: Cross tabulation by TischlerBise using Census Bureau, Year 2008-2012
5% Public Use Microdata Sample for West Virginia PUMA 0400.
(Includes the counties of Jefferson, Berkeley, Morgan, Mineral, and Hampshire.)

Next, using the totals above, student generation rates by housing unit type and number of bedrooms are calculated by dividing the number of students in each type of unit and bedroom by the total number of housing units and bedrooms. **These student generation rates represent the five-county area.**

Figure 5. Unadjusted Sample Area Student Generation Rates by Bedroom Range (U.S. Census for WV PUMA 0400)

**Unadjusted Student Generation Rates
by Housing Unit Type and Number of Bedrooms
for PUMA Region 0400**

Elementary School Students Per Housing Unit

	0-2 Bdrms	3 Bdrms	4 Bdrms	5+ Bdrms	Wt Avg
Single Unit	0.04	0.13	0.20	0.28	0.12
Townhome / Duplex	0.06	0.20	0.42	0.34	0.16
Multi-Family	0.04	0.37	0.00	0.00	0.07

Middle School Students Per Housing Unit

	0-2 Bdrms	3 Bdrms	4 Bdrms	5+ Bdrms	Wt Avg
Single Unit	0.03	0.11	0.18	0.31	0.11
Townhome / Duplex	0.00	0.17	0.22	0.00	0.11
Multi-Family	0.03	0.12	0.00	0.00	0.04

High School Students Per Housing Unit

	0-2 Bdrms	3 Bdrms	4 Bdrms	5+ Bdrms	Wt Avg
Single Unit	0.03	0.12	0.23	0.30	0.12
Townhome / Duplex	0.02	0.15	0.15	0.00	0.10
Multi-Family	0.07	0.81	0.00	0.00	0.14

Total Students Per Housing Unit

	0-2 Bdrms	3 Bdrms	4 Bdrms	5+ Bdrms	Wt Avg
Single Unit	0.10	0.37	0.61	0.89	0.35
Townhome / Duplex	0.09	0.52	0.79	0.34	0.37
Multi-Family	0.14	1.29	0.00	0.00	0.24

Source: Cross tabulation by TischlerBise using Census Bureau, Year 2008-2012
5% Public Use Microdata Sample for West Virginia PUMA 0400.
(Includes the counties of Jefferson, Berkeley, Morgan, Mineral, and Hampshire.)

The above student generation rates are then calibrated to conditions in Jefferson County using enrollment data for September 2013 for the 2013-2014 school year and estimated housing units as of December 31, 2013, in the County. This is done by applying the unadjusted rates to the current number of housing units in the County to derive an estimated enrollment. These estimated figures are then compared to **actual enrollments** and appropriate adjustments are made. Figure 6 displays the enrollment data for the 2013-2014 school year, as well as the estimated public school students in Jefferson County by housing unit type and number of bedrooms. Figure 6 also displays the estimated number of housing units in Jefferson County at the end of 2013. This estimate is calculated by adding building permit totals in 2012 and 2013 to the 2010-2012 ACS housing unit estimate—building permit totals divided between single unit, townhome / duplex, and multi-family based on 2012 share of total housing units.

Figure 6. Estimated Public School Students in Jefferson County by Housing Unit Type and Number of Bedrooms

**Estimated Public School Students
by Housing Unit Type and Number of Bedrooms
Jefferson County, WV Public Schools**

	Bedrooms				TOTAL	Jefferson County 2013-2014 FTE	
	0-2	3	4	5+			
Elementary School Students (Grades K-5)							
Single Unit	185	1,258	621	210	2,274	4,418	
Townhome / Duplex	67	200	104	7	378		
Multi-Family	49	48	-	-	97		
	302	1,506	725	216	2,749		
Middle School Students (Grades 6-8)							
Single Unit	110	1,082	587	234	2,012	2,147	
Townhome / Duplex	5	197	53	-	255		
Multi-Family	37	15	-	-	52		
	151	1,294	640	234	2,319		
High School Students (Grades 9-12)							
Single Unit	164	1,192	718	223	2,298	2,496	
Townhome / Duplex	24	155	37	-	216		
Multi-Family	84	107	-	-	191		
	273	1,454	755	223	2,705		
					Grand Total (all grades)	7,773	9,061
Housing Units							
Single Unit	5,122	9,817	3,185	754	18,877	18,877	
Townhome / Duplex	883	1,154	233	21	2,291	2,291	
Multi-Family	1,247	131	19	1	1,398	1,398	
	7,252	11,102	3,436	775	22,566	22,566	

Source: TischlerBise estimates for Jefferson County using Census Bureau, Year 2008-2012 5% Public Use Microdata Sample for West Virginia PUMA 0400. (Calibrated to Jefferson County 2013-2014 enrollment and 2010-2012 ACS housing unit estimate plus 2012 and 2013 building permits.)

The resulting student generation rates—rounded to two decimal places—for Jefferson County (by school level and number of bedrooms) are shown in Figure 7. The total number of students per housing unit is the sum of the student generation rates for each of the school levels. The average rates are:

- || Single Unit: 0.40 students per unit
- || Townhome / Duplex: 0.46 students per unit
- || Multi-Family: 0.27 students per unit

Detail is provided below. For the purpose of calculating the impact fee, the Single Unit student generation rate will be applied to single-family detached units and mobile homes. The Townhome / Duplex student generation rate will be applied to single-family attached units and structures with two units. Finally, the Multi-Family rate will be applied to structures with three or more units.

Figure 7. Jefferson County Student Generation Rates by Bedroom Range (Calibrated)

Jefferson County Public School Students Per Housing Unit

Elementary School Students Per Housing Unit

	0-2 Bdrms	3 Bdrms	4 Bdrms	5+ Bdrms	Wt Avg
Single Unit	0.06	0.21	0.31	0.45	0.19
Townhome / Duplex	0.12	0.28	0.72	0.52	0.27
Multi-Family	0.06	0.59	0.00	0.00	0.11

Middle School Students Per Housing Unit

	0-2 Bdrms	3 Bdrms	4 Bdrms	5+ Bdrms	Wt Avg
Single Unit	0.02	0.10	0.17	0.29	0.10
Townhome / Duplex	0.00	0.16	0.21	0.00	0.10
Multi-Family	0.03	0.11	0.00	0.00	0.03

High School Students Per Housing Unit

	0-2 Bdrms	3 Bdrms	4 Bdrms	5+ Bdrms	Wt Avg
Single Unit	0.03	0.11	0.21	0.27	0.11
Townhome / Duplex	0.03	0.12	0.15	0.00	0.09
Multi-Family	0.06	0.75	0.00	0.00	0.13

Total Public School Students Per Housing Unit

	0-2 Bdrms	3 Bdrms	4 Bdrms	5+ Bdrms	Wt Avg
Single Unit	0.11	0.42	0.69	1.01	0.40
Townhome / Duplex	0.15	0.56	1.08	0.52	0.46
Multi-Family	0.15	1.45	0.00	0.00	0.27

Source: TischlerBise estimates for Jefferson County using Census Bureau, Year 2008-2012 5% Public Use Microdata Sample for West Virginia PUMA 0400. (Calibrated to Jefferson County 2013-2014 enrollment and 2010-2012 ACS housing unit estimate plus 2012 and 2013 building permits.)

PUBLIC SCHOOL STUDENT PROJECTIONS

Using the above student generation rates and the housing unit projections discussed in the Land Use Assumptions document, TischlerBise projected the increase in the number of public school students from new housing units beginning with the 2014-2015 school year to the 2034-2035 school year. As shown below, over 20 years, a total of 2,936 students are projected from growth in the County.

Figure 8. Projected Public School Students from Growth

	14-15	15-16	16-17	17-18	18-19	19-20	24-25	29-30	34-35
Elementary	4,491	4,564	4,643	4,723	4,803	4,882	5,253	5,600	5,923
Middle	2,182	2,218	2,257	2,295	2,334	2,373	2,553	2,721	2,878
High	2,537	2,578	2,623	2,668	2,713	2,758	2,968	3,164	3,346
Total Students	9,210	9,360	9,523	9,687	9,850	10,013	10,773	11,485	12,147
<i>Annual Increase</i>	149	149	163	163	163	163	149	141	130

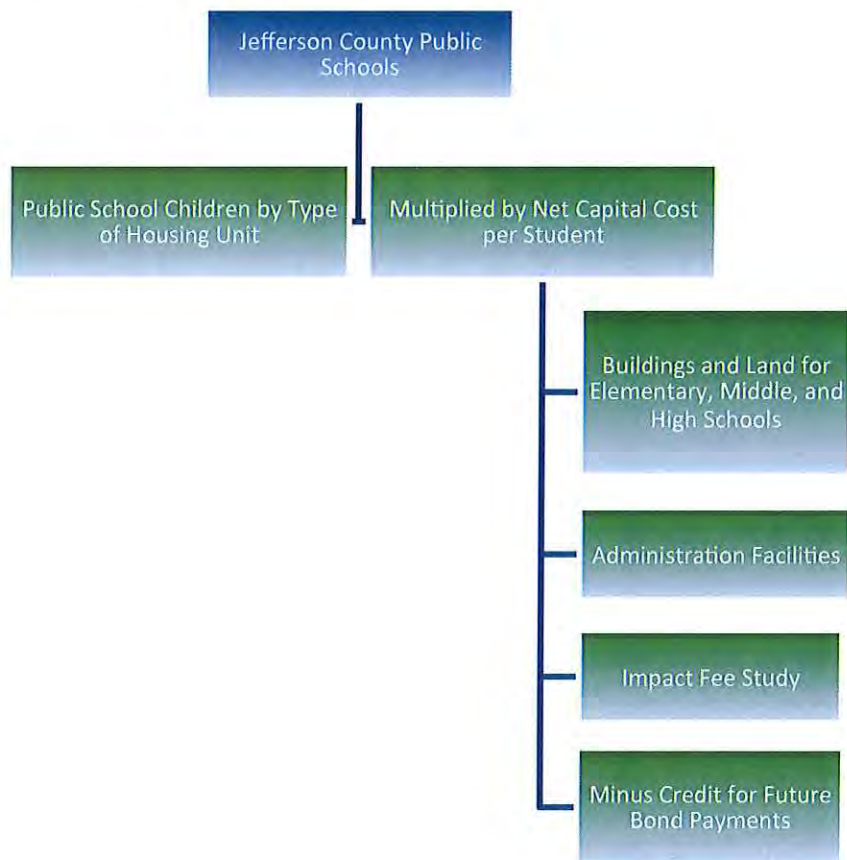
**20 Yr-
Increase 2,936**

CAPITAL COSTS PER STUDENT

This section of the report details the current LOS and cost factors which are used in the impact fee calculations.

A diagram of how the school impact fee is calculated is shown in Figure 9. The impact fee includes costs for buildings and land for elementary, middle, and high schools. Since enrollment is currently less than capacity at all three school levels, the levels of service standards are derived using total school-level capacity rather than actual enrollment. School capacity is based on an average classroom size of 25 students. In addition, costs for administrative facilities, and the impact fee study are included. To avoid a potential double payment for school facilities, a credit for future bond payments on existing debt is subtracted from the capital cost per student and is reflected in the impact fees.

Figure 9. Schools Impact Fee Methodology



ELEMENTARY SCHOOLS

The current inventory of elementary schools and their building square feet and total acreage in Jefferson County is shown in the figure below. Levels of service are calculated by dividing the amount of infrastructure by total enrollment and capacity. Since current capacity exceeds elementary enrollment, capacity is used to determine current levels of service on which the fees are based. The elementary schools encompass 504,400 square feet and have a total capacity of 4,697 students which yields a building LOS of 107.4 square feet per student (504,400/ 4,697 students = 107.4 square feet per student.) These schools occupy 177.4 acres which results in an LOS of 0.038 acres per student (177.4 acres/ 4,697 students = 0.038 acres per student.)

Figure 10. Elementary School LOS Standards

Facility	Building Sq Feet	Total Acreage	2013-2014 Enrollment	Capacity	Utilization
Blue Ridge and Blue Ridge Primary	49,155	40.0	491	768	64%
CW Shipley Elementary	42,674	15.0	376	357	105%
Driswood Elementary	58,836	15.0	517	500	103%
North Jefferson Elementary	44,891	12.0	268	345	78%
Page Jackson Elementary	58,699	12.4	442	504	88%
Ranson Elementary	35,401	4.2	432	357	121%
Shepherdstown Elementary	40,179	7.8	415	399	104%
South Jefferson Elementary	58,094	15.0	498	591	84%
TA Lowery Elementary	65,594	52.0	588	477	123%
Wright Denny Elementary	50,877	4.0	391	399	98%
Total	504,400	177.4	4,418	4,697	94%

Source: Jefferson County Public Schools.

Level of Service (based on Capacity)	
Building Square Feet per Student	107.4
Acres per Student	0.038

The costs for buildings and land for elementary schools are shown in the figure below. These costs will be multiplied by the above LOS standards to determine the elementary school cost component of the impact fee. The cost per square foot of an elementary school is from the School Building Authority of West Virginia. The cost factor for land is from the Jefferson County Impact Fee Committee.

Figure 11. Elementary School Capital Costs

Construction Cost per Square Foot ¹	\$256
Land Cost per Acre ²	\$57,419

1. School Building Authority of West Virginia.
2. Jefferson County Impact Fee Committee.

MIDDLE SCHOOLS

The current inventory of middle schools in Jefferson County is shown in the figure below. Levels of service are calculated by dividing the amount of infrastructure by enrollment and capacity. Since current capacity exceeds middle school enrollment, capacity is used to determine current levels of service on which the fees are based. The middle schools encompass 274,176 square feet and have a total capacity of 2,252 students which yields a building LOS of 121.7 square feet per student (274,176/ 2,252 students = 121.7 square feet per student.) These schools occupy 61.7 acres which results in an LOS of 0.027 acres per student (61.7 acres/ 2,252 students = 0.027 acres per student.)

Figure 12. Middle School LOS Standards

Facility	Building Sq Feet	Total Acreage	2013-2014 Enrollment	Capacity	Utilization
Charles Town Middle	82,831	13.5	690	712	97%
Harpers Ferry Middle	48,970	10.3	401	520	77%
Shepherdstown Middle	53,375	8.0	411	420	98%
Wildwood Middle	89,000	29.9	645	600	108%
Total	274,176	61.7	2,147	2,252	95%

Source: Jefferson County Public Schools.

Level of Service (based on Current Enrollment)	
Building Square Feet per Student	121.7
Acres per Student	0.027

The costs for buildings and land for middle schools are shown in the figure below. These costs will be multiplied by the above LOS standards to determine the middle school cost component of the impact fee. The cost per square foot of middle schools is from the School Building Authority of West Virginia. The cost factor for land is from the Jefferson County Impact Fee Committee.

Figure 13. Middle School Capital Costs

Construction Cost per Square Foot ¹	\$252
Land Cost per Acre ²	\$68,966

1. School Building Authority of West Virginia.
2. Jefferson County Impact Fee Committee.

HIGH SCHOOLS

The current inventory of high schools in Jefferson County is shown in the figure below. Levels of service are calculated by dividing the amount of infrastructure by total enrollment and capacity. Since current capacity exceeds high school enrollment, capacity is used to determine current levels of service on which the fees are based. The high schools encompass 397,124 square feet and have a total capacity of 2,716 students which yields a building LOS of 146.2 square feet per student (397,124/ 2,716 students = 146.2 square feet per student.) These schools occupy 122.6 acres which results in an LOS of 0.045 acres per student (122.6 acres/ 2,716 students = 0.045 acres per student.)

Figure 14. High School LOS Standards

Facility	Building Sq Feet	Total Acreage	2013-2014 Enrollment	Capacity	Utilization
Jefferson High School	188,124	64.6	1,362	1,406	97%
Washington High School	209,000	58.0	1,134	1,310	87%
Total	397,124	122.6	2,496	2,716	92%

Source: Jefferson County Public Schools.

Level of Service (based on Current Enrollment)	
Building Square Feet per Student	146.2
Acres per Student	0.045

The costs for buildings and land for high schools are shown in the figure below. These costs will be multiplied by the above LOS standards to determine the high school cost component of the impact fee. The cost per square foot of high schools is from the School Building Authority of West Virginia. The cost factor for land is from the Jefferson County Impact Fee Committee.

Figure 15. High School Capital Costs

Construction Cost per Square Foot ¹	\$250
Land Cost per Acre ²	\$26,821

1. School Building Authority of West Virginia.
2. Jefferson County Impact Fee Committee.

LOCAL SHARE OF SCHOOL BUILDING CONSTRUCTION

The cost factors per square foot to construct school buildings are displayed above (\$256 for elementary schools, \$252 for middle schools, and \$250 for high schools.) These cost factors reflect the total cost of building construction, which must be reduced to the local share for the purpose of deriving school impact fees.

Figure 16 displays local funding compared to School Building Authority in Jefferson County. The column to the far right shows the percent of each project that is funded locally. Based on historical funding trends, it is estimated that Jefferson County will be responsible for 61% of school building costs, and 39% will be provided by the School Building Authority.

Figure 16. Local Funding of School Buildings

Year	Project	SBA Funding	Local Funding	Total	% Local
2006	Jefferson High School Renovations	\$9,500,000	\$3,202,334	\$12,702,334	25%
2006	Washington High School	\$9,500,000	\$34,756,689	\$44,256,689	79%
2008	Driswood Elementary	\$6,431,900	\$4,772,823	\$11,204,723	43%
2009	Blue Ridge Primary	\$7,571,500	\$1,510,155	\$9,081,655	17%
2012	North Jefferson Parking Lot	\$0	\$492,352	\$492,352	100%
2011	Shepherdstown Sidewalk	\$0	\$221,832	\$221,832	100%
2011	Ranson Elementary Parking Lot Land	\$0	\$40,000	\$40,000	100%
2013	Harpers Ferry Middle School	\$4,871,862	\$8,440,483	\$13,312,345	63%
2014	New Bus Buildings	\$0	\$3,400,176	\$3,400,176	100%
2013	Washington High School Wall	\$0	\$54,645	\$54,645	100%
2012	Jeffeson High School Track	\$0	\$377,699	\$377,699	100%
2011	Harpers Ferry Middle School	\$0	\$933,369	\$933,369	100%
2007	Blue Ridge HVAC	\$0	\$1,273,324	\$1,273,324	100%
2009	Ranson HVAC	\$0	\$549,454	\$549,454	100%
2010	Shepherdstown HVAC	\$0	\$250,000	\$250,000	100%
2009	South Jefferson Addition (MIP)	\$1,000,000	\$912,835	\$1,912,835	48%
Total		\$38,875,262	\$61,188,170	\$100,063,432	61%

ADMINISTRATION FACILITIES

Figure 17 lists the inventory of existing facilities for administration, maintenance, and transportation. Jefferson County has 17,870 square feet of office facilities and a total capacity of 9,665 students which yields a building LOS of 1.8 square feet per student (17,870/ 9,665 = 1.8 per student.)

Figure 17. Administration, Maintenance, Transportation Office LOS Standards

<i>Facility</i>	<i>Building Sq Ft</i>	<i>Capacity</i>
Board of Education Building	16,620	
Maintenance/ Transportation Depts - Office	1,250	
Total	17,870	9,665

Level of Service	
Building Sq Ft per Student	1.8

Figure 18 lists the inventory of existing shop facilities for administration, maintenance and transportation. Jefferson County has 10,300 square feet of shop facilities and a total enrollment of 9,665 students which yields a building LOS of 1.1 square feet per student (10,300 square feet/ 9,665 students = 1.1 per student.)

Figure 18. Administration, Maintenance, Transportation Office LOS Standards

<i>Facility</i>	<i>Building Sq Ft</i>	<i>Capacity</i>
Maintenance/ Transportation Depts - Shop	10,300	9,665

Level of Service	
Building Sq Ft per Student	1.1

The costs for these facilities are shown in Figure 19. These costs will be multiplied by the above LOS standards to determine the administration, maintenance, and transportation facilities component of the impact fee. The cost per square foot for office space is \$226 per square foot while the cost per square foot for shop space is \$217 per square foot. Jefferson County, in consultation with Williamson Shriver, Inc. provided these cost factors.

Figure 19. Administration, Maintenance, Transportation Facility Capital Costs

Office Construction Cost per Square Foot ¹	\$226
Shop Construction Cost per Square Foot ¹	\$217

1. Costs from 2011 study determined by Jefferson County Schools staff in consultation with Williamson Shriver, Inc.

IMPACT FEE CONSULTANT STUDY COST

The cost of preparing the School Impact Fee is also included in the fee calculations. This cost (\$19,500) is allocated to the projected increase in students over the next five years (803). On average, the County updates its impact fee methodologies and components every five years. This results in a consultant cost per demand unit of \$24.29 per student ($\$19,500 / 803 \text{ students} = \$24.29 \text{ per student.}$)

GENERAL CREDITS

A general requirement that is common to impact fee methodologies is the evaluation of credits. A revenue credit may be necessary to avoid potential double payment situations arising from the payment of a one-time impact fee plus the payment of other revenues that may also fund growth-related capital improvements. The determination of credits is dependent upon the impact fee methodology used in the cost analysis.

The approach used to calculate the school impact fees for Jefferson County is the incremental expansion cost method. This method documents current LOS standards and it is best suited for public facilities that will be expanded incrementally in the future. Because Jefferson County will continue to provide additional schools that are similar to those already in use, the incremental expansion cost method is appropriate for public schools. Because new development is required to provide front-end funding of school capacity, there is a potential for double payment of capital costs due to future principal payments on existing General Obligation bonds and Certificates of Participation for schools. A credit is not necessary for interest payments because interest costs were not included in the impact fees. This credit calculation is shown in Figure 20. To determine the credit, annual principal payments are divided by the projected number of full-time equivalent students in Jefferson County to yield an annual principal payment per student. A net present value adjustment was used to account for the time value of money, resulting in a principal payment credit of \$929 per student.

Figure 20. Principal Payment Credit Per Student

Fiscal Year	Principal Payments	Projected Students	Credit per Student
2014	\$1,300,000	9,210	\$141
2015	\$1,365,000	9,360	\$146
2016	\$1,425,000	9,523	\$150
2017	\$1,495,000	9,687	\$154
2018	\$1,565,000	9,850	\$159
2019	\$1,640,000	10,013	\$164
2020	\$1,720,000	10,177	\$169
Total	\$10,510,000		\$1,083

Discount Rate	3.85%
Net Present Value	\$929

IMPACT FEES

The figure below displays the variables used to calculate the Schools Impact Fee. The totals at the bottom of the table are the totals of all the cost factors determined above for each type of school.

Figure 21. School Impact Fee Variables

	Elementary	Middle	High
Schools			
Sq Ft per Student	107.4	121.7	146.2
Capital Cost per Square Foot	\$256	\$252	\$250
Local Share of Building Construction Cost	61%	61%	61%
Cost per Student	\$16,769.66	\$18,715.07	\$22,298.02
Acres			
Acreage per Student	0.038	0.027	0.045
Capital Cost per Acre	\$57,419	\$68,966	\$26,821
Cost per Student	\$2,168.40	\$1,889.83	\$1,210.20
Admin Office			
Sq Ft per Student	1.8	1.8	1.8
Capital Cost per Sq Ft	\$226	\$226	\$226
Cost per Student	\$417.86	\$417.86	\$417.86
Admin Shop			
Sq Ft per Student	1.1	1.1	1.1
Capital Cost per Sq Ft	\$217	\$217	\$217
Cost per Student	\$231.26	\$231.26	\$231.26
Consultant Fee Cost per Student	\$24.29	\$24.29	\$24.29
Principal Payment Credit Per Student	(\$929)	(\$929)	(\$929)
Total Capital Cost per Student	\$18,682	\$20,349	\$23,252

The number of students per housing unit for each grade level—rounded to two decimal places—is multiplied by the corresponding capital cost per student for that grade level and the subtotal is rounded to the nearest dollar. This is repeated for all grade levels. The three cost factors are then added together, resulting in the School Impact Fee. This calculation is performed for each type of housing unit.

Figure 22. Proposed School Impact Fees

Single Unit			
School	Students per Housing Unit	Capital Cost per Student	Subtotal
Elementary	0.19	\$18,682	\$3,550
Middle	0.10	\$20,349	\$2,035
High	0.11	\$23,252	\$2,558

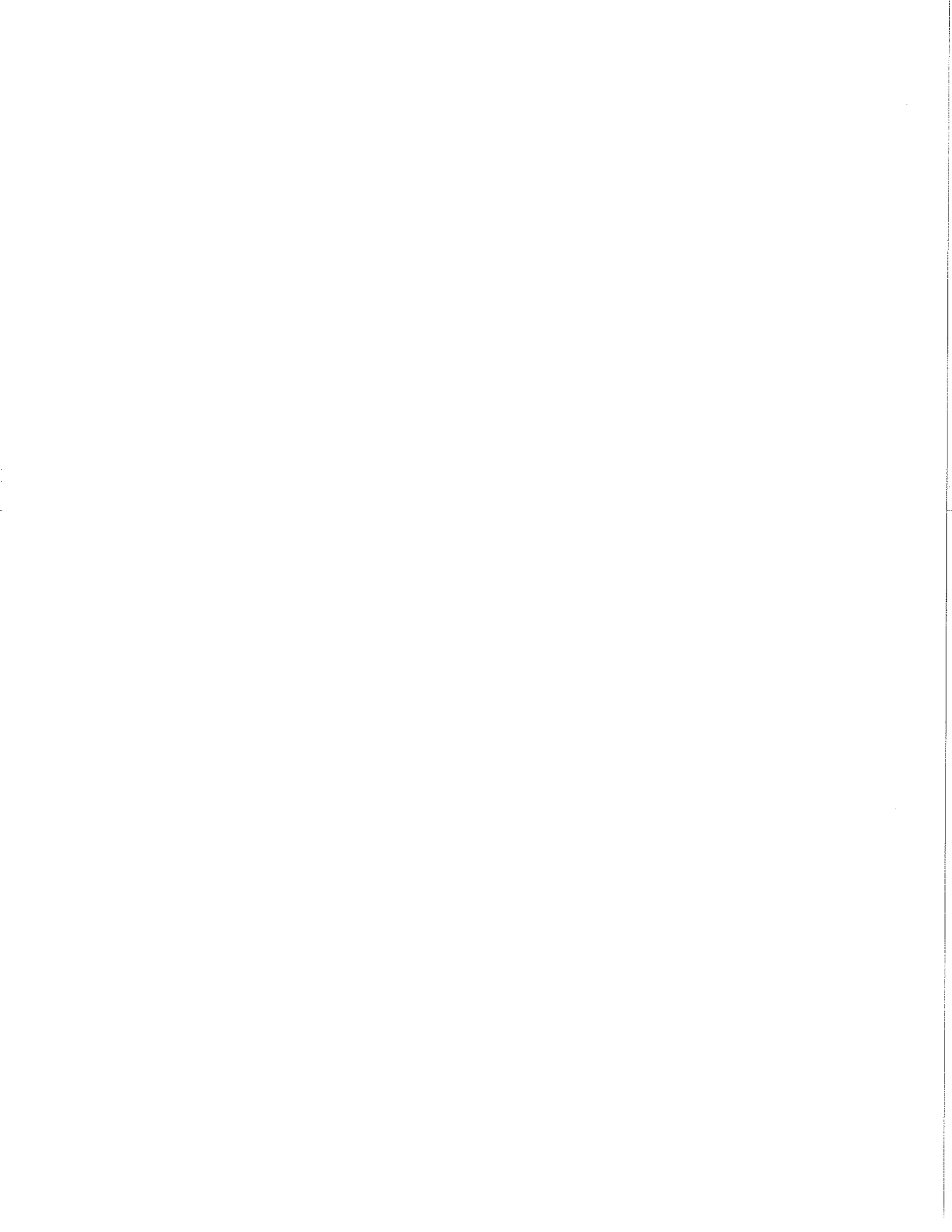
Single Unit Fee	\$8,143
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Townhome / Duplex			
School	Students per Housing Unit	Capital Cost per Student	Subtotal
Elementary	0.27	\$18,682	\$5,044
Middle	0.10	\$20,349	\$2,035
High	0.09	\$23,252	\$2,093

Townhome / Duplex Fee	\$9,172
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Multi-Family (Apartments and Condos)			
School	Students per Housing Unit	Capital Cost per Student	Subtotal
Elementary	0.11	\$18,682	\$2,055
Middle	0.03	\$20,349	\$610
High	0.13	\$23,252	\$3,023

Multi-Family Fee	\$5,688
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AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jennifer Brockman

Department or Organization: Planning and Zoning

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: February 19, 2015

If a specific date is needed, please provide reason for specific date: Citizen's money has been deposited into County's account.

Date Requested – 2nd Choice: Next available meeting.

Subject (Wording to be placed on agenda): Requesting a total refund of the zoning variance fee for Judy Golden as Staff found the zoning variance unnecessary after the fee was deposited.

Please provide the County Commission with a description of your request or presentation, including any background information: A citizen submitted an application for a zoning variance along with the required \$100 fee to attach stairs onto an existing deck. It was determined by Staff that the stairs would be exempt from processing due to a recent amendment to the Zoning Ordinance. The applicant will still need a building permit and must pay the required fees associated with the review of the permit.

As no cost was incurred by the County and the zoning variance was deemed unnecessary by Staff, Staff is requesting a full refund of the \$100.00 be returned to the citizen.

Is this a funding request? Y / N
If so, how much? \$100.00

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):
I move to recommend a full refund of the \$100.00 zoning variance fee be returned to Judy Golden.

Attach supporting documents for request, or request may be denied.
If not attached, explain: N/A

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

Contact information: Email address: planningdepartment@jeffersoncountywv.org Phone Number: 304-728-3228

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jennifer Brockman, Director.

Department or Organization: Planning and Zoning

Estimation of amount of time needed for appointment: 5 Minutes

Date Requested – 1st Choice: February 19, 2015

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): Recommendation from the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for a 404.69 +/- acre property owned by Standard Land Company, LLC, designated as Tax District: Harpers Ferry (04), Map: 11, Parcel: 24.1, located on the east side of Millville Road (Route 27), ½ mile south of the intersection with Route 340 in Harpers Ferry 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 February 10, 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 404.69 +/- acre property owned by Standard Land Company, LLC, designated as Tax District: Harpers Ferry (04), Map: 11, Parcel: 24.1, located on the east side of Millville Road (Route 27), ½ mile south of the intersection with Route 340 in Harpers Ferry. The property is the site of a former quarry (Old Standard Quarry) which ceased operation prior to the establishment of zoning in the County. The northern 108 acres is zoned Residential Growth (RG) and the balance of the property is zoned Rural (R). The property currently contains a deep lake from the quarry days that is nearly one mile in length and averages 300 feet in width. The rezoning request is from the Rural (R) and Residential Growth (RG) zoning classifications to the Residential-Light Industrial-Commercial (R-LI-C) 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 February 10, 2015, 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.

Is this a funding request? No
If so, how much? N/A

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

I move to schedule a Public Hearing on the Proposed Zoning Map Amendment for a 404.69 acre property owned by Standard Land Company, LLC, designated as Tax District: Harpers Ferry (04), Map: 11, Parcel: 24.1, located on the east side of Millville Road (Route 27), ½ mile south of the intersection with Route 340 in Harpers Ferry, on **March 19, 2015 (date certain) at 7:00 p.m.**

[Due to the size of this parcel and the amount of public interest, we recommend that the public hearing be scheduled for 7:00 PM to allow for citizens to attend after work.]

**Attach supporting documents for request, or request may be denied. Rezoning Location Map
If not attached, explain:**

Is equipment needed? Projector: No Internet/Wi Fi: No.
Telephone for conference call: No.

Contact information:

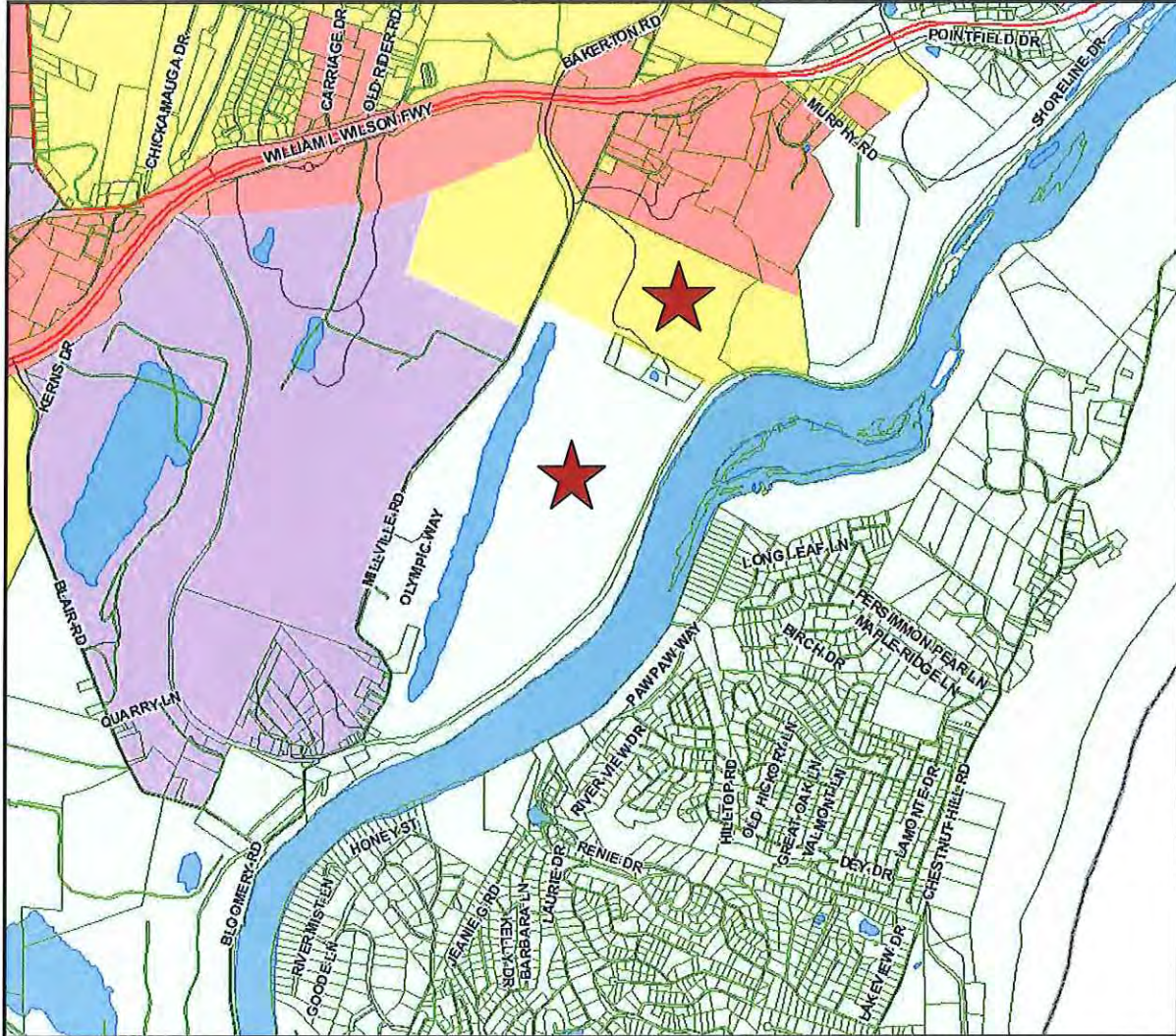
Email address: PlanningDepartment@jeffersoncountywv.org **Phone Number:** (304) 728-3228

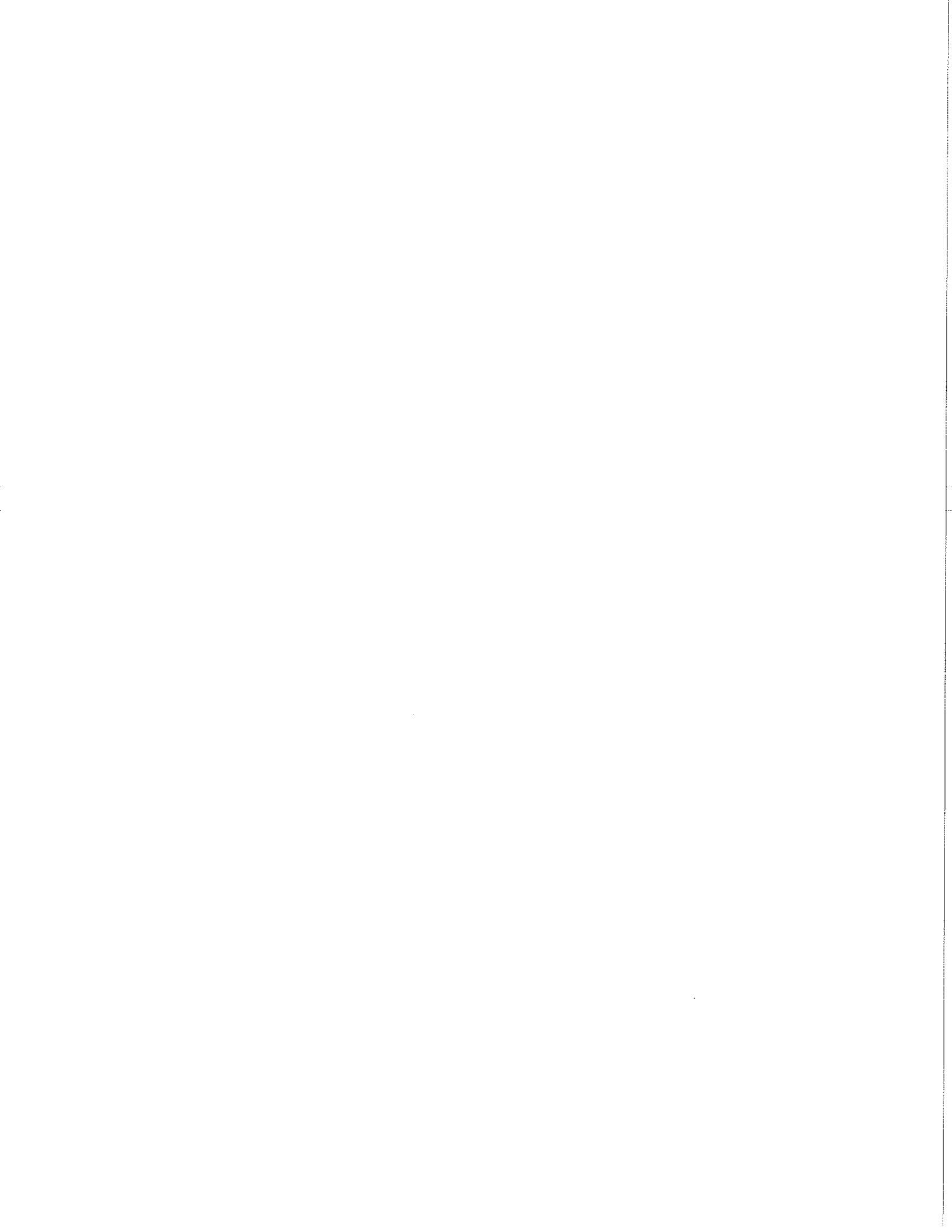
FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

Location Map for Standard Land Company, LLC Zoning Map Amendment Request
Located on the east side of Millville Road (Route 27),
½ mile south of the intersection with Route 340 in Harpers Ferry

Request to Change from Rural (R) and Residential Growth (RG) to
Residential-Light Industrial-Commercial (R-LI-C) Zoning





AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Barbara J. Miller, Director.

Department or Organization: Jefferson County Homeland Security and Emergency Management

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

Date Requested – 1st Choice: February 19, 2015

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

Date Requested – 2nd Choice: Click here to enter text.

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

1. Approval to post the position of Deputy Director/Planner/Program Manager at \$40,996.80
2. Approval of a pass through grant proposal for Jefferson County Schools for \$45,400

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

1. Jessica Owens vacates the Deputy Director/Planner/Program position on February 17, 2015. I am requesting to post this position at the starting salary for the position at \$40,996.80. This is a salary exempt position. This position is in our current budget.
2. Jefferson County Schools is requesting a DHS grant through WV Department of Military Affairs and Public Safety for Radios and a Bi-Directional Amplifier Repeater for the new county bus garage. There is no cost involved for Jefferson County Government for this pass through grant.

Is this a funding request? Item #1-Yes, \$40,996.80, within our current budget

Item #2 is a Pass through grant request. No Jefferson County Government funds will be spent on this grant.

If so, how much?

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

1. I move to approve posting the position of Deputy Director/Planner/Program Manager at \$40,996.80.
2. I move to approve the pass through grant proposal for Jefferson County Schools for a Bi-Directional Amplifier Repeater for the new bus garage and radios.

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

If not attached, explain:

Attachment:

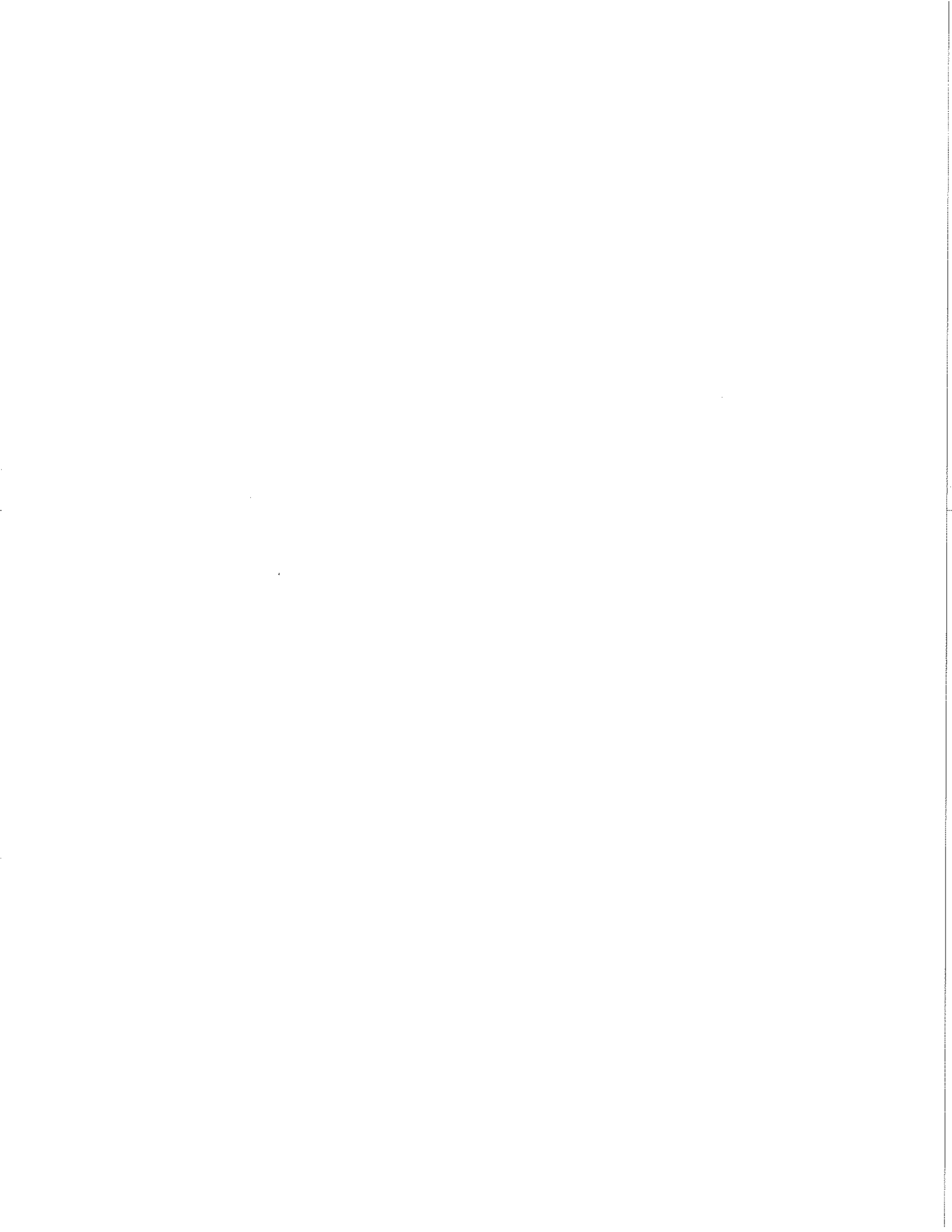
Is equipment needed? Projector N Click here to enter text. Internet/Wi Fi N Click here to enter text. Telephone for conference call N Click here to enter text.

Contact information:

Email address: bmiller@jeffersoncountywv.org. Phone Number: 304-728-3290

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



JEFFERSON COUNTY Personnel Requisition

Department Name: Homeland Security/Emergency Management **Date** 02/04/15 **Date Needed:** ASAP

Job Title: Deputy Director/Program Manager/Planner **Salary** \$40,996.80 **Criminal History Check** X **Yes** **No**

Suggested Recruitment Sources (s) Online, newspaper, social media, IAEM website

Applicants Interviewed By Barbara Miller **Position Reports To:** Director, JCHSEM

Minimum Education/Experience Required: High school diploma required, Bachelor's degree preferred, with three-
five years of emergency management or military work experience; or any equivalent combination of education,
training and experience which provides the required knowledge, skills and abilities to perform the essential
functions of the job.

Job Duties/Essential Functions: Responsible for program management for JCHSEM programs that include but are
not limited to: CERT, the Community Rating System, StormReady, NIMS, and any other programs undertaken by
the department and/or organization's various volunteer committees.

Planning activities that may include working with communities and/or consultants for the
review/updates/development of the Emergency Operations Plan, Risk Assessment and Mitigation Planning,
Emergency Planning for People with Special Needs, Evacuation Planning, Regional Planning efforts, Planning for
Animals in Disaster, Continuity of Operations Planning (COOP), Continuity of Government Planning (COG), Flood
Warning Plan, Threat Hazard Identification and Risk Assessment, etc.

Planning for and participation in training exercise activities at the local, regional and state levels.

Must be able to serve as the Deputy Director to the Director of Jefferson County Homeland Security and
Emergency Management and must be able to act as the Director when he/she is unavailable, including supervision
of employees and/or volunteers.

Participation in the Jefferson County Local Emergency Planning Committee and their activities.

Other duties as assigned by the Director of Jefferson County Homeland Security and Emergency Management.

Must be available 24/7/365 in case of emergency, and be available for daytime, evening, overnight, and/or
weekend assignments, travel, training, and to attend meetings or conferences.

Budget Information

Addition **Replacement** X **Explain for Whom** Jessica Owens, Deputy Director

Position Budgeted X **YES** **No** **Proposed Salary** \$40,996.80 **Date of Hire:** As soon as approved.

Is Position: Full-Time Regular Part-Time On-Call Occasional Temporary

Safety/Security **Hours Per Week:** EXEMPT

Approvals

Elected Official Approval _____ **Date:** _____

Department Head Approval _____ **Date:** _____

County Commission Approval _____ **Date:** _____

Comments _____

**Jefferson County
Job Description**

Position Title:	Program Manager/Planner/Deputy Director	Grade Level:	IV
Department	Homeland Security and Emergency Management	Date:	April 14, 2014
Reports to:	Director of Homeland Security and Emergency Management	FLSA Status	EXEMPT

Statement of Duties: Responsible for the program management for the department, in conjunction with the Director. Reviewing and writing plans for homeland security and emergency management and acts as the Director when he/she is unavailable. Employee is required to perform all similar or related duties as the Director.

Supervision Required: Employee works under the general direction of the Homeland Security and Emergency Management Director. The employee plans and carries out the regular work in accordance with standard practices and previous training, with substantial responsibility for determining the sequence and timing of action and substantial independence in planning and organizing the work activities, including determining the work methods. The employee is expected to solve, through experienced judgment, most problems of detail or unusual situations by adapting methods or interpreting instructions to resolve the particular problem. Instructions for new assignments or special projects usually consist of statements of desired objectives, deadlines and priorities. Technical and policy problems or changes in procedures are discussed with supervisor, but ordinarily the employee plans the work, lays it out and carries it through to completion independently. Work is generally reviewed only for technical adequacy, appropriateness of actions or decisions, and conformance with policy or other requirements; the methods used in arriving at the end result are not usually reviewed in detail.

Supervisory Responsibility: Employee is not regularly required to supervise other employees, but will supervise the PIO/Administrative Assistant/Volunteer Coordinator when the director is unavailable; as well as, volunteers, and EOC representatives frequently.

Confidentiality: Employee has access to confidential information including volunteer records and department records. Employee will have to complete PCII training and will have access to sensitive but not classified information, requiring signature on non-disclosure agreements.

Accountability: Consequences of errors or poor judgment may include adverse public relations, missed deadlines, monetary loss, legal repercussions, labor/material costs, personal injury, endanger others, and jeopardize programs.

Judgment: The work requires examining, analyzing and evaluating facts and circumstances surrounding individual problems, situations or transactions, and determining actions to be taken within the limits of standard or accepted practices. Guidelines include a large body of policies, practices and precedents which may be complex or conflicting, at times. Judgment is used in analyzing specific situations to determine appropriate actions. Employee is expected to weigh efficiency and relative priorities in conjunction with procedural concerns in decision making. Requires understanding, interpreting and applying federal, county and local regulations.

Homeland Security and Emergency Management
Program Manager/Planner/Deputy Director
4/14/14

**Jefferson County
Job Description**

Complexity: Assignments typically involve evaluation and interpretation of factors, conditions or unusual circumstances; inspecting, testing or evaluating compliance with established standards or criteria; gathering, analyzing and evaluating facts or data using specialized fact finding techniques; or determining the methods to accomplish the work.

Work Environment: The work environment involves everyday discomforts typical of offices. Noise or physical surroundings may be distracting, but conditions are generally not unpleasant. Field work is also required for this position.

Nature and Purpose of Public Contact: Relationships are constantly with co-workers, the public, groups and/or individuals such as civic leaders, peers from other organizations, representatives of professional organizations, and the news media. The employee serves as a spokesperson or recognized authority of the organization in matters of substance or considerable importance. The employee, on behalf of the department, communicates departmental practices, procedures, regulations or guidelines. May be required to discuss controversial matters where tact is required to avoid friction and obtain cooperation.

Occupational Risk: Duties present occasional exposure to risk or stress. Minor injury could occur, however, through employee failure to properly follow safety precautions or procedures. Examples of injury include minor bruises from falls, minor cuts or burns, or minor muscular strains from lifting, pushing or carrying heavy equipment or work materials. Special safety precautions, training, or protective clothing such as gowns, coats, gloves, glasses, hats or boots may be required.

Essential Functions:

The essential functions or duties listed below are intended only as illustrations of the various type of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

1. Responsible for program management for JCHSEM programs that include but are not limited to: CERT, the Community Rating System, StormReady, NIMS, and any other programs undertaken by the department and/or organization's various volunteer committees.
2. Planning activities that may include working with communities and/or consultants for the Emergency Operations Plan, Risk Assessment and Mitigation Planning, Emergency Planning for People with Special Needs, Evacuation Planning for a National Capital Regional Event, Regional Planning Efforts, Planning for Animals in Disaster, COOP and/or COG (Continuity of Operations and Continuity of Government) Planning, Flood Warning Plans, Threat Hazard Identification and Risk Assessment, etc.
3. Planning for and participation in training exercise activities at the local, regional and state levels.
4. Must be able to serve as the Deputy Director to the Director of Jefferson County

Homeland Security and Emergency Management
Program Manager/Planner/Deputy Director
4/14/14

Jefferson County Job Description

Homeland Security and Emergency Management.

5. Participation in the Jefferson County Local Emergency Planning Committee and their activities.
6. Other duties as assigned by the Director of Jefferson County Homeland Security and Emergency Management.
7. Must be available 24/7/365 in case of emergency, and be available for daytime, evening, overnight, and/or weekend assignments, and travel to attend meetings and conferences.

Recommended Minimum Qualifications:

Education and Experience: High School diploma or equivalent with three to five years (3-5) years of emergency management or military work experience; or any equivalent combination of education, training and experience which provides the required knowledge, skills and abilities to perform the essential functions of the job.

Special Requirements: Must reside in Jefferson County or the adjoining area. Must successfully complete annual training/certification requirements and NIMS requirements. Must successfully complete a background check. A valid driver's license is required for this position.

Knowledge, Abilities and Skill

Knowledge: Emergency management and program management, common policies, practices and procedures of the department and office operations; laws and regulations pertinent to position functions. Working knowledge of computer databases, various software, programs, and the Internet in support of department operations.

Abilities: Ability to interact effectively and appropriately with the public and other personnel, perform multiple tasks and maintain confidential information.

Skills: Proficient personal computer skills, volunteer coordination, technical writing and communication skills. Outstanding interpersonal skills and attention to detail required.

Physical and Mental Requirements

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.

Physical Demands: Work requires some agility and physical strength, such as moving in or about debris/construction sites or over rough terrain, or standing or walking most of the work period. Driving in adverse weather and troublesome road conditions may be required

Motor Skills: Essential functions involve close hand and eye coordination and physical dexterity. Manipulation and motor control under conditions which may require extreme accuracy may be

Homeland Security and Emergency Management
Program Manager/Planner/Deputy Director
4/14/14

Jefferson County Job Description

critical. The manual skills required are comparable to those which might be needed in making repairs to delicate electronic instruments or complex equipment, conducting laboratory tests, performing microscopic experiments, administering injections, firing a gun, operating marine vessels, or operating Class B vehicles or safety vehicles.

Visual Demands: Visual demands include constantly reading documents and maps for general understanding and for analytical purposes.

STATE OF WEST VIRGINIA

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

CFDA Number:
97.067

OASIS - GRTAWD Document ID:

State Subgrant Number:

Federal Grant Number:

EMW-2013-SS-00009

**Sub-Grantee
Name & Address:**

FEIN: 55-6000333

DUNS: 077414548

Sub-Grant Period:

From: 2/1/15

To: 5/31/15

Major Program: HSGPHS

Program: HS_LMIR

Zip Code: 25414-0250

Program Period: HS 2013

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: \$45,400

Sub-grantee Authorized Official:

WV Homeland Security Advisor:

Date: _____

Date: _____

WEST VIRGINIA

HOMELAND SECURITY GRANT PROGRAM

2013 Sub-grant Application



<p>WEST VIRGINIA Homeland Security State Administrative Agency (SAA)</p> <p>HOMELAND SECURITY GRANT PROGRAM</p>	<p>REQUEST FOR PROPOSALS</p>
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Should you have any grant related questions please contact:

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

Edward Holsclaw, II, Homeland Security Grant Specialist (304) 558-2930 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

WEST VIRGINIA Homeland Security State Administrative Agency (SAA) HOMELAND SECURITY GRANT PROGRAM	GRANT APPLICATION SUBMISSION CHECKLIST
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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>WEST VIRGINIA Homeland Security State Administrative Agency (SAA) HOMELAND SECURITY GRANT PROGRAM</p>	<p>GRANT APPLICATION INSTRUCTIONS</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
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1. Applicant: <u>Jefferson County Commission</u> Address: <u>P.O. Box 250</u> <u>Charles Town, WV 25414</u> Phone/Fax: <u>304-728-3290</u>	5. Grant Funds Requested: \$ <u>45,400</u> Project Matching Funds (if any): \$ _____
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2. Project Director: <u>Dr. Sheri Hoff/JC Schools</u> Address: <u>110 Mordington Avenue</u> <u>Charles Town, WV 25414</u> Phone/Fax: <u>304-728-9221</u> Email: <u>shoff@access.k12.wv.us</u>	6. Type of Agency: <input type="checkbox"/> State <input checked="" type="checkbox"/> County <input type="checkbox"/> Municipality <input type="checkbox"/> _____
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3. Fiscal Officer: <u>Jennifer Maghan</u> Address: <u>P.O. Box 208</u> <u>Charles Town, WV 25414</u> Phone/Fax: <u>304-728-3347</u> Email: <u>jmaghan@jeffersoncountywv.org</u>	7. Project Period: # of Months Needed To Complete Project <u>6</u>
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4. SAA Use Only	8. SAA Use Only Major Program: HSGPHS Program: HS_LMIR Program Period: HS 2013
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9. Project Title and Brief Description:
 purchase a "BI directional amplifier"
 for the school bus garage/radios

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: <u>Jane Tabb</u> TYPED OR PRINTED NAME OF AGENCY HEAD	Title: <u>Co. Commission President</u>
Signature: _____	Date: _____

<p style="text-align: center;">WEST VIRGINIA Homeland Security State Administrative Agency (SAA)</p> <p style="text-align: center;">HOMELAND SECURITY GRANT PROGRAM</p>	<p style="text-align: center;">BUDGET INSTRUCTIONS</p> <p style="text-align: center;">PAGE 2</p>
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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.

WEST VIRGINIA Homeland Security State Administrative Agency (SAA) HOMELAND SECURITY GRANT PROGRAM	ITEMIZATION OF FUNDS BY CATEGORY PAGE 3-1 (PLANNING ONLY)
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Budget Category	Matching Funds	Federal HSP Funds	Approved (SAA Use Only)
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<u>Planning: (Itemized List)</u>			
Total			

* 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 3-2 (EQUIPMENT ONLY)
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Budget Category	Matching Funds	Federal HSP Funds	Approved (SAA Use Only)
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<p><u>Equipment: (Itemized List)</u> Please see Authorized Equipment List (AEL) www.llis.dhs.gov/knowledgebase/authorizedequipmentlist</p> <p>Communications equipment is required to be compatible with the SAFECOM P25 trunked radio hierarchy and the WV Statewide Interoperable Radio Network (http://www.sirn.wv.gov/Pages/default.aspx). 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> <p><u>Bi-Directional Amplifier AEL: 06CP-03-BAMP</u></p> <p>8 SIRN Radios (Motorola XTS1500) AEL:06CP—01-PORT</p>		<p><u>\$33,000</u></p> <p><u>\$12,400</u></p>	
Total			

* 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)
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Budget Category	Matching Funds	Federal HSP Funds	Approved (SAA Use Only)
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<u>Training: (Itemized List)</u>			
Total			

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

Budget Category	Matching Funds	Federal HSP Funds	Approved (SAA Use Only)
<u>Exercises: (Itemized List)</u>			
Total			

* 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 3-5
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Budget Category	Matching Funds	Federal HSP Funds	Approved (SAA Use Only)
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TOTAL MATCHING FUNDS (if Applicable):	0		
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TOTAL FEDERAL HSP FUNDS:		45,400	
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TOTAL APPROVED PROJECT:			
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* All funds must be rounded to the nearest whole dollar amount.

WEST VIRGINIA Homeland Security State Administrative Agency (SAA) HOMELAND SECURITY GRANT PROGRAM	BUDGET SUMMARY PAGE 4
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Applicant: Jefferson County Commission	Federal Employer Identification Number (FEIN): 55-6000333
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Category	HSP Funds (A) *	Matching Funds (B) **	Total Funds (A + B)
Planning			
Equipment	\$45,400		\$45,400
Training			
Exercises			
Total Budget	\$45,400		\$45,400

FUNDING STRATEGY

Funding Source(s)	Amount	
Sub-Grant Funds:	\$45,400	
Matching Funds (If Applicable):	\$	
Other Funding (If Applicable):	\$	
Total:	\$45,400	

* 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.

<p style="text-align: center;">WEST VIRGINIA Homeland Security State Administrative Agency (SAA)</p> <p style="text-align: center;">HOMELAND SECURITY GRANT PROGRAM</p>	<p style="text-align: center;">BUDGET NARRATIVE</p> <p style="text-align: center;">PAGE 5</p>
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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:

Jefferson County Schools needs to purchase a bi-directional amplifier for their new bus garage and portable radios for the elementary schools to talk with the buses, 9-1-1, and emergency services. JCS got an estimate for the amplifier and the radios.

TRAINING:

EXERCISES:

WEST VIRGINIA Homeland Security State Administrative Agency (SAA) HOMELAND SECURITY GRANT PROGRAM	PROJECT DESCRIPTION INSTRUCTIONS PAGE 6
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On page 7 of this application, please explain the project **utilizing the following outline**. State clearly and in concise detail the goals, objectives, and intentions of the project; precisely what will be done; who will be involved; and the anticipated result(s). Add pages as necessary.

PROBLEM STATEMENT

- A. **Problem(s):** Identify the specific problem(s) to be addressed by the project. This should be articulated in terms of core capability gaps or additional abilities (plans, procedures, equipment or training/exercises) to achieve capability targets.
- B. **Justification:** Identify why the project is being proposed. This justification should be based on needs identified through the THIRA process, AARs, and other assessments.

GOAL(S)

Develop a list of substantial and concrete goals this project will attempt to achieve. These goals may be both short and long range. Carefully communicate and relate these goal(s) back to the State Homeland Security Strategy. In other words, which State Homeland Security Strategy goals are being addressed with this project? **A list of the State Homeland Security Strategy goals and objectives is provided. In the narrative please refer by number to the specific State Homeland Security Strategy goal(s)/objective(s) this project will address.**

OBJECTIVE(S)

Develop specific statements of desired achievement that reflect project emphasis. Objectives should be specific, measurable, achievable, realistic, and time bound. Objectives should describe improvement in at least one core capability (refer to <http://www.fema.gov/core-capabilities>)

IMPLEMENTATION (Key Activities/Milestones)

Describe the major activities necessary to implement the project including a general operational schedule. This should incorporate specific activities to be conducted, services to be utilized, and procedures to be followed. In addition, include how achievement will be demonstrated through documentation completed by the end of the grant period (updated plans, reports, AARs, training records, inventories, etc). For complex projects, a milestone (ghant) chart is recommended which provides a clear time-line for each phase of this project. This tool can be used to capture the "What", "Where", "Who", "When" and "How" of the project which can be used for follow-up and assessment purposes. If multiple agencies are involved in the project the role(s) and responsibilities of each agency should be outlined.

PROJECT ASSESSMENT / EVALUATION

Specify the indicators and measures to be used to assess the results of this project. This might include: new or revised plans, training records, conducting a drill or exercise to validate the capability improvement, completing an AAR/IP, inventory records, evaluations, or other assessments.

<p style="text-align: center;">WEST VIRGINIA Homeland Security State Administrative Agency (SAA)</p> <p style="text-align: center;">HOMELAND SECURITY GRANT PROGRAM</p>	<p style="text-align: center;">PROJECT DESCRIPTION</p> <p style="text-align: center;">PAGE 7</p>
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Problem Statement: Jefferson County Schools purchased a new bus garage, near the Jefferson County Communications Center. They cannot use their radios in the new building without purchasing a bi-directional amplifier. The portable radios are for the elementary schools to communicate with the 9-1-1 Center, buses, and emergency services.

Justification: Schools participate in all natural and man-made events. They need to communicate in all of these. To include all exercises, federal response, and natural disasters.

Goals:

- 1.2.1 Establish and maintain state standards for NIMS
- 1.2.2 Conduct training and education on the implementation and utilization for NIMS
- 4.1.3 Ensure the availability of communications equipment and systems for incident management
- 4.1.4 Conduct regional and statewide communication education, training, and exercises
- 4.2.5 Conduct regional multi-jurisdictional, multi-agency HSEEP-compliant exercises
- 4.2.7 Enhance regional catastrophic preparedness and mass evacuation planning based on specific hazards.
- 4.2.8 Provide opportunities for responders to participate in cross-training among all disciplines.

Objectives:

Purchase a bi-directional amplifier and portable radios by May 31, 2015.

Implementation:

All radio users for Jefferson County Schools have received NIMS training and radio training annually to use this equipment. Teltronics will be installing the bi-directional amplifier at the new bus garage.

Project assessment/evaluation:

Monitor use of communications on a daily basis.

WEST VIRGINIA
Homeland Security State Administrative Agency
(SAA)

HOMELAND SECURITY GRANT
PROGRAM

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).

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.

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

SPECIAL CONDITIONS AND ASSURANCES
PAGE 10

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.

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.

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.slrn.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.

WEST VIRGINIA
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PAGE 14

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. 10th 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.

WEST VIRGINIA
Homeland Security State Administrative Agency
(SAA)

HOMELAND SECURITY GRANT
PROGRAM

SPECIAL CONDITIONS AND ASSURANCES

PAGE 15

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."

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

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 cooperative 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 Standard 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)

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:

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 individual's emergency responsibilities.
- f. Complete the NIMS Self-Assessment and submit to the state NIMS Coordinator via email at 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/dmapsctm6> 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 Schools.

Recipient Point of Contact: Sheri Hoff

Email: shoff@k12.wv.us **Phone:** 304-728-9221

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:

_____ Title: _____
Type or Print Name of Agency/Organization Authorized Official

_____ Date: _____
Signature Of Agency/Organization Authorized Official

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.

_____ Date: _____
HS SAA Director

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jessica Carroll

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: February 5, 2015

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): Interviews and Appointments to the Community Criminal Justice Board – one unexpired term ending July 3, 2017.

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, 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

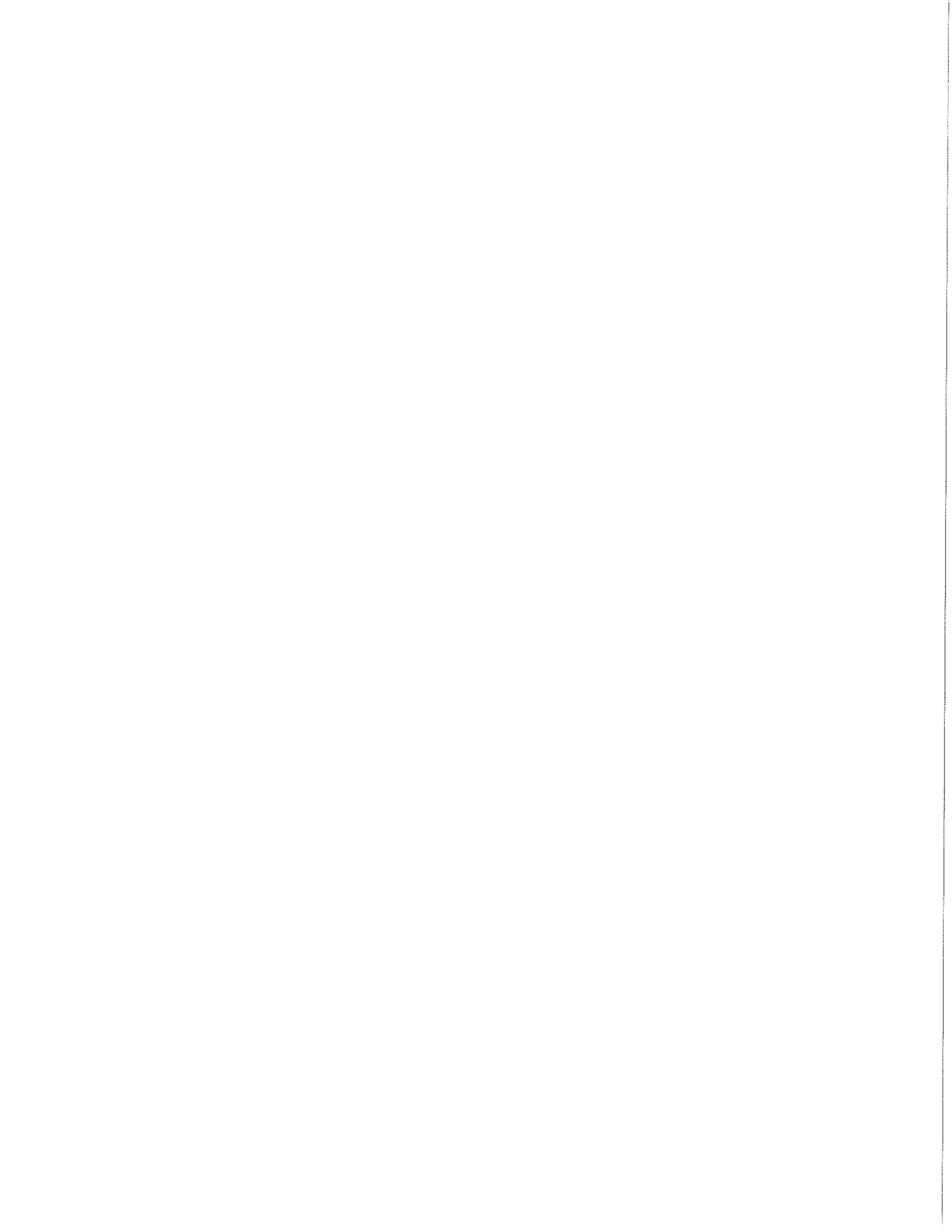
Sandy McDonald

From: Eric [ebell@jeffersoncountywv.org]
Sent: Wednesday, February 11, 2015 9:26 AM
To: Sandy McDonald
Subject: Community Corrections

Sandy,

I would like to be considered for the At Large Position in the Community Corrections Board.

Eric Bell
Jefferson County Commission





AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **February 19, 2015**
If a specific date is needed, please provide reason for specific date: Click here to enter text.

Date Requested – 2nd Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): **Discuss County Administrator position – Decision – Possible Executive Session**

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

Is this a funding request? Y/N Click here to enter text.
If so, how much? \$Click here to enter text.

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

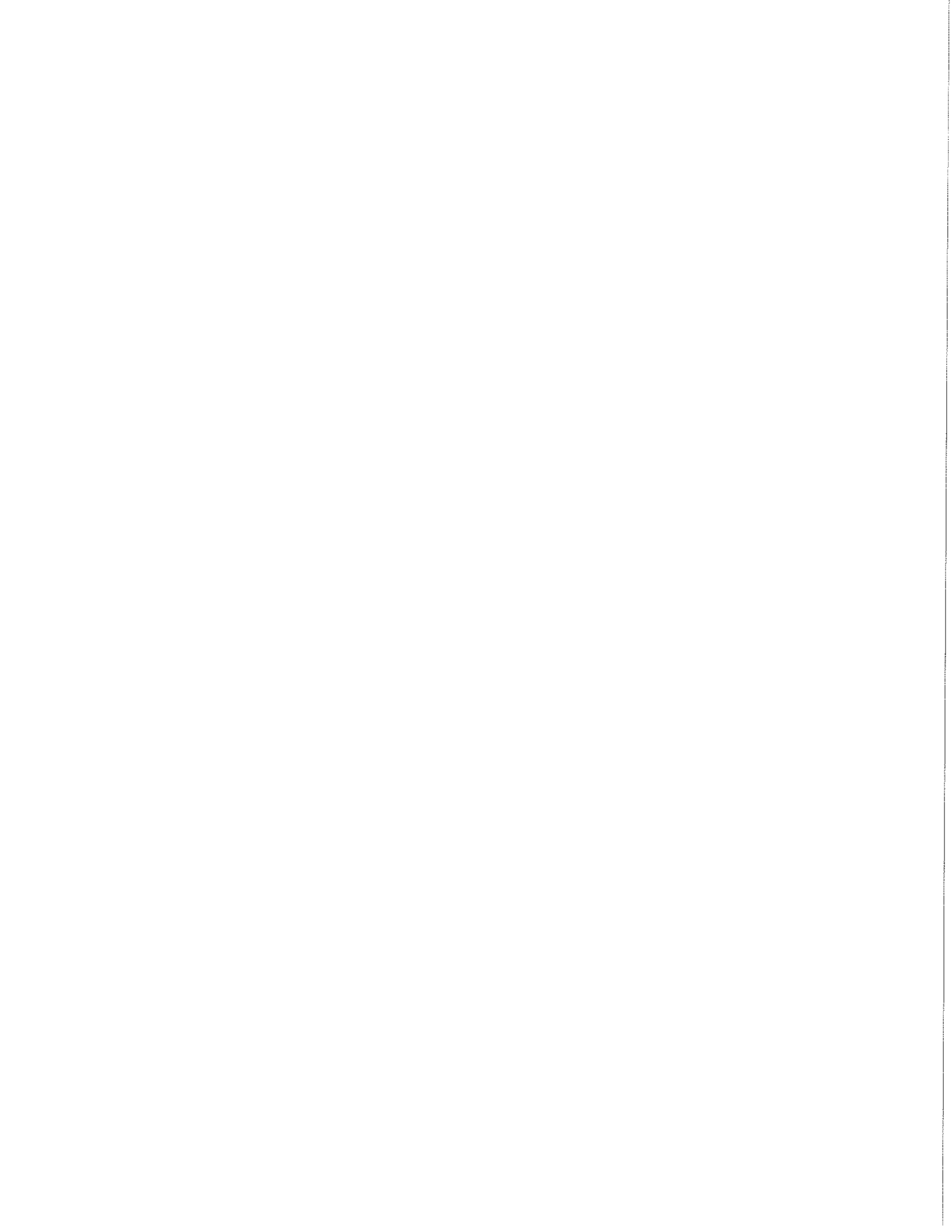
Attach supporting documents for request, or request may be denied.
If not attached, explain: Click here to enter text.

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

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: *Eric Bell*

Department or Organization: *JCC*

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: *19 Feb.*

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

Date Requested – 2nd Choice:

Subject (Wording to be placed on agenda): *Explore Options for Privatizing Ambulance Service.*

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):

Move to Explore options for Privatization of Ambulance Service in Self.Co.

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

If not attached, explain:

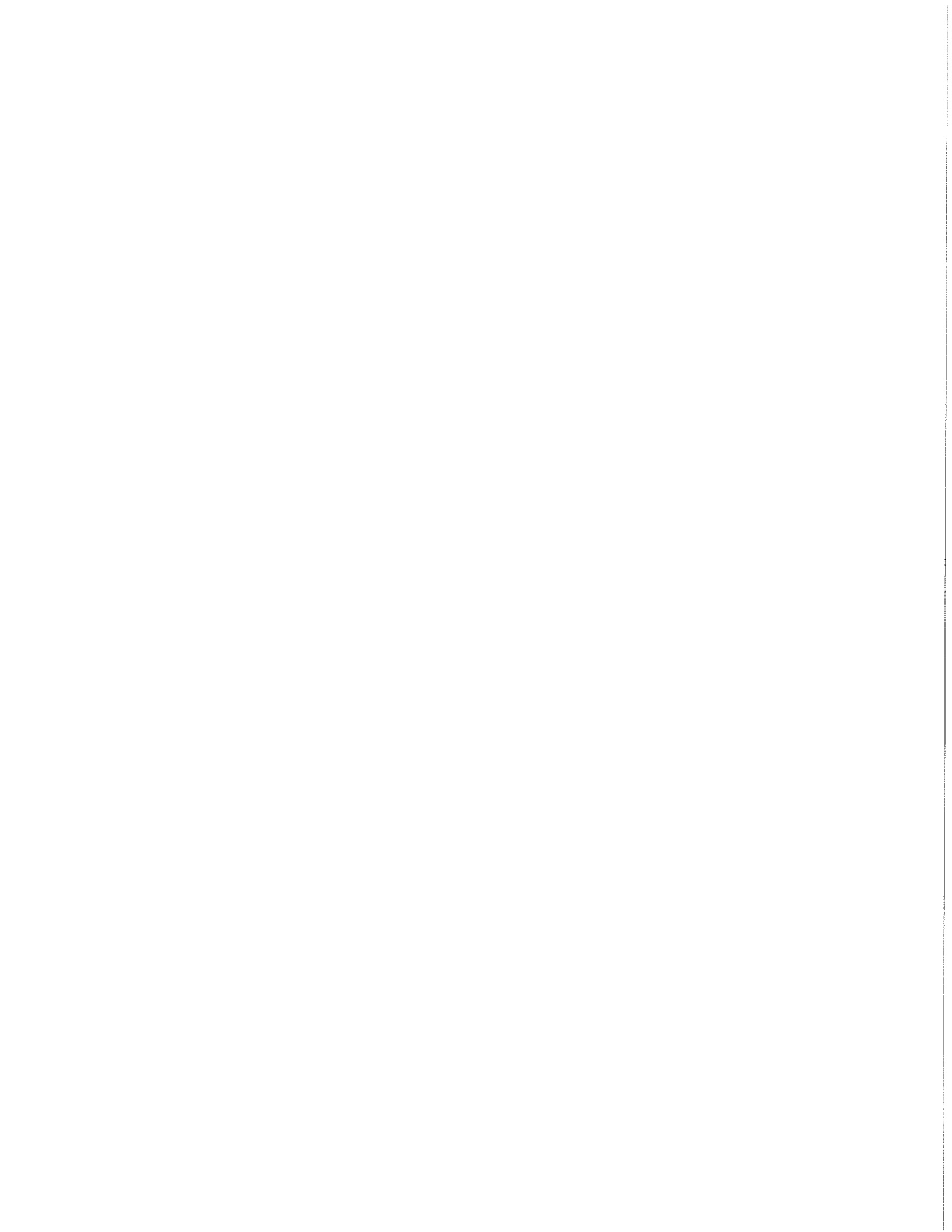
Is equipment needed? Projector Y N Internet/Wi Fi Y N Telephone for conference call Y N

Contact information: *Eric Bell*

Email address: *ebell@jeffersoncountywv.org* Phone Number: *(304) 930-5710*

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Dale Manuel

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: February 19, 2015

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

Date Requested – 2nd Choice:

Subject (Wording to be placed on agenda): Discussion on the possibility of holding a public hearing on allowing the All Good Music Festival to obtain an alcohol permit.

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I move to approve a public hearing to allow citizens to give their input regarding the County Commission's granting of an alcohol permit for the All Good Music Festival.

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

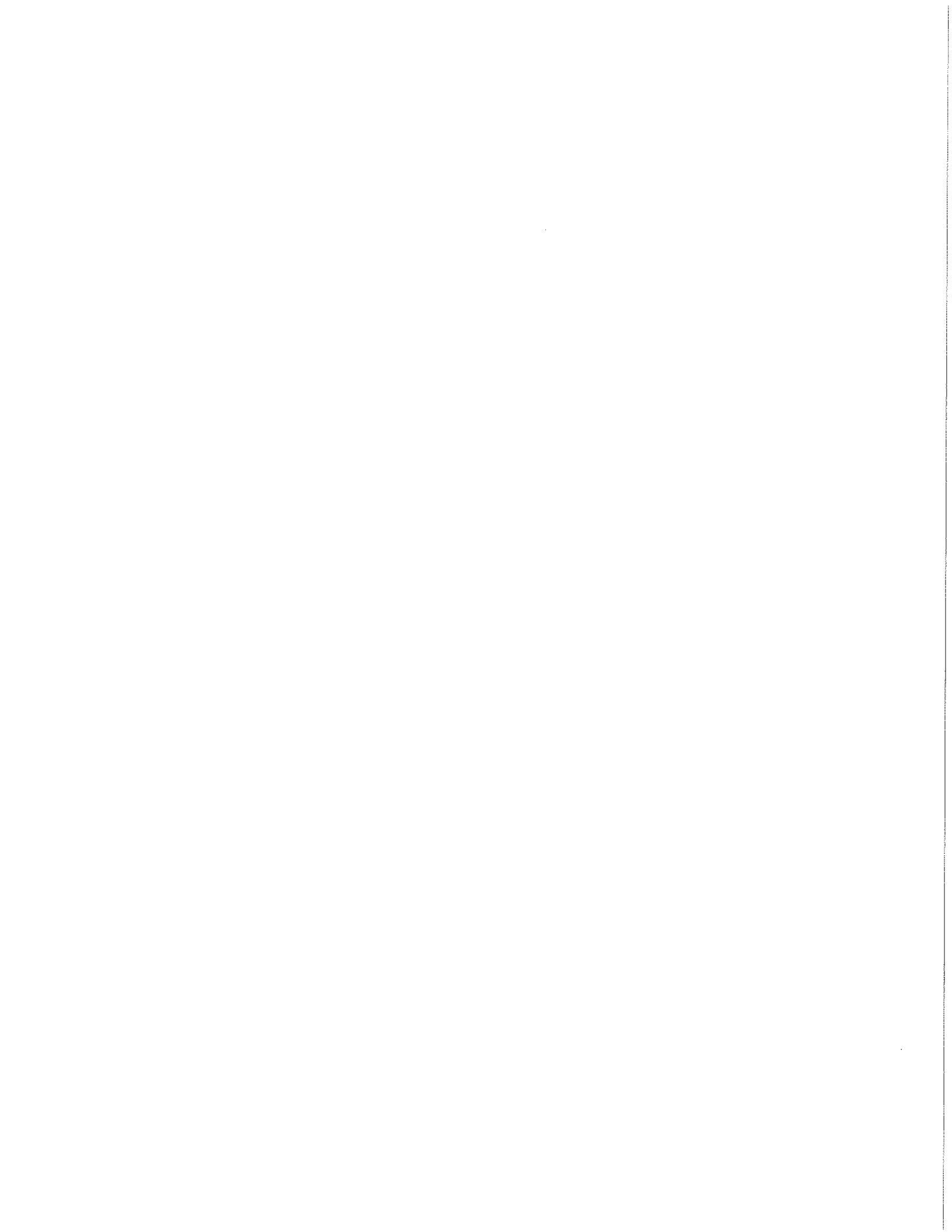
Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jane Tabb

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: February 19, 2015

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): Discussion of County Commission's use of Robert's Rules for small boards

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

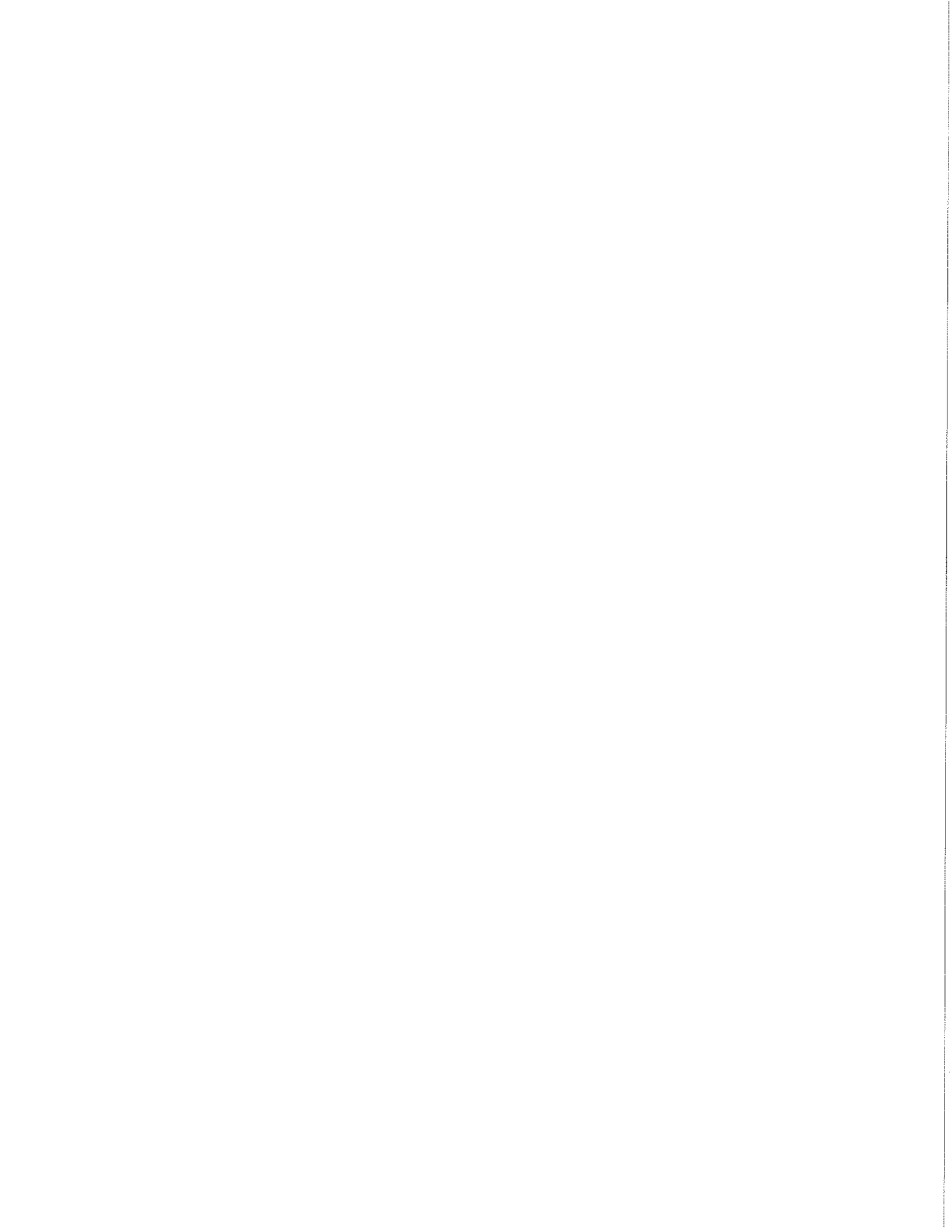
Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Carol Swiger

Department or Organization: County Commission Ambulance Fee

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: Feb 5

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

Date Requested – 2nd Choice: Feb 19

Subject (Wording to be placed on agenda):

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

Resident Eli Sizemore, Jr would like Exonerated from his \$20 Ambulance Fee

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: Carol Swiger

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

Motion to exonerate Mr. Eli Sizemore, Jr of his Ambulance Fee for \$20.

Mr. Sizemore is asking to be exonerated from his fees because he believes he doesn't receive the same ambulance service everyone else has. Due to the road conditions the Ambulance cannot drive up to his house but must send a four wheel drive vehicle instead.

I confirmed with Ed Hannon, Deputy Director, Jefferson County Emergency Services Agency by email stated "Yes the residents that live on MT. Top Trail do receive our services. Due to road conditions response to that area has been modified. A four wheel drive utility vehicle responds in addition to ambulance and is utilized to bring the patient to the ambulance waiting at the entrance to the neighborhood."

11/15 Emailed Ed@JCESA

Jefferson County Emergency Ambulance Service Fee

Exoneration/Modification Request

Jefferson County, West Virginia

Date: 1-9-15

I hereby request a review by the Jefferson County Commission. I believe there to be an error in the amount I was billed for the Emergency Ambulance Service Fee.

Amount billed: ~~\$40.00~~ ? \$20

I believe I qualify for the fee assessment circled:

Residence - \$40

Business - \$85

Farm Exemption - \$40

Homestead Exemption

(no commercial retail open to the public)

50% off approved parcel

Proof of exemption must be included with this form

RETURN THIS FORM BY SEPTEMBER 30TH

Describe the reason for this request:

I have lived here at most 20 year, The roads up here on th Mt. are. (Bad). They are control bye home owners ass which by law didn't condencator. Emergency Ambulance to not want to come up here. Over 3/4 year they can't because of road. I have not because of damages to Amb & persons.

ELI F. Sizemore Jr ^{thank you.}

Eli F. Sizemore Jr ^{Signature}

Printed Name

Signature

Handicap senior citizens have right to service like everyone else that they paid for. 364 MT. TOP TRAIL Harpers Ferry WVA 304 724 7878

Address

West Ridge Hills Jefferson Co. 25425

Phone number

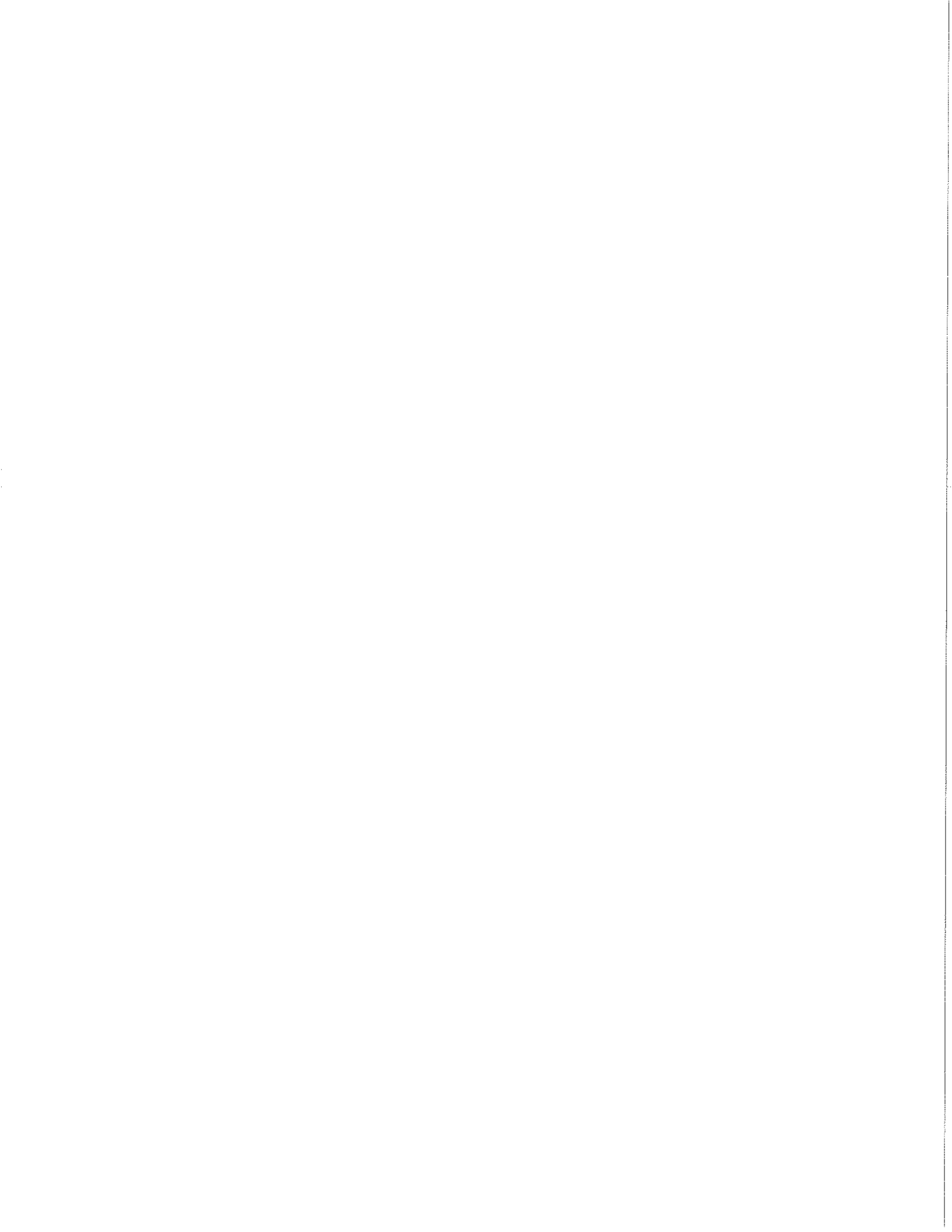
wintertime they have to have 4 wheel drive!

Do not write below this line—For Official Use Only

Approved / Denied

Date: _____

Reason: _____





AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **February 19, 2015**

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

Date Requested – 2nd Choice: Click here to enter text.

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 Click here to enter text.

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

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

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

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

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

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Stephanie Grove

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: **February 19, 2015**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **County Administrator Reports: Executive Session – 6-9A-4 – Personnel Matter/Potential Litigation**

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**

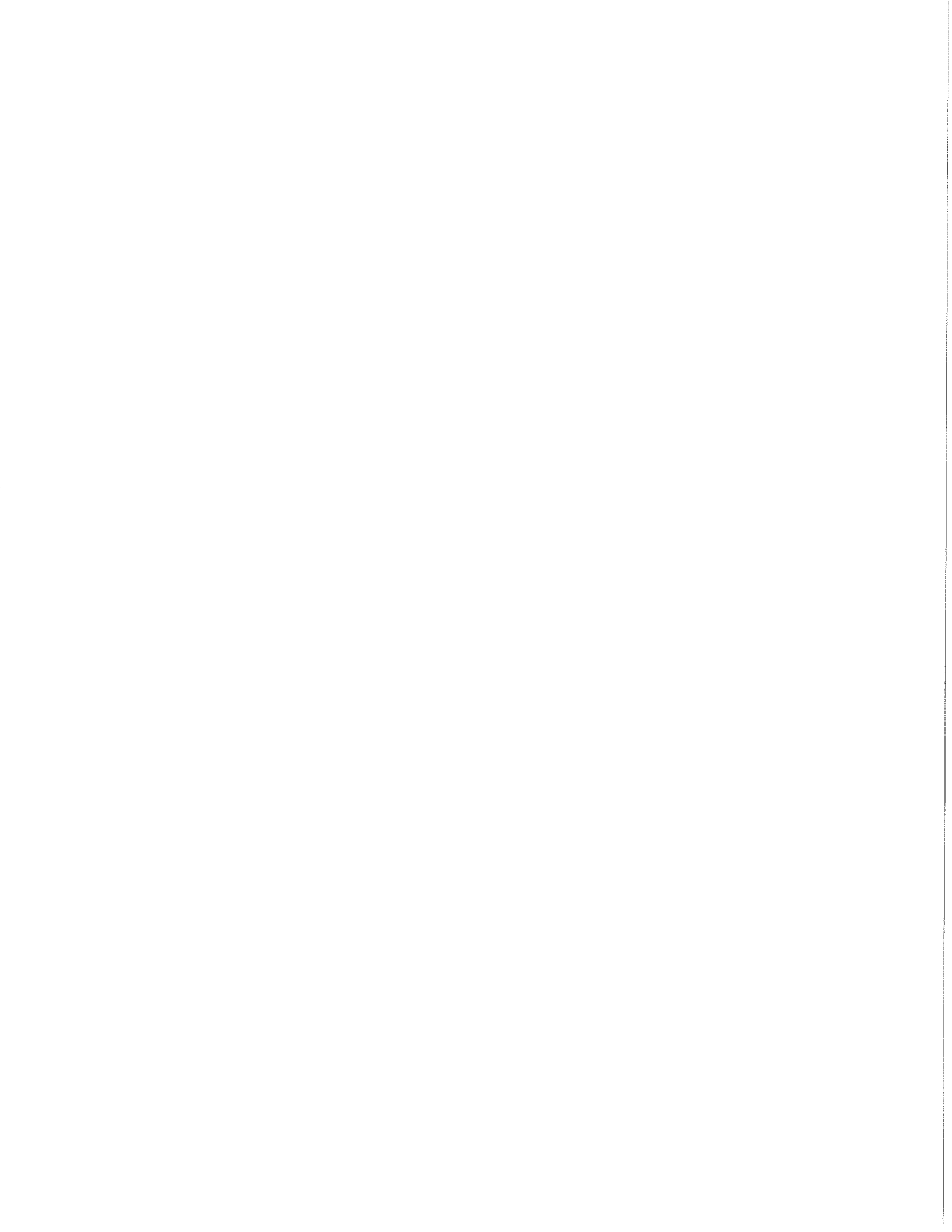
Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



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: ½ Hour

Date Requested – 1st Choice: 02/19/15

Date Requested – 2nd Choice: _____

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

Subject: **Recommendation from the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for 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. **Planning & Zoning File #Z14-02.****

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.

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. The County Commission scheduled a Public Hearing to receive input on the zoning map amendment request pertaining to the above referenced property on February 19, 2015 at 1:30 PM.

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

“I move to keep the public input record open for **(14) days** for public input on this Zoning Map Amendment request.”

Attachments:

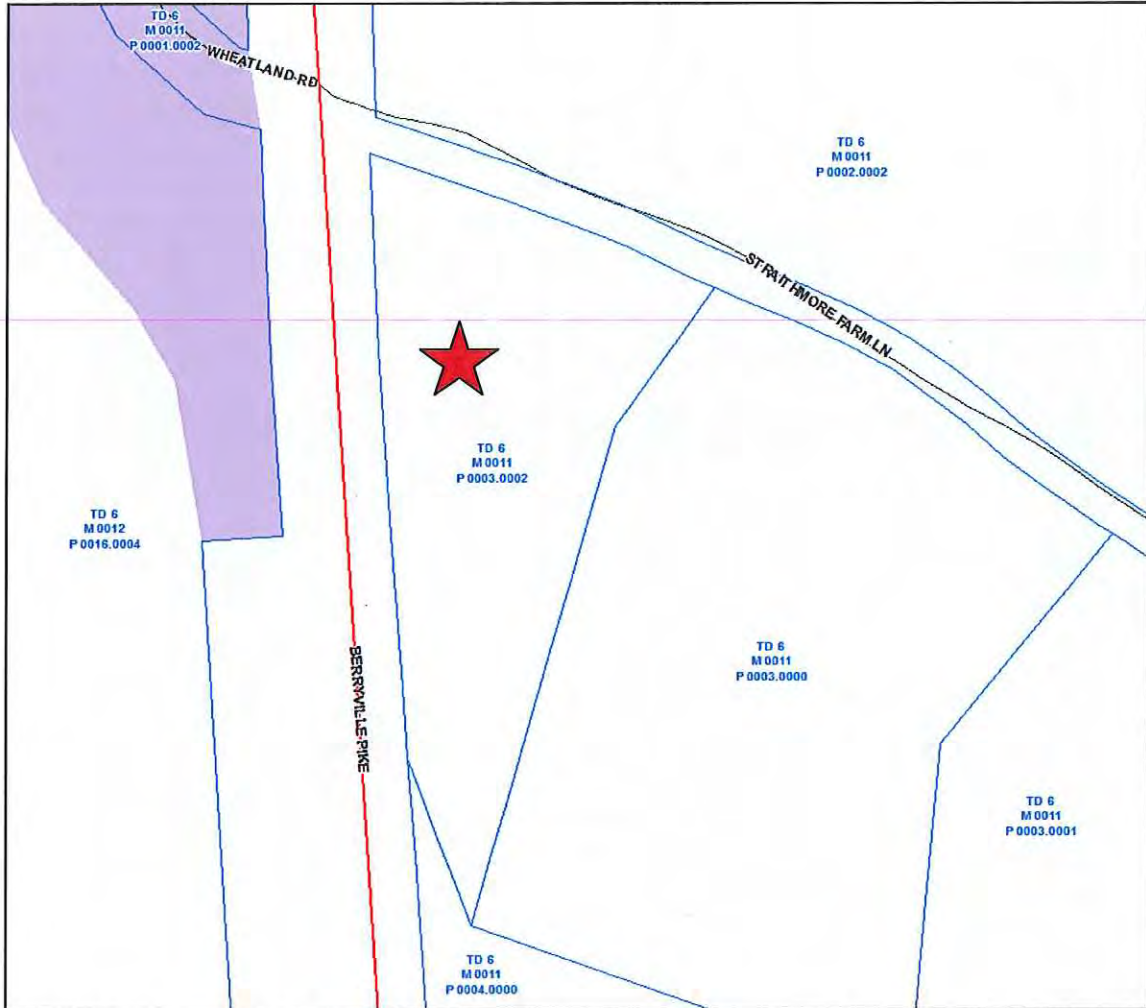
- Rezoning location map
- Zoning Map Amendment Application (File #Z14-02)
- Slusher Rezoning Request, Staff Report, 01-13-15

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



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

The County Commission of Jefferson County will hold a public hearing on Thursday, February 19, 2015 at 1:30 p.m. in the County Commission meeting room located at the Old Charles Town Library, 200 East Washington Street, Charles Town, WV 25414.

A public hearing is being held regarding 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/Staithmore Farm Lane/Wheatland Road intersection.

Anyone wishing to provide written or oral comment may do so at this meeting or send comments to info@jeffersoncountywv.org.

No decisions will be made at this meeting.

By Order of the County Commission of Jefferson County

**Jane Tabb
President**



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, P.O. Box 338
Charles Town, WV 25414

File Number: # Z14-02
Staff Initials: CPC
Application Fee: \$ 1050.00

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Zoning Map Amendment (Rezoning)

Pursuant to Article 12, a Zoning Map Amendment is a procedure to amend the official Zoning Map of the County by changing the zoning designation of a property. In order for a proposed amendment to be approved, the County Commission, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of 8A-7-8 et seq of the WV State Code. All Amendments to the Zoning Map require a Public Hearing to be held by the Planning Commission for the purpose of making a recommendation to the County Commission. Subsequently, all recommended map amendments require a Public Hearing before the County Commission prior to a final determination.

Property owner information

Name: David N. Slusher
Mailing Address: P.O. Box 197; Rippon, WV 25441
Phone Number: (304)728-8350 Email: davessales@frontiernet.net

Applicant contact information

Name: David N. Slusher
Mailing Address: P.O. Box 197; Rippon, WV 25441
Phone Number: (304)728-8350 Email: davessales@frontiernet.net

Applicant representative

Name: Gordon Associates; Chad Wallen
Mailing Address: 301 North Mildred Street, Suite 1; Charles Town, WV 25414
Phone Number: (304)725-8456 Email: cwallen@gordon.us.com

Physical property details

Physical Address: Southeast corner of the Route 340 / Straithmore Farm Lane / Wheatland Road Intersection
City: Wheatland State: WV Zip Code: _____
Tax District: Kabletown (6) Map No: 11 Parcel No: 3.2
Parcel Size: 0.98+/- Acres Deed Book: 819 Page No: 754

Current Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential-Light Industrial-Commercial (RLIC)	Village (V)	Neighborhood Commercial (NC)	General Commercial (GC)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/Commercial Mixed-Use (O/C)
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RECEIVED
NOV 07 2014
JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING
Place Received Date Stamp Here

Proposed Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (RLIC)	Village (V)	Neighborhood Commercial (NC)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General Commercial (GC)	Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/ Commercial Mixed-Use (O/C)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For a Zoning Map Amendment request, the "burden of proof" is on the applicant to show why the proposed zoning is more appropriate than the existing zoning. Accordingly, please explain how the following factors support your proposal.

Describe your proposed use (and/or project) and describe why the Zoning Map Amendment is necessary for the proposed use (and/or project) described.

See Attached

Describe how the Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan.

See Attached

Discuss any change(s) of transportation characteristics (i.e., type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.

See Attached

Do you request that the Planning and Zoning Staff present the petition to the Planning Commission for the purpose of setting the public hearing date?

Yes, I request that the Planning and Zoning Staff present the petition

No, I prefer to present the petition



Plat or Sketch Plan (provide as an attachment to this application)

The plat or sketch must be pursuant to Zoning Ordinance, Section 7.4 (b). The sketch plan shall include the entire original parcel as it appeared on the date this ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines should be superimposed on the sketch plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes and quarries shall be delineated.

Is Plat or Sketch Plan attached?

Yes No

Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).

	11-10-14	
Signature of Property Owner	Date	Signature of Property Owner

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.

Recommended *Not Recommended*

The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.

Approved *Disapproved*

Final Determination/Other Comments

Zoning Map Amendment Application Addendum

Slusher Property

November 7, 2014

Owner / Applicant:

David Slusher
P.O. Box 197
Rippon, WV 25441



Substantiation for Request:

1. **Allowed use for the property under the Rural Zoning District.** Due to the property's location and current use there is not a fiscally viable alternative to the current commercial use. The area of the property is less than one acre which limits its use as an agricultural property. Proximity to Route 340 and required setbacks would preclude the development of the property as residential use.
2. **The designation as General Commercial will reflect the property's historic use.** Commercial use of the property dates back to the 1930's and the current use for auto sales existed prior to the adoption of zoning in Jefferson County. The continued successful use of the property demonstrates the value of the property as a commercial use.
3. **The adoption of zoning in Jefferson County failed to recognize the property owner's investment in a commercial property.** The property was purchased by a small business owner with plans on maintaining a business while building equity in the property. The adoption of zoning in 1988 removed part of the potential equity and left a property which is a non-conforming use. The requirement for future zoning certificates or LESA evaluations will place an unnecessary burden in the future marketing for the commercial structure.
4. **Current and planned uses in the vicinity of the property recognize the Route 340 corridor as an appropriate area for development.** The property across Route 340 and northwest of the intersection is zoned Commercial-Industrial, the subject property abuts

the Charles Town Urban Growth Boundary to the north and the draft 2014 Comprehensive Plan identifies a Preferred Growth Boundary 0.3+/- miles to the south. This recognizes this segment of the Route 340 corridor as a preferred area for development and commercial uses.

5. **No burden would be placed on existing public infrastructure with this rezoning.** The property will not require the extension of utilities and will not create additional needs on the school system or other County facilities. The continued use as a commercial property will help maintain the tax base in Jefferson County.

Property Tax Identification:

Kabletown District (6), Map Number 11, Parcel 3.2

Deed information:

Deed Book 819, Page Number 754

Property Characteristics:

Location: Southeast corner of the Route 340 / Straithmore Farm Lane / Wheatland Road intersection.

Current Zoning: Rural

Current / Historic Use: Commercial

Tract Size: 0.98+/- Acres

Describe your proposed use (and/or project) and describe why the Zoning Map Amendment is necessary for the proposed use (and/or project) described.

The subject property is an existing non-conforming use which predates the implementation of zoning in Jefferson County. The applicant is requesting that the General Commercial Zone be granted to correct the non-conforming status of the property. The first commercial use of the property dates back to the 1930's and the current use of auto sales began in 1986. The commercial history of the property includes tractor repair shop, auto sales / service, machine shop and numerous other commercial uses.

The property was purchased as a commercial enterprise and has since been devalued with the inaccurate Rural Zoning designation being placed on the property in 1988. The Applicant wishes to maintain the value of the property going forward. While there are no immediate intentions to change

the current use of auto sales, the Applicant needs to maintain flexibility going forward to ensure that the property is marketable and does not become a structure with no feasible permitted use. A structure which does not have a permitted use will inevitably become abandoned and deteriorate over time.

The existing structure is not suitable for residential use. The buildable area of the property contains parking, a building and storage shed. The conversion of this property to a residential, agricultural or other permitted use in the Rural District is not fiscally viable. The continued use as commercial is the only option for maintaining this property.

Describe how the Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan.

- ***Chapter 2, Statement of Goals: Encourage growth and development in areas where sewer, water, schools, and other public facilities are available or can be provided without unreasonable cost to the community.***
 - **The property will not require the extension of utilities.** Sanitary sewer and water is provided through private well and drainfield. This service will be maintained at the burden of the property owner and will be of no cost to the community.
 - **The proposed use of the property will not require the use of any public facilities.** The property is self-contained and does not depend on public facilities to continue as a permitted use under the General Commercial district. The property would require the use of schools and other public facilities if converted to a residential use as is permitted under the current Rural zoning district.

- ***Chapter 2, Statement of Goals: Encourage and support commercial, industrial, and agricultural activities to provide a diversified and sound local economy.***
 - **The historic backbone of Jefferson County is built on small business.** The property owner has contributed to this backbone through his investment in an existing commercial property in Jefferson County. Denying the future commercial use of the property denies the property owner a return on his investment in the County.
 - **The granting of the General Commercial zone will support the continued use of the property as a local business.** As discussed previously, the property and existing building have been a commercial use for approximately 80 years. Allowing the property to be properly zoned will help maintain its historic use, encourage local business and support the local economy.

- ***Chapter 2, Statement of Goals: Support and protect private property rights while supporting and protecting overall public health, safety and general welfare.***

- **The property was purchased as a commercial property prior to the adoption of zoning.** The adoption of zoning by Jefferson County in 1988 did not account for the historic use of the property and devalued a property which was a known commercial establishment. The implementation of zoning immediately made the commercial structure a non-conforming use. Any future efforts to sell the property will be impaired by requiring a zoning certificate or LESA evaluation for every potential use of the property. If zoned properly as General Commercial, the property will maintain its current and historic commercial use.
 - **The overall public health, safety and general welfare will not be impacted.** The change in the zoning designation of the property will not alter its existing function as a commercial use and will not alter the character of the community.
- ***Recommendation 3.18: The County should continue to pursue new industrial and commercial development in order to diversify its economy, increase the tax base and thereby mitigate the problems of increasing residential growth, and provide quality employment opportunities in the workforce.***
 - **Supporting existing business will help maintain the current economy and diversified tax base.** It is equally important to retain commercial uses as it is to attract new business. While the recommendation is to attract new business, it should be implied that retention is part of that effort.
- ***Existing Zoning Map***
 - **Surrounding properties are zoned for more intensive uses than the proposed General Commercial District.** Land across Route 340 and northwest of the property is zoned Industrial-Commercial. The Industrial-Commercial Zone allows for the most intense land use in the County and is currently abutting and across from land which is designated as Rural, which allows only the least intense uses permitted in the Zoning Ordinance. There is a lack of a transitional zone between these industrial zoned properties and the subject property. The location of this industrial zone also supports the reasoning that the subject property is in a suitable location for commercial development.
 - **The subject property abuts the City of Charles Town Urban Growth Boundary.** The Urban Growth Boundary identifies land in which Jefferson County believes is more appropriate for urbanized development when considering future development within the County. The location of the subject property in relation to the Urban Growth Boundary reinforces that this area is appropriate for the General Commercial Zone.
 - **The 2014 draft Comprehensive Plan identifies a preferred growth boundary 0.3 miles south of the property.** While still in draft form, the location of this boundary continues to identify that this segment of Route 340 is suitable for growth and development.

Discuss any change(s) of transportation characteristics (i.e. type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.

- **Increasing traffic flow on Route 340 has enabled the subject property to remain viable as a commercial use.** Route 340 has historically been a primary transportation route in Jefferson County. Traffic on Route 340 has continued to grow with population and the expanding road system in adjacent Frederick / Loudoun Counties. As a major traffic corridor in Jefferson County, commercial and industrial uses gravitate to Route 340. The planned commercially zoned land along this corridor demonstrates the appropriateness of this zoning request. The longevity of the property as a commercial use over approximately 80 years has been accomplished by the continuing traffic increase on Route 340.
- **The future expansion of Route 340 will increase the viability for commercial uses along this corridor.** This segment of Route 340 has had multiple studies and it is generally agreed that it will be expanded from a two lane road to a four lane divided road. Segments of Route 340 to the north and the south are currently a four lane divided road. It is of sound planning practice to locate commercial uses near the areas of major traffic corridors opposed to local roadways. The expansion of Route 340 demonstrates the changing value for the use of land along this corridor.

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Applicants Request/Background

The property is located on the southwest corner of the Route 340/Straithmore Farm Lane/Wheatland Road intersection. It is currently occupied by Dave's Auto Sales and Service. Commercial use of this property dates back to 1930's and the current use of auto sales began in 1986.

The applicant states that there are no immediate intentions to change the current use of the property; however, the applicant desires to maintain flexibility going forward to ensure the property is marketable and does not become a structure with no feasible permitted use. The buildable area of the property contains parking, a building and storage shed. The applicant states that the conversion of this property to a residential, agricultural or other permitted uses in the Rural District is not fiscally viable.

Image 1 is a location map showing the parcel that is the subject of the rezoning request on an aerial map with the 100 year floodplain depicted. A large percentage of the property falls within the 100-year floodplain.

Image 1



Introduction and Purpose

The applicant's request is to rezone the 0.98 acre parcel from Rural (R) to General Commercial (GC). The property has access from US 340 and Strathmore Lane. The property abuts Bullskin Run and a large percentage of the property falls within the 100-year floodplain. The zoning to the north, south, east, and west of the subject properties is Rural. Properties to the northwest of this property, across US 340 and north of Wheatland Road, are zoned Residential-Light Industrial-Commercial and are occupied by a variety of commercial and industrial uses.

Statutory Authority and Requirements

The West Virginia State Code, Section 8A-7-9, and Section 12.2 (b) of the Jefferson County Zoning and Land Development Ordinance detail the process by which boundaries of zoning districts may be

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amended in response to a petition of 50% or more of the property owners. Both state that before amending the Zoning Ordinance text or map, "the governing body, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan", or if it is inconsistent, "then the governing body with the advice of the Planning Commission, must find that there have been major changes of an economic, physical or social nature within the area involved, which were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristics of the area[See WVC 8A-7-9(c)]."

The Zoning Ordinance further states that the applicant should include discussion of any change of transportation characteristics and neighborhood from when the original zoning was established for the Planning Commission to take into consideration.

Scope of this Assessment

This report focuses on whether or not the Zoning Map Amendment application is consistent with the *2004 Comprehensive Plan (2004 Plan)*. It concludes that the request is not consistent with the *2004 Comprehensive Plan*. It should be noted that the County Commission is currently considering a draft version of the *Envision Jefferson 2035 Comprehensive Plan* which may be adopted prior to approval of this Zoning Map Amendment request and may need to be considered by the County Commission at that time.

The format for this assessment includes references to specific provisions of the *2004 Comprehensive Plan*, which are identified by page number citation. Staff has used these notations and quotations in order to address sections of the *2004 Plan* as it relates to the proposed rezoning. Identification of the specific page numbers where these provisions can be found in the *2004 Plan* permits the Planning Commission and/or County Commission to easily locate the particular provision and personally evaluate the provision in the context of the larger Plan document.

It should also be noted that the *2004 Plan* states, "Its recommendations are (by their nature and intent) general and, as such, sometimes conflicting. It will not be difficult to find two that individually justify and conflict with many land use proposals." In that sense, there are many plan references that are identified in this report that can or may appear to support or fail to support a finding of consistency between the proposed rezoning and the *2004 Comprehensive Plan*. In the final analysis, each member of the Planning Commission and the County Commission will need to weigh the degree to which various plan provisions are of greater or less importance, in establishing their respective findings regarding the application.

Finally, this report provides a Staff recommendation concerning the proposed rezoning based on review of the various plan sections and elements. The recommendations should be considered the professional opinion of staff; no more and no less. As the Planning and Zoning staff have no statutory authority to make decisions in this regard, we defer to the Planning Commission, and subsequently the County Commission, for any final recommendation or decision that may be forthcoming, with respect to the subject application.

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Relevant 2004 Comprehensive Plan Elements and Commentary

A. Proposed Zoning District – General Commercial (GC):

The General Commercial zoning category is not addressed in the *2004 Plan* as it was adopted as a part of a larger Zoning Ordinance text amendment in 2014. The *2004 Plan* discussed a number of issues with the existing Land Evaluation Site Assessment (LESA) form of zoning as well as issues with the existing commercial zoning categories and recommended that the County review different zoning methods to see if LESA is still the zoning of choice for the County. In 2011 and 2012, the Jefferson County Commission considered a large number of landowner initiated rezoning requests, which were becoming preferred over the LESA system by the development community. The limitations of the broad zoning categories that existed at the time resulted in the initiation of a Zoning Ordinance text amendment in which created seven new commercial/industrial zoning categories. After considerable public input and discussion between 2012 and 2014, these new categories were approved by the County Commission. This request to rezone to General Commercial is the first request to utilize the new categories created.

The Jefferson County Zoning and Land Development Ordinance has a statement of purpose for each of its Zoning District categories and states that the purpose of the General Commercial (GC) District is “to provide for general destination business uses, which provide a broad range of commercial products and services necessary for large regions. The uses in this district may be characterized by medium-to-large buildings (including retail stores of up to 100,000 square feet of gross floor area for an individual building as per the definition of Retail Store, Large in this ordinance), more intensive commercial activity, and more vehicular traffic than would be permitted for uses in the Neighborhood Commercial (NC) District.” While the size of this property might indicate that a request to rezone to Neighborhood Commercial might be more appropriate, it should be noted that Automobile Sales is not permitted in the NC zone.

The Ordinance further states that the GC zoning category is intended for use on properties located in the Growth Area as shown in the most recently adopted Comprehensive Plan, if the plan does not include a future land use map; or in locations where the appropriate land use category is designated on the future land use map (and related text) in the most recently adopted Comprehensive Plan.

Image 2 shows the *2004 Plan* Growth Area and the Charles Town UGB. This property is outside the Growth Area in the *2004 Comprehensive Plan*. It is also outside Charles Town’s Urban Growth Boundary. This property is also outside of any Urban Growth Boundary or Preferred Growth Area in the draft *Envision Jefferson 2035 Plan*.

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Image 2



B. Transportation Impacts:

The *2004 Comprehensive Plan* discusses the critical role of the transportation routes, noting:

“With the increase in population in the last three decades, Jefferson County's roads have had to bear the combined burden of increased traffic volume and heavier commercial vehicles. As a result, the deficiencies of the highway and road systems have become more critical. Inadequate funding and increases in transportation demand are conditions which probably will be facing the people of Jefferson County indefinitely (pg. 26).”

The property proposed to be rezoned is located on the southwest corner of the Route 340/Straithmore Farm Lane/Wheatland Road intersection. The property has access from US 340 and Straithmore Lane. In this area, US 340 is a two lane road. The four-lane section ends 0.5 miles north of Straithmore Farm Lane. The WV DOH is conducting an updated Environmental Impact Statement examining alternative routes for the future four-laning of US 340 from Charles Town to the Clarke County VA line.

Straithmore Farm Lane is a narrow rural road serving three homes and ending in an agricultural property to the east of this property.

C. Water and Sewer Proximity:

The Statement of Goals (p. 19) outlines the following:

“Encourage growth and development in areas where sewer, water, schools, and other public facilities are available or can be provided without unreasonable cost to the community.”

STAFF REPORT

Jefferson County Planning Commission Meeting

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"Promote growth and development that are both economically and environmentally sound."

No public water and/or sewer service is available in this area of the County. The *2004 Plan* encourages urban level development to be on a central water and sewer system, whether public or privately owned. Therefore, the requested rezoning does not conform to this aspect of the *2004 Plan*.

D. *2004 Plan* Policies:

The Plan Policies (p. 8) relevant to this proposed Zoning Map Amendment include the following:

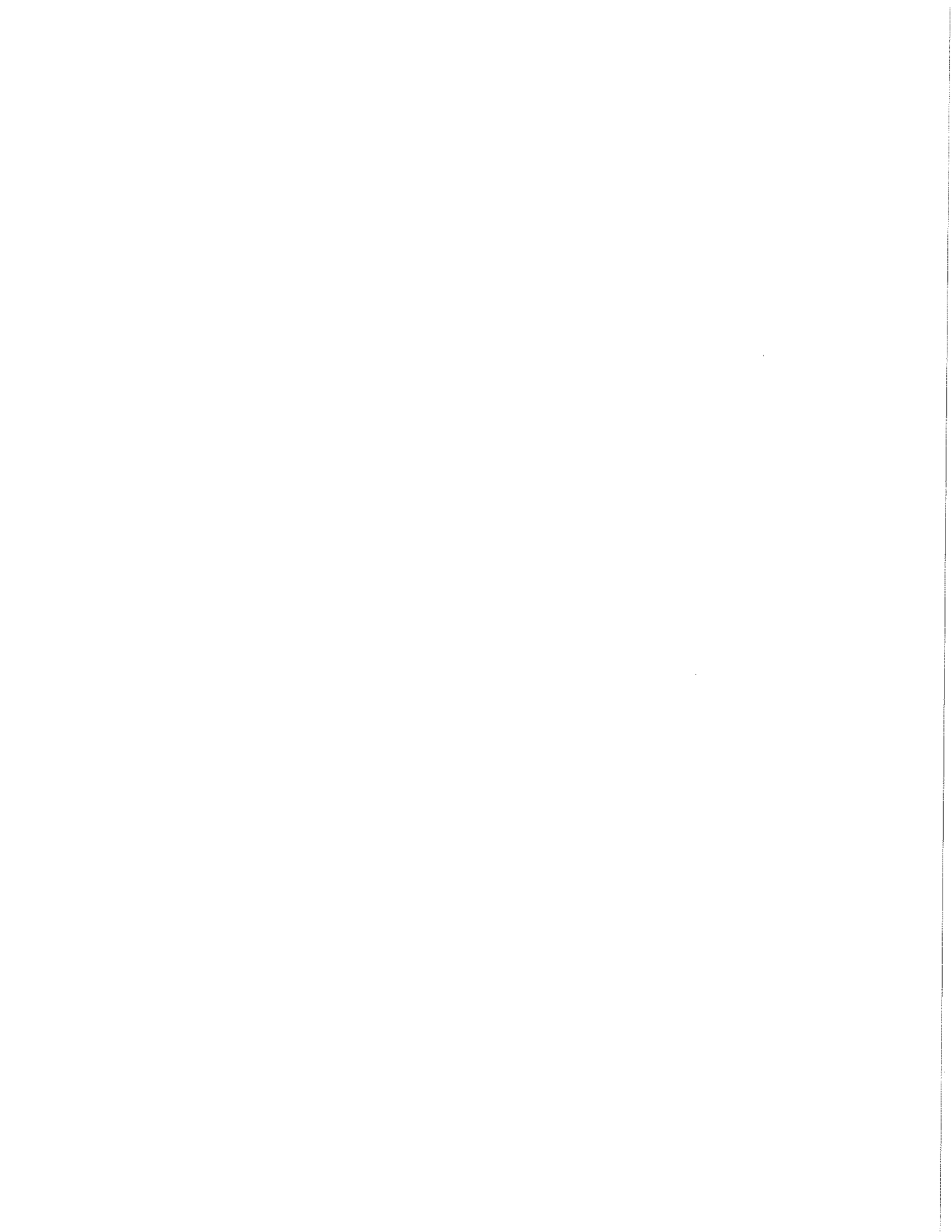
- "This Plan recommends that Jefferson County's natural features, particularly stream valleys, be conserved as green space and that significant natural features be afforded protection as development proceeds."
- "This plan encourages economic development so that residents can live and work in the county."
- "This plan recognizes existing population centers as the focus of new, more intense development and the importance of working with municipalities to assure a pattern of development consistent with the Plan vision."
- "This Plan identifies strategies to assure that community facilities and transportation infrastructure are provided in sequence with new development."

Economic development strategies are key elements of the *2004 Plan*; however the Plan encourages such development to occur where the infrastructure and population are located; however, this property is fairly remote from Charles Town and on a two-lane section of US 340 with no water or sewer services available. It is important to consider that an existing non-conforming use can continue to exist and can change to a similar or less intense use through application to the staff of Board of Zoning Appeals. Rezoning of a property opens it up to numerous Principal Permitted Uses that this site could not accommodate due to its size, shape, and lack of infrastructure.

As outlined in multiple sections of this report, proper location of new development and activity needs to occur so as to not create an unreasonable burden to the proposed location. Just as important, the essential services that will be required to support the proposed activity are available. The proposed rezoning is located in an area that does not meet the intent of the above mentioned criteria. The purpose of good planning is to build upon the assets in a particular location, instead of promoting inappropriate areas prematurely.

Staff Recommendation

Staff finds the proposed rezoning is **not consistent** with the *2004 Comprehensive Plan*. It is **not** located with the identified Growth Area in the *2004 Comprehensive Plan* or a proposed growth area in the draft *Envision Jefferson 2035 Plan*. It is located on a two lane road that has been identified as needing widening by the WV DOH. It is not on public or private water and sewer. Most of the property is located within the 100-year floodplain.





AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name: **Tim Stanton, Fiancne Director**

Department or Organization: County Commission

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **February 19, 2015**

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

Date Requested – 2nd Choice: Click here to enter text.

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

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

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

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

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

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

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

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

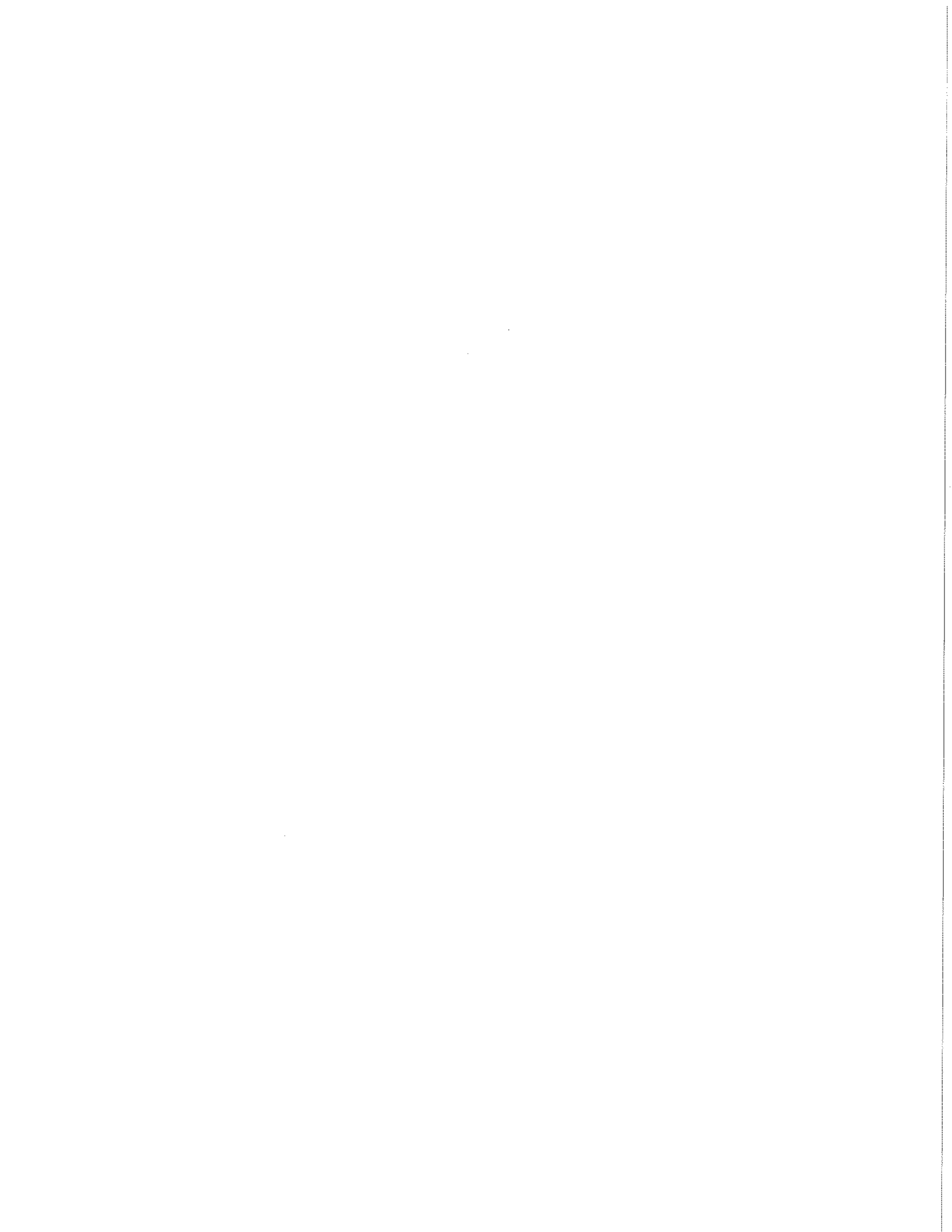
Telephone for conference call Y/N Click here to enter text.

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Cheryl Keyrouze

Department or Organization: Eastern Panhandle Transit Authority


Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: February 19, 2015

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

Date Requested – 2nd Choice: Click here to enter text.

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

 FY16 Budget Request

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

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

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

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

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

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

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

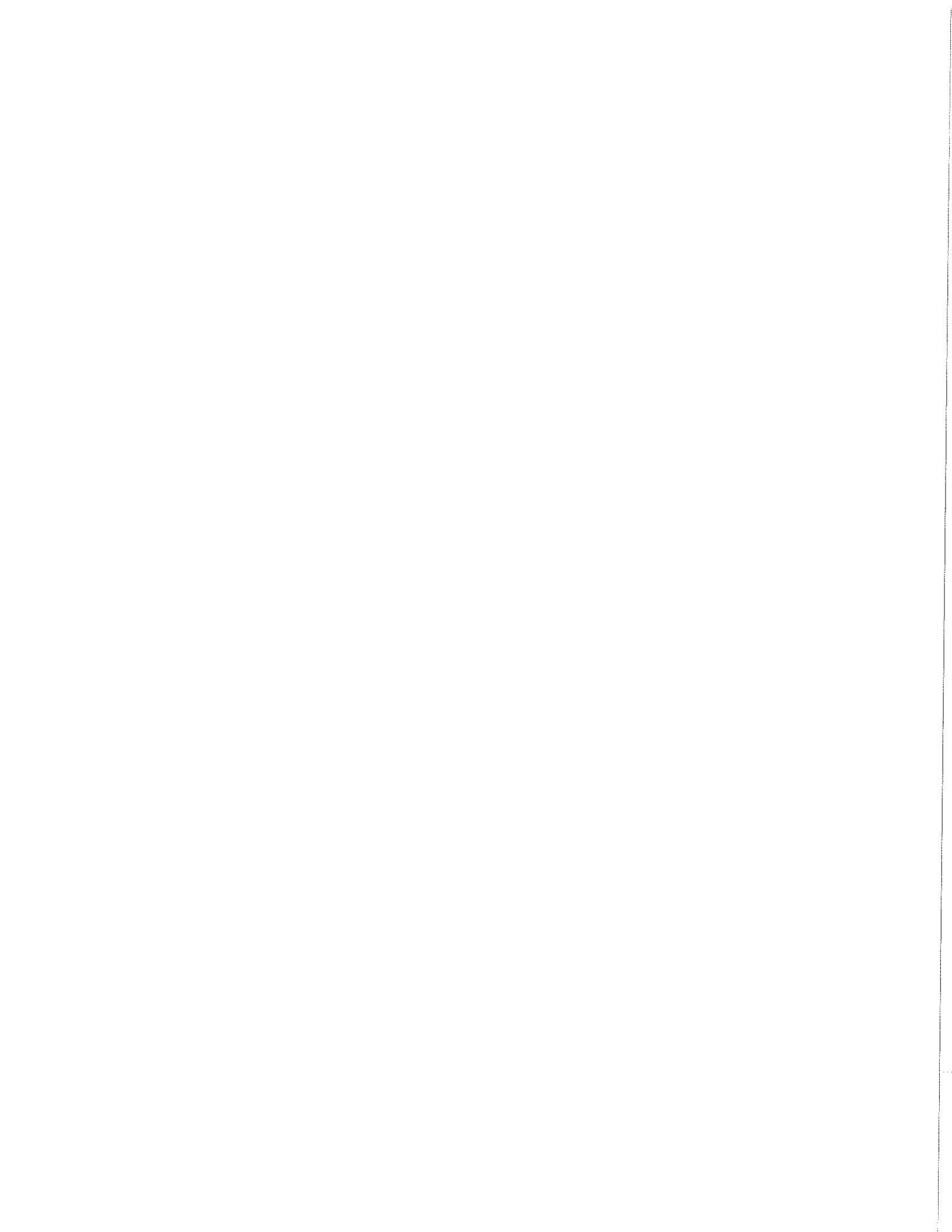
Telephone for conference call Y/N Click here to enter text.

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Ronda Eddy

Department or Organization: Jefferson Day Report Center
Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: February 19, 2015.
If a specific date is needed, please provide reason for specific date: Last date available prior to due date of CC Grant

Date Requested – 2nd Choice: Click here to enter text.

Subject (Wording to be placed on agenda): County Commission Approval of Community Corrections Grant

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

Is this a funding request? Y/N yes
If so, how much? \$100,000

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): Approve County Cash Match for Community Corrections Grant

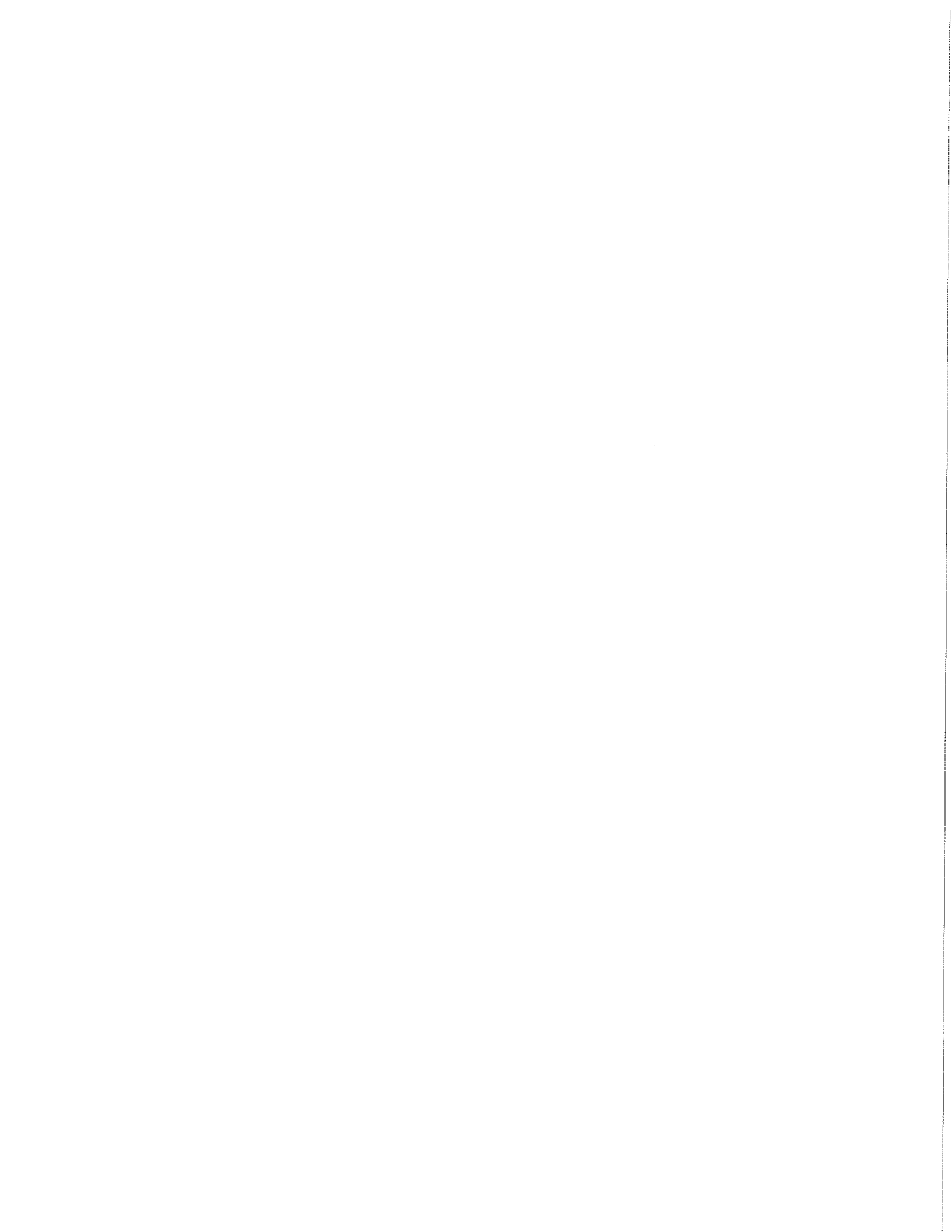
Attach supporting documents for request, or request may be denied.
If not attached, explain: Click here to enter text.

Is equipment needed? Projector Y/N Noe 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.



Jessica Carroll

From: Andrew and Lucile [208union@frontiernet.net]
Sent: Wednesday, February 11, 2015 9:07 AM
To: info@jeffersoncountywv.org
Subject: Jefferson County Budget Proposal: libraries

To the Jefferson County Commission,

I am writing to encourage you to reconsider the cuts proposed to our public libraries' budgets. In our small communities, libraries are one of the few resources parents have to expand their children's horizons and elevate their minds. My family uses our library weekly, looks forward to the newly arrived books, takes advantage of the inter-library loan program and enjoys the educational programs offered.

Libraries assist with and augment the learning that our children do at school, enhance and inspire their creativity and imagination, and give them a sense of community. They encourage literacy, and the future of our county, state and country depends on the literacy of our children. Our libraries provide free access to information for our entire community in an egalitarian way, and the money spent for that is money well spent. As author Neil Gaiman says, "If you do not value libraries then you do not value information or culture or wisdom. You are silencing the voices of the past and you are damaging the future."

We are blessed with wonderful libraries and dedicated librarians; please continue to support them with the resources they require. Our community will be much stronger as a result.

Sincerely,
Lucile Allen
Harpers Ferry

Impact Fee Status Report

January 2015

Office of Impact Fees

Summary

Date Range: Thursday 1 through Saturday 31 January 2015

Report Date: 4 February 2015

Process Number Range: 1500001 - 1500020

Total Applications: 20

Total Non-Exempt: 19

Of which:

Commercial: 0

Residential: 19

Of which:

County: 10

Municipal: 9

Total Exempt: 1

Of which:

Commercial: 0

Residential: 1

Of which:

County: 1

Municipal: 0

Tables 1 through 7 summarize impact fee processing for January 2015. Table 8 represents account totals, pending the transfer of fees collected as shown in Table 1, including General Impact Fee Account (3111776) interest which is listed in Table 2.

Table 1. Form 100 Tallies

	Exempt	Commercial	Residential	Total
1 – 31 January 2015	1	0	19	20
Fees collected		\$0.00	\$239,698.00	\$239,698.00
<i>Of which</i>				
School Impact Fee			\$210,350.00	\$210,350.00
Law Enforcement Fee		\$0.00	\$2,494.00	\$2,494.00
Parks & Recreation Fee			\$13,927.00	\$13,927.00
Fire & EMS Fee		\$0.00	\$12,927.00	\$12,927.00

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

Description	Amount
Opening Statement Balance (1 January 2015)	\$123,293.92
January Deposits (1 – 31 January 2015)	\$239,698.00
School Dec. Transactions (withdraws via transfer on 15 January 2015)	(\$108,024.40)
Law Dec. Transactions (withdraws via transfer on 15 January 2015)	(\$1,448.46)
Parks & Rec Dec. Trans. (withdraws via transfer on 15 January 2015)	(\$7,168.76)
Fire & EMS Dec. Trans. (withdraws via transfer on 15 January 2015)	(\$6,652.30)
Interest Earned (31 January 2015)	\$64.67
Ending Statement Balance (31 January 2015)	\$239,762.67
<i>Outstanding Credits (deposits through 1 February 2015)</i>	<i>\$0.00</i>

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

Description	Amount
Opening Balance (1 January 2015)	\$1,202,443.11
December Transactions (deposits via transfer on 15 January 2015)	\$108,024.40
Interest Earned (31 January 2015)	\$535.79
Ending Balance (31 January 2015)	\$1,311,003.30

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

Description	Amount
Opening Balance (1 January 2015)	\$41,176.10
December Transactions (deposits via transfer on 15 January 2015)	\$1,448.46
Interest Earned (31 January 2015)	\$17.83
Ending Balance (31 January 2015)	\$42,642.39

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

Description	Amount
Opening Balance (1 January 2015)	\$478,716.14
December Transactions (deposits via transfer on 15 January 2015)	\$7,168.76
Interest Earned (31 January 2015)	\$204.96
Ending Balance (31 January 2015)	\$486,089.86

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

Description	Amount
Opening Balance (1 January 2015)	\$114,482.68
December Transactions (deposits via transfer on 15 January 2015)	\$6,652.30
Interest Earned (31 January 2015)	\$50.16
Ending Balance (31 January 2015)	\$121,185.14

Table 7. Total Impact Fees as of 1 February 2015 /1

Description	Amount
Office of Impact Fees General Account	\$239,762.67
School Impact Fee Account	\$1,311,003.30
Law Enforcement Fee Account	\$42,642.39
Parks & Recreation Impact Fee Account	\$486,089.86
Fire & EMS Impact Fee Account	\$121,185.14
Total Impact Fees	\$2,200,683.36

/1 These values represent both impact fees collected and interest earned. The general account includes the outstanding credits listed in table 2 and outstanding debits, if any, listed in tables 3-6.

Table 8. Pending February 2015 Fee Transfers /1

Account	31 Jan. 2015 Account Totals	Pending Impact Fee Transfers	Account Totals
School Impact Fee Account	\$1,311,003.30	\$210,406.91	\$1,521,410.21
Law Enforcement Fee Account	\$42,642.39	\$2,494.65	\$45,137.04
Parks & Recreation Impact Fee Account	\$486,089.86	\$13,930.88	\$500,020.74
Fire & EMS Impact Fee Account	\$121,185.14	\$12,930.23	\$134,115.37
Total Impact Fees	\$1,960,920.69	\$239,762.67	\$2,200,683.36

/1 This table represents each of the impact fee category account totals as of 31 January 2015 listed in tables 3 – 6. Pending fee transfer amounts, excluding interest and any outstanding credits, collected in January 2015 are listed in table 1 of the General Account (3111776); these transactions will be processed in February 2015. Any outstanding credits, as listed in table 2, will be added to the next month's Impact Fee transfer amounts.

610

Form 100 Transaction Summary
 Jefferson County Government – Office of Impact Fees

Impact Fee Applications Processed between dates Thursday through Saturday 31 January 2015

Process Number	Date	Applicant Name	Address	City	Zip	Impact Fee	Category	Form			
1500017	01/28/2015	Wolfe	William	06 Kabletown	1149	412	13A	11	\$0.00	01/28/2015	Form 200

Category Count: 1

Category Total \$0.00

New Fee Applications												
Process Number	Date	Applicant Name	Address	City	Zip	Impact Fee	Category	Form				
1500001	01/05/2015	Ciriello	Jeanne	02 Charles Town	953	334	3	4	\$6,796.00	01/05/2015	Form 260	
1500002	01/07/2015	K Hovnanian		03 Charles Town	1095	342	11B	298	\$12,808.00	01/07/2015	N/A	
1500003	01/07/2015	K Hovnanian		03 Charles Town	1095	342	11B	143	\$12,808.00	01/07/2015	N/A	
1500004	01/07/2015	Wormald, Jr.	Robert	04 Happers Ferry	975	635	10A	102	\$13,070.00	01/07/2015	N/A	
1500005	01/08/2015	K Hovnanian		03 Charles Town	1095	342	11B	145	\$12,808.00	01/08/2015	N/A	
1500006	01/08/2015	Dan Ryan		04 Happers Ferry	1139	541	9D	36	\$13,070.00	01/08/2015	N/A	
1500007	01/08/2015	Dan Ryan		04 Happers Ferry	1129	541	9D	106	\$13,070.00	01/08/2015	N/A	
1500008	01/08/2015	Dan Ryan		09 Shepherdstown	1130	583	7	1.20	\$13,070.00	01/08/2015	N/A	
1500009	01/20/2015	Dan Ryan		04 Happers Ferry	1129	541	9D	35	\$13,070.00	01/20/2015	N/A	
1500010	01/20/2015	Dan Ryan		08 Ranson Corp			8C	227	\$12,808.00	01/20/2015	N/A	
1500011	01/20/2015	Carter	Ryan and Jessica	06 Kabletown	1147	698	23A	40	\$13,070.00	01/20/2015	N/A	
1500012	01/28/2015	Charles	Ryan Homes	08 Ranson Corp	982	137	8D	7G	\$12,808.00	01/28/2015	N/A	
1500013	01/28/2015	Charles	Ryan Homes	08 Ranson Corp	982	137	8D	15G	\$12,808.00	01/28/2015	N/A	
1500014	01/28/2015	Wormald, Jr.	Robert	04 Happers Ferry	975	635	10A	102	\$13,070.00	01/28/2015	N/A	
1500015	01/28/2015	Dan Ryan		09 Shepherdstown	1130	583	7	1.4	\$13,070.00	01/28/2015	N/A	
1500016	01/28/2015	Dan Ryan		09 Shepherdstown	1119	20	7	1.23	\$13,070.00	01/28/2015	N/A	
1500018	01/29/2015	K Hovnanian		03 Charles Town	1095	342	11B	293	\$12,808.00	01/29/2015	N/A	
1500019	01/29/2015	K Hovnanian		03 Charles Town	1095	342	11B	341	\$12,808.00	01/29/2015	N/A	
1500020	01/29/2015	K Hovnanian		03 Charles Town	1095	342	11B	292	\$12,808.00	01/29/2015	N/A	

Category Count: 19

Category Total \$239,698.00

TOTAL APPLICATIONS: 20

Grand Total \$239,698.00

JEFFERSON COUNTY, WEST VIRGINIA
Engineering Department
Office of Impact Fees
116 East Washington Street, P.O. Box 716
Charles Town, WV 25414

COPY

Michelle Mason
Impact Fee Program Specialist

Phone: (304) 728-3331
Fax: (304) 728-3953
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks
FROM: Michelle Mason
DATE: Wednesday, 4 February 2015
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Schools Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Schools Impact Fee Account (Bank of Charles Town account 3107582)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of January 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500001** through **1500020**, inclusive. Within this range there were 19 non-exempt impact fee payments. This amounts to **\$210,350.00**.
- Interest earned by the Office of Impact Fees General Account in January 2015 amounts to **\$64.67**, of which **\$56.91** is attributed to fees collected for Schools.

As per the attached invoice, the total amount of this transfer is \$210,406.91.

Check # 980

Jefferson County Commission

P.O. Box 250
 Charles Town, WV 25414

Invoice

Number: 15005
Date: 2/4/2015

Bill To:

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

Pay To:

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

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

Impact Fee payments collected for month of January 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County School Impact Fees Bank Account (3107582).

\$210,350.00

Interest earned by the Office of Impact Fees General Account January 2015.

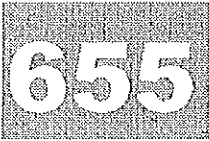
\$56.91

Impact Fee Process Numbers 1500001 through 1500020, inclusive. Within this range, there were 19 non-exempt impact fee payments.

Total: \$210,406.91

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

Check Number: 980



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Schools

Check Number 980

Trace 20150204:39015.67

Date 2/4/2015

Series 1

Recipient Sheriff of Jefferson County

Account 3107582

Amount \$210,350.00

Signature 1 Jane Tabb

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for School Impact Fees Collected in January 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
1/7/2015	1500001	2003-3	11/24/2005	\$5,906.00
1/8/2015	1500002	2003-3	11/24/2005	\$11,358.00
1/8/2015	1500003	2003-3	11/24/2005	\$11,358.00
1/8/2015	1500004	2003-3	11/24/2005	\$11,358.00
1/9/2015	1500005	2003-3	11/24/2005	\$11,358.00
1/9/2015	1500006	2003-3	11/24/2005	\$11,358.00
1/9/2015	1500007	2003-3	11/24/2005	\$11,358.00
1/9/2015	1500008	2003-3	11/24/2005	\$11,358.00
1/21/2015	1500009	2003-3	11/24/2005	\$11,358.00
1/21/2015	1500010	2003-3	11/24/2005	\$11,358.00
1/21/2015	1500011	2003-3	11/24/2005	\$11,358.00
1/29/2015	1500012	2003-3	11/24/2005	\$11,358.00
1/29/2015	1500013	2003-3	11/24/2005	\$11,358.00
1/29/2015	1500014	2003-3	11/24/2005	\$11,358.00
1/29/2015	1500015	2003-3	11/24/2005	\$11,358.00
1/29/2015	1500016	2003-3	11/24/2005	\$11,358.00
1/30/2015	1500018	2003-3	11/24/2005	\$11,358.00
1/30/2015	1500019	2003-3	11/24/2005	\$11,358.00
1/30/2015	1500020	2003-3	11/24/2005	\$11,358.00

Total amount for this withdraw \$210,350.00

Total amount for this account \$210,350.00

Total amount all accounts \$210,350.00

JEFFERSON COUNTY, WEST VIRGINIA
Engineering Department
Office of Impact Fees
116 East Washington Street, P.O. Box 716
Charles Town, WV 25414

COPY

Michelle Mason
Impact Fee Program Specialist

Phone: (304) 728-3331
Fax: (304) 728-3953
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks
FROM: Michelle Mason
DATE: Wednesday, 4 February 2015
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Law Enforcement Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Law Enforcement Impact Fee Account (Bank of Charles Town account 3120120)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of January 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500001** through **1500020**, inclusive. Within this range there were 10 non-exempt impact fee payments. This amounts to **\$2,494.00**.
- Interest earned by the Office of Impact Fees General Account in January 2015 amounts to **\$64.67**, of which **\$0.65** is attributed to fees collected for Law Enforcement.

As per the attached invoice, the total amount of this transfer is \$2,494.65.

Check # 981

Jefferson County Commission

P.O. Box 250
Charles Town, WV 25414

Invoice

Number: 15006
Date: 2/4/2015

Bill To:

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

Pay To:

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

P.O. Number

Vendor Number

Description

Amount

Impact Fee payments collected for month of January 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Law Enforcement Impact Fees Bank Account (3120120). \$2,494.00

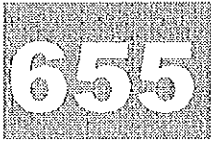
Interest earned by the Office of Impact Fees General Account January 2015. \$0.65

Impact Fee Process Numbers 1500001 through 1500020, inclusive. Within this range, there were 10 non-exempt impact fee payments.

Total: \$2,494.65

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

Check Number: 981



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Law Enforcement

Check Number 981

Trace 20150204:39167.52

Date 2/4/2015 Series 2

Recipient Sheriff of Jefferson County
Amount \$2,494.00

Account 3120120
Signature 1 Jane Tabb
Signature 2 Sheriff Peter Dougherty
Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for Law Enforcement Impact Fees Collected in January 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
1/7/2015	1500001	2005-1	3/22/2005	\$136.00
1/8/2015	1500002	2005-1	3/22/2005	\$0.00
1/8/2015	1500003	2005-1	3/22/2005	\$0.00
1/8/2015	1500004	2005-1	3/22/2005	\$262.00
1/9/2015	1500005	2005-1	3/22/2005	\$0.00
1/9/2015	1500006	2005-1	3/22/2005	\$262.00
1/9/2015	1500007	2005-1	3/22/2005	\$262.00
1/9/2015	1500008	2005-1	3/22/2005	\$262.00
1/21/2015	1500009	2005-1	3/22/2005	\$262.00
1/21/2015	1500010	2005-1	3/22/2005	\$0.00
1/21/2015	1500011	2005-1	3/22/2005	\$262.00
1/29/2015	1500012	2005-1	3/22/2005	\$0.00
1/29/2015	1500013	2005-1	3/22/2005	\$0.00
1/29/2015	1500014	2005-1	3/22/2005	\$262.00
1/29/2015	1500015	2005-1	3/22/2005	\$262.00
1/29/2015	1500016	2005-1	3/22/2005	\$262.00
1/30/2015	1500018	2005-1	3/22/2005	\$0.00
1/30/2015	1500019	2005-1	3/22/2005	\$0.00
1/30/2015	1500020	2005-1	3/22/2005	\$0.00
Total amount for this withdraw				\$2,494.00
Total amount for this account				\$2,494.00
Total amount all accounts				\$2,494.00

JEFFERSON COUNTY, WEST VIRGINIA
Engineering Department
Office of Impact Fees
116 East Washington Street, P.O. Box 716
Charles Town, WV 25414

COPY

Michelle Mason
Impact Fee Program Specialist

Phone: (304) 728-3331
Fax: (304) 728-3953
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks
FROM: Michelle Mason
DATE: Wednesday, 4 February 2015
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Parks & Recreation Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Parks & Recreation Impact Fee Account (Bank of Charles Town account 3122808)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of January 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500001** through **1500020**, inclusive. Within this range there were 19 non-exempt impact fee payments. This amounts to **\$13,927.00**.
- Interest earned by the Office of Impact Fees General Account in January 2015 amounts to **\$64.67**, of which **\$3.88** is attributed to fees collected for Parks & Recreation.

As per the attached invoice, the total amount of this transfer is \$13,930.88.

Check # 982

Jefferson County Commission

P.O. Box 250
Charles Town, WV 25414

Invoice

Number: 15007

Date: 2/4/2015

Bill To:

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

Pay To:

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

P.O. Number

Vendor Number

Description

Amount

Impact Fee payments collected for month of January 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Parks & Recreation Impact Fees Bank Account (3122808).

\$13,927.00

Interest earned by the Office of Impact Fees General Account January 2015.

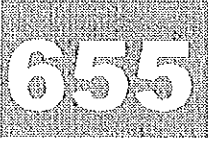
\$3.88

Impact Fee Process Numbers 1500001 through 1500020, inclusive. Within this range, there were 19 non-exempt impact fee payments.

Total: \$13,930.88

Notes/Comments Transfer of funds into Parks & Recreation Impact Fee Account (3122808).

Check Number: 982



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Parks & Rec

Check Number 982

Trace 20150204:39216.88

Date 2/4/2015 Series 3

Recipient Sheriff of Jefferson County

Account 3122808

Amount \$13,927.00

Signature 1 Jane Tabb

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for Parks and Rec Impact Fees Collected in January 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
1/7/2015	1500001	2005-2	5/12/2005	\$391.00
1/8/2015	1500002	2005-2	5/12/2005	\$752.00
1/8/2015	1500003	2005-2	5/12/2005	\$752.00
1/8/2015	1500004	2005-2	5/12/2005	\$752.00
1/9/2015	1500005	2005-2	5/12/2005	\$752.00
1/9/2015	1500006	2005-2	5/12/2005	\$752.00
1/9/2015	1500007	2005-2	5/12/2005	\$752.00
1/9/2015	1500008	2005-2	5/12/2005	\$752.00
1/21/2015	1500009	2005-2	5/12/2005	\$752.00
1/21/2015	1500010	2005-2	5/12/2005	\$752.00
1/21/2015	1500011	2005-2	5/12/2005	\$752.00
1/29/2015	1500012	2005-2	5/12/2005	\$752.00
1/29/2015	1500013	2005-2	5/12/2005	\$752.00
1/29/2015	1500014	2005-2	5/12/2005	\$752.00
1/29/2015	1500015	2005-2	5/12/2005	\$752.00
1/29/2015	1500016	2005-2	5/12/2005	\$752.00
1/30/2015	1500018	2005-2	5/12/2005	\$752.00
1/30/2015	1500019	2005-2	5/12/2005	\$752.00
1/30/2015	1500020	2005-2	5/12/2005	\$752.00
Total amount for this withdraw				\$13,927.00
Total amount for this account				\$13,927.00
Total amount all accounts				\$13,927.00

JEFFERSON COUNTY, WEST VIRGINIA
Engineering Department
Office of Impact Fees
116 East Washington Street, P.O. Box 716
Charles Town, WV 25414

COPY

Michelle Mason
Impact Fee Program Specialist

Phone: (304) 728-3331
Fax: (304) 728-3953
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks
FROM: Michelle Mason
DATE: Wednesday, 4 February 2015
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Fire & EMS Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Fire & EMS Impact Fee Account (Bank of Charles Town account 3122816)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of January 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500001** through **1500020**, inclusive. Within this range there were 19 non-exempt impact fee payments. This amounts to **\$12,927.00**.
- Interest earned by the Office of Impact Fees General Account in January 2015 amounts to **\$64.67**, of which **\$3.23** is attributed to fees collected for Fire & EMS.

As per the attached invoice, the total amount of this transfer is \$12,930.23.

Check # 983

Jefferson County Commission

P.O. Box 250
Charles Town, WV 25414

Invoice

Number: 15008

Date: 2/4/2015

Bill To:

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

Pay To:

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

P.O. Number

Vendor Number

Description

Amount

Impact Fee payments collected for month of January 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Fire & EMS Impact Fees Bank Account (3122816). \$12,927.00

Interest earned by the Office of Impact Fees General Account January 2015. \$3.23

Impact Fee Process Numbers 1500001 through 1500020, inclusive. Within this range, there were 19 non-exempt impact fee payments.

Total: \$12,930.23

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

Check Number: 983



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Fire & EMS

Check Number 983

Trace 20150204:39255.53

Date 2/4/2015 Series 4

Recipient Sheriff of Jefferson County

Account 3122816

Amount \$12,927.00

Signature 1 Jane Tabb

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for Fire and EMS Impact Fees Collected in January 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
1/7/2015	1500001	2005-3	5/12/2005	\$363.00
1/8/2015	1500002	2005-3	5/12/2005	\$698.00
1/8/2015	1500003	2005-3	5/12/2005	\$698.00
1/8/2015	1500004	2005-3	5/12/2005	\$698.00
1/9/2015	1500005	2005-3	5/12/2005	\$698.00
1/9/2015	1500006	2005-3	5/12/2005	\$698.00
1/9/2015	1500007	2005-3	5/12/2005	\$698.00
1/9/2015	1500008	2005-3	5/12/2005	\$698.00
1/21/2015	1500009	2005-3	5/12/2005	\$698.00
1/21/2015	1500010	2005-3	5/12/2005	\$698.00
1/21/2015	1500011	2005-3	5/12/2005	\$698.00
1/29/2015	1500012	2005-3	5/12/2005	\$698.00
1/29/2015	1500013	2005-3	5/12/2005	\$698.00
1/29/2015	1500014	2005-3	5/12/2005	\$698.00
1/29/2015	1500015	2005-3	5/12/2005	\$698.00
1/29/2015	1500016	2005-3	5/12/2005	\$698.00
1/30/2015	1500018	2005-3	5/12/2005	\$698.00
1/30/2015	1500019	2005-3	5/12/2005	\$698.00
1/30/2015	1500020	2005-3	5/12/2005	\$698.00

Total amount for this withdraw \$12,927.00

Total amount for this account \$12,927.00

Total amount all accounts \$12,927.00

Jefferson County Public Service District

Received

FEB 05 2015

Jefferson County Public Service District Regular Board Meeting January 5, 2015

Jefferson County Commission

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, January 5, 2015 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Peter Appignani; Secretary, Richard Weese; Treasurer, Bill Strider; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; Operations Manager, Joe Freeze; District Legal Counsel, Jim Kelsh (by speakerphone); from Thrasher Engineering, Dan Ferrell; and from Dunn Engineering, Fred Hypes.

CALL TO ORDER

Chairman Peter Appignani called the meeting to order at 7:01PM.

Election of 2015 officers

Action: Motion made by Mr. Strider and seconded by Weese to keep the officers the same as 2014. Unanimously approved.

Approval of agenda

Mr. Kelsh suggested the Board remove the West Virginia American Water item and the legal services agreement for the sewer project item from the agenda. The Board agreed. Mr. Appignani questioned why the conflict of interest waiver agenda item is a matter of executive session. Mr. Kelsh stated it can be discussed in public session.

Action: No action required by the Board.

Public Comments

Jacquelyn Milliron, Breckenridge resident, questioned if obtaining easements are a reoccurring costs or a one time payment.

OLD BUSINESS

Review Minutes of December 1 regular board meeting

The minutes of the December 1, 2014 regular board meeting were approved as presented.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to accept the December 1, 2014 regular board meeting minutes as presented. Unanimously approved.

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

- Approval of resolution for payment #9
- Approval of amendment #3 to the contract with Gwin Dobson & Foreman
- Approval of Certificate of Substantial Completion

Ms. Lawton informed the Board that both water system upgrades are substantially complete except for a punch list being prepared by staff. Last month the Board approved a \$5,000 change order request from GDF to cover additional work that was done. The Bureau of Public Health requested this change order be in the form of an amendment to the contract with GDF which the Board needs to approve. Ms. Lawton stated the Board also needed to approve the ninth withdraw from the bond proceeds to pay the contractor, Gwin Dobson & Foreman (GDF), and Region 9. Mr. Appignani read the resolution for payment #9 as follows:

RESOLUTION OF THE PUBLIC SERVICE BOARD OF THE JEFFERSON COUNTY PUBLIC SERVICE DISTRICT APPROVING INVOICES RELATING TO ENGINEERING AND OTHER SERVICES FOR THE CAVALAND & GLEN HAVEN WATER SYSTEM IMPROVEMENTS PROJECT AND AUTHORIZING PAYMENT THEREOF IN THE AMOUNT OF \$143,524.92.

Action: Motion by Mr. Appignani and seconded by Mr. Strider to adopt the resolution as read totaling \$143,524.92. Unanimously approved.

Action: Motion by Mr. Strider and seconded by Mr. Weese to approve the amendment to the Gwin, Dobson & Foreman contract for \$5,000. Unanimously approved.

Action: Motion by Mr. Strider and seconded by Mr. Weese to approve the letter of substantial completion for the water project. Unanimously approved.

Update on sewer collection and transmission project

- Consider engagement letter with CoxHollida & Professionals

Last month the Board approved the Rule 42 presented by Chuck Young from CoxHollida & Professionals. This month the Board needs to approve the engagement letter from CoxHollida & Professionals for the sewer project. Dan Farrell from Thrasher Engineering submitted the application to the Infrastructure and Jobs Development Council last month, but has received no comments yet.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to approve the engagement letter with CoxHollida & Professionals for the sewer project not to exceed \$7,250 and not to exceed an additional \$2,750 for a bond closing. Approved 2-1. Mr. Appignani voted against the motion.

Review engineering services agreement for sewer strategic plan

The PSC issued an order on November 25, 2014 requiring the District to develop and file a strategic plan within 150 days. Fred Hypes from Dunn Engineering drafted an Engineering Agreement Amendment #2 for preparing a strategic plan. He requested 7 months to complete the plan totaling \$55,000. Mr. Hypes stated that the 150 day time frame requested from the PSC is not enough time for public comment, utilizing the County's finalized comprehensive plan, or reviewing the draft plan with other entities including Ranson, Charles Town, PSC, and DEP. Mr. Appignani expressed his concern that he does not want the strategic plan to be a duplication of the sewer project. He wants to see a plan not a project. This item was tabled for discussion in executive session.

Action: No action required by the Board.

Update on West Virginia American Water Company presentation

This item was removed from the agenda.

Action: No action required by the Board.

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

Ms. Lawton stated that the District will need an estimated \$104,000 in payments to cover the disbursements for this month.

Action: No action required by the Board.

NEW BUSINESS

Conflict of interest waiver

Mr. Kelsh explained to the Board that Bowles Rice has been asked by West Virginia American Water Company to represent them in an unrelated PSC matter. He stated this representation will have no conflict of interest if the Board pursues negotiations with West Virginia American Water Company for a possible purchase of the District since Bowles Rice also represents the District. Mr. Appignani stated he has a number of concerns with this waiver and the waiver for Ranson and would like further information from Mr. Kelsh. Mr. Kelsh agreed to answer the questions, which Mr. Appignani provided to Ms. Lawton. Mr. Appignani will send Mr. Kelsh a copy of his questions.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to approve the consent to simultaneous representation letter dated 12/18/2014 from Bowles Rice. Motion approved 2-1. Mr. Appignani voted against the motion.

Consider 2015 holiday schedule

Action: **Motion made by Mr. Strider and seconded by Mr. Weese to accept the 2015 holiday schedule as presented. Unanimously approved.**

Consider response to Jacquelyn Milliron questions on sewer project

Dan Farrell from Thrasher Engineering reviewed the response his office had prepared for Ms. Milliron. A copy was provided to Ms. Milliron.

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

Review draft letter to Mr. Cheezum's request regarding ethical obligations of board members

Mr. Kelsh reviewed his draft letter with the Board. Mr. Cheezum was provided a copy of the draft letter. Mr. Kelsh requested to correct a typo before he sends the official letter to Mr. Cheezum. The Board would like a copy of the letter to be provided to the County Commission also.

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

Consider request from Berkeley County Public Service Water District regarding water service for the Hunter Property

Ms. Lawton informed the Board of a request received from the Berkeley County Public Service Water District (BCPSWD) asking to serve water to the Hunter Property, which is located in Jefferson County on the border of Berkeley County. This property is located next to the new Hospice facility which BCPSWD also serves. The Board had no problem granting this request.

Action: **Motion made by Mr. Strider and seconded by Mr. Weese to approve the request from BCPSWD to serve water to the Hunter Property. Unanimously approved.**

Update on Status of Current Public Service Commission Cases

PSC case # 14-0582-PSD-PC (Termination Agreement with Mockingbirdhil, Inc.) – Mr. Kelsh stated the PSC was in favor of the District and approved the termination agreement.

PSC case # 13-1175-S-C (Old Standard, LLC complaint) & Circuit Court case # 14-C-51 – Mr. Rodecker filed documents to request more time to negotiate an agreement with Jefferson Utilities for a purchase.

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

Discussion of any Expenses over Budget

There were no items over budget this month.

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

Disbursements

Action: **Motion made by Mr. Strider and seconded by Mr. Weese to approve disbursements for Public Service District water expenses in the amount of \$6,096.66. Unanimously approved.**

Action: **Motion made by Mr. Strider and seconded by Mr. Weese to approve disbursements for the Public Service District sewer expenses in the amount of \$177,131.23. Unanimously approved.**

Approve transfer of \$4,116.12 from the renewal & replacement account to the sewer operating account for a new PLC at pump station 2-306

Approve transfer of \$943.26 from the renewal & replacement account to the sewer operating account for a new starter at pump station 5-1

Approve transfer of \$755.70 from the renewal & replacement account to the sewer operating account for repairs at pump station 4-7

Approve transfer of \$5,740.00 from the renewal & replacement account to the sewer operating account for a check valve in manhole at Breckenridge

Approve transfer of \$5,236.37 from the sewer security deposit account to the sewer operating account for security deposit refunds

Approve transfer of \$128.21 from the water security deposit account to the water operating account for security deposit refunds

Action: Motion made by Mr. Strider and seconded by Mr. Weese to approve transfer of \$4,116.12 from the renewal & replacement account to the sewer operating account for a new PLC at pump station 2-306; approve transfer of \$943.26 from the renewal & replacement account to the sewer operating account for a new starter at pump station 5-1; approve transfer of \$755.70 from the renewal & replacement account to the sewer operating account for repairs at pump station 4-7; approve transfer of \$5,740.00 from the renewal & replacement account to the sewer operating account for a check valve in manhole at Breckenridge; approve transfer of \$5,236.37 from the sewer security deposit account to the sewer operating account for security deposit refunds; and approve transfer of \$128.21 from the water security deposit account to the water operating account for security deposit refunds. Unanimously approved.

General Manager's Report

Ms. Lawton updated the Board on activities since last month's meeting.

Action: No action required by the Board.

Other staff reports

None discussed.

Action: No action required by the Board.

Correspondence

None discussed.

Public Comment

Dale Manuel, Jefferson County Commissioner (speaking for himself not the Commission as a whole), stated that he is a rate payer and did not see any items on the agenda relating to legislation to get developers to contribute to the costs of projects. He suggested the Board begin discussions to make this happen.

Jane Tabb, Jefferson County Commissioner (speaking for herself not the Commission as a whole), agreed with Mr. Manuel's comments regarding a legislation for developers to help contribute to project costs. She suggested the Board draft ideas for a proposal and begin discussions with representatives to get legislative backing for a new law(s).

Mr. Freeze and Commissioner Tabb exited the meeting. Mr. Farrell and Mr. Hypes stayed for executive session.

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

Action: Motion made by Mr. Weese and seconded by Mr. Strider to return to public session. Unanimously approved.

The Board directed Mr. Kelsh to draft a letter to the Public Service Commission to ask for an extension in submitting the strategic plan.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to approve the engineering services agreement with Dunn Engineering to prepare a strategic plan with a revised deliverable date of August 24th if granted by the Public Service Commission. Unanimously approved.

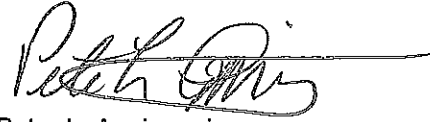
Action: Motion made by Mr. Strider and seconded by Mr. Weese to authorize Mr. Kelsh to file the termination of sewer service for the tenant occupied rental properties for non-payment by owner to the Public Service Commission. Unanimously approved.

Action: Motion made by Mr. Weese and seconded by Mr. Strider to adjourn. Unanimously approved.

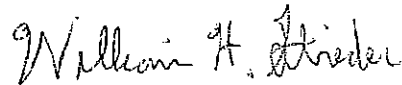
There being no further business at this time, the meeting was adjourned at 9:08PM.

The next regular meeting is scheduled for Monday, February 2, 2015 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Peter L. Appignani", with a long horizontal line extending to the right.

Peter L. Appignani
Chairman

A handwritten signature in black ink, appearing to read "William H. Strider", written in a cursive style.

William H. Strider
Treasurer



Received

WEST VIRGINIA DEVELOPMENT OFFICE

JAN 28 2015

1900 Kanawha Boulevard East • Charleston, WV 25305-0311
(304) 558-2234 • (800) 982-3386 • WVDO.org

Jefferson County Commission

MEMORANDUM

TO: Regional Planning and Development Councils
Mayors, County Commissioners

FROM: Kelly Workman, Manager, Project Development
West Virginia Development Office, Community Development Division

DATE: January 15, 2015

RE: **Fiscal Year 2015 CDBG-Small Cities Block Grant Application and Guidelines**

Application forms for the CDBG-Small Cities Block Grant program have been posted to the wvcommerce.org website and distributed to the State's 11 Regional Planning and Development Councils. Applications must be postmarked by **May 21, 2015**. Applications are available at www.wvdo.org/downloads, or by calling our office at 304-558-2234.

Each project must meet one of the following National Objectives, specified by the U.S. Department of Housing and Urban Development (HUD), as follows: (1) Benefit low- and moderate-income persons; (2) Eliminate slums or blight; or (3) Address urgent community development needs. The development of reliable water and sewer infrastructure projects will remain a priority for this program.

IJDC Technical Review

All water and sewer infrastructure projects must be reviewed by the West Virginia Infrastructure and Jobs Development Council (IJDC), and be found technically feasible to be eligible for funding. All IJDC applications must be submitted to the Infrastructure Council by **March 10, 2015**. Please note the following dates:

- Projects submitted to IJDC prior to March 10 will have a complete review. The IJDC determination letter must be submitted with your application. WVDO strongly advises that projects be submitted to IJDC prior to March 10 for a complete review.
- Projects submitted to IJDC prior to April 10 will not have a complete review. Projects submitted to IJDC prior to April 10 will be reviewed at the May 27 IJDC Funding Committee meeting. These applications will be accepted, but will not be eligible for SCBG funding unless and until the IJDC determination letter is submitted to WVDO. The determination letter and technical review memo must be submitted to WVDO by June 15, 2015.
- Project numbers issued by IJDC in 2013 and 2014 will be accepted with a proper cost estimate update. IJDC Project Numbers dated 2012 or earlier will diminish the competitiveness of the application due to the age of project data.
- **Projects submitted to IJDC after April 10 will not be considered for FY 2015 CDBG-Small Cities funding.**

Engineering Cost Estimates

Engineering cost estimates must be dated within 12 months of the application date and be certified by the project engineer. Applications accompanied by cost estimates more than 12 months old will not be considered for funding. Estimates can be updated by submitting a memo to the WVDO and to IJDC, accompanied by current cost estimates, as certified by the project engineer. The memo should address any material changes in cost and scope, and be included in the application submitted to the WVDO. Substantial changes in either cost or scope will require a new IJDC application.

Project/Service Area

As stated in HUD CPD Notice 14-013, "One of the crucial aspects of qualifying an activity as principally benefiting LMI persons on an area basis is the proper identification of the service area. The service area must be defined first before deciding which data to use to determine the percentage of LMI persons and not vice versa." Each application must provide information for the Census Tract(s) and Block Group(s) most closely approximating the project area.

Income Eligibility: Area-Wide Benefit to Low and Moderate Income Individuals

The Area-Wide Benefit to Low and Moderate Income Individuals category is the most commonly used National Objective for activities that benefit a residential neighborhood. As defined, this includes activities that benefit all residents in a particular area or neighborhood, where at least 51 percent of the residents are LMI persons. For this purpose, LMI determination is based upon the income of a family, household, or individual living in the CDBG-Small Cities project area whose household income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger households or families (HUD generated LMI data).

As of this date, HUD has not issued an update for either method of qualification explained below. If such notice is received, the WVDO will notify all applicants of any new requirements.

Eligibility must be verified by one of the following methods:

1. HUD Income Summary Data/LMISD in compliance with HUD CPD Notice 14-10:

To qualify by Census, the census blocks/areas must closely with the service area and have a 51% or greater LMI population according to HUD generated census data (Low and Moderate – Income Summary Data/LMISD).

The 2014 HUD Income Summary Data/LMISD data, based upon the American Community Survey (ACS), is available at www.hudexchange.info/manage-a-program/acs-low-mod-summary-data-block-groups-places. If the project area is a census tract(s), select ALL BLOCK GROUPS. If the project area is a whole town or county, select LOCAL GOVERNMENT SUMMARIES. Visit www.hud.gov/offices/cpd/systems/census/lowmod/dictionary.cfm for data definitions.

2. Income Summary in compliance with HUD CPD Notice 14-013:

To qualify by Income Survey, review HUD CPD Notice 14-013 and WVDO Income Survey Guidelines available at www.hudexchange.info/resource/4103/notice-cpd-14-013-guidelines-income-surveys-lmi-persons-cdbg-activity, and the WVDO Income Survey Guide available at www.wvcommerce.org.

The 2014 HUD Income Limits are available at www.huduser.org/portal/datasets/il/il14/index.html. The FY 2014 Income Limits are currently in effect. The 2015 Income Limits are expected in February 2015. Choose West Virginia and then identify the proper County or Metropolitan Statistical Area.

Contact the WVDO prior to conducting an Income Survey. The Income Survey should include detailed descriptions of the project area, the methodology, tabulations and results.

Demographic Data

HUD has adopted the ACS as the primary data source for Census information. At this time, ACS data may be more readily available for towns and counties than smaller geographic areas and rural locations. However, demographic data should be derived from the ACS Five-Year Estimates (2009-2013) wherever possible. Refer to the WV State Data Center Guide to Demographic Data for additional details.

For demographic data, applicants should use the most recent of the ACS Five-Year Estimates (2009-2013) or 2010 Census data in the application, wherever possible. If this data is not available in either the ACS or the 2010 Census, the applicant may cite the 2000 Census.

- **Note:** The 2000 Census should only be cited as a source if data is not contained in the ACS or the 2010 Census. Disability data was recently added to the ACS Five-Year Estimates, but may not be available for all project areas.

Section 3 of the 2015 CDBG-Small Cities application, titled Section 3: Fair Housing/Equal Opportunity, Item (1), indicates that the "*most recent ACS/U.S. Census data*" should be used to determine the total minority composition of the applicant. Similarly, Item (2), indicates that "*the most recent ACS/Census data (Census.gov or factfinder2.census.gov)*" should be used to determine the defined minority composition of the census area most closely related to the project service area.

The 2010 Decennial Census did not capture data regarding incomes, disability status, poverty status, education, occupation and other demographic data. As a result, multiple demographic data sources may be used as part of the application, as follows:

- ACS
- 2010 Decennial Census
- 2000 Decennial Census (*Use only if data is not available in ACS or 2010 Census*)
-

When using data sources other than ACS, note the use of these data sources, by providing a footnote on the form, as follows:

- One asterisks (*) for 2010 Decennial Census
- Two asterisks (**) for the 2000 Decennial Census.

As indicated above, ACS data may be more readily available for towns and counties than smaller geographic areas and rural locations. However, if available through ACS, this data should be derived from the ACS Five-Year Estimates 2009-2013. These estimates encompass the smallest county, place or block groups and can be retrieved on an annual basis by accessing the U.S. Census Bureau main page (www.census.gov) and/or the U.S. Census Bureau's American FactFinder (factfinder2.census.gov). Refer to the WV State Data Center Guide to Demographic Data for additional details.

For Additional Information

The 2015 CDBG-Small Cities Application Forms and Instructions are available at www.wvcommerce.org. As always, we appreciate your assistance in the administration of the CDBG-Small Cities Block Grant program in the State of West Virginia. **If you have any questions, or need additional information, please contact me, Kevin Meadows, Todd Goddard, or Tony O'Leary at 304-558-2234.**



STATE OF WEST VIRGINIA

Department of Revenue
State Tax Department

Earl Ray Tomblin
Governor

Mark W. Matkovich
State Tax Commissioner

January 28, 2015

Received

FEB 02 2015

Jefferson County Commission

TO ALL COUNTY ASSESSORS
STATE OF WEST VIRGINIA

Ladies and Gentlemen:

Enclosed please find copies of the following Administrative Notices:

- 2015-01 Determination of Royalty Rates for Producing Coal and Other Natural Resources.
- 2015-02 Statement Concerning Primary Reliance on the Income Approach to Value for Appraisals of Producing and Reserve Coal, Producing Oil and Gas, and Producing Other Mined Minerals.
- 2015-03 Determination of the In-Place Tonnage Per Acre-Foot of Coal and Other Natural Resources.
- 2015-04 Statement Concerning Primary Reliance on the Market Comparable Approach for Appraising Reserve Other Natural Resources.
- 2015-05 Statement for Value Analysis of Reserve Coal Properties.
- 2015-06 Determination of Capitalization Rates for Producing and Reserve Coal, Oil and Gas and Other Mined Minerals.
- 2015-07 Determination of Production Decline Rates for Producing Oil and Gas.
- 2015-08 Determination of Oil and Gas Operating Expenses.
- 2015-09 Determination of Soil Productivity Maps for Managed Timberland.
- 2015-10 Statement Concerning Primary Reliance on the Income Approach for Appraising Reserve Oil and Gas.
- 2015-11 Determination of the Capitalization Rates for Managed Timberland.

TO ALL COUNTY ASSESSORS
STATE OF WEST VIRGINIA
January 28, 2015
Page Two

- 2015-12 Statement Concerning Primary Reliance on the Cost Approach to Value for Appraisals of Industrial Personal Property, i.e., Machinery, Equipment, Furniture, Fixtures, and Leasehold Improvements.
- 2015-13 Statement Concerning Primary Reliance on the *Green Guide* for the Appraisal of Used Heavy Equipment.
- 2015-14 Statement for the Allocation or Separation of Values of a Pollution Control Facility.
- 2015-15 Statement Concerning Methods By Which Residential Real Estate is Appraised Statewide.

These notices are for use in any mineral or industrial property appraisal/assessment hearings that occur during the county Board of Review and Equalization. The appropriate notices should be placed in the record at those hearings so as to provide a basis for the revaluation. Also, use of these notices will preserve the County/State's evidence if any further appeal is issued.

Should you have questions concerning the above, please feel free to contact me at (304) 558-3940.

Sincerely,



Jeff Amburgey
Director
Property Tax Division

JA/aj

Enclosures

cc: All County Commissions
State of West Virginia

PRODUCING COAL

- I. REGULATIONS
§ 110 CSR II
- II. VALUATION VARIABLES
August 29, 2014
- III. ADMINISTRATIVE NOTICES
2015-01
2015-02
2015-03
2015-06
- IV. COPY OF TAX RETURNS
- V. COPY OF APPRAISAL

PRODUCING OIL AND GAS

- I. REGULATIONS
§ 110 CSR 1J
- II. VALUATION VARIABLES
August 29, 2014
- III. ADMINISTRATIVE NOTICES
2015-02
2015-06
2015-07
2015-08
- IV. COPY OF TAX RETURNS
- V. COPY OF APPRAISAL

PRODUCING OTHER MINED MINERALS

- I. REGULATIONS
§ 110 CSR 1K
- II. VALUATION VARIABLES
August 29, 2014
- III. ADMINISTRATIVE NOTICES
2015-01
2015-02
2015-03
2015-06
- IV. COPY OF TAX RETURNS
- V. COPY OF APPRAISAL

INDUSTRIALS

- I. REGULATIONS
§ 110 CSR 1P
- II. VALUATION VARIABLES
August 29, 2014
- III. ADMINISTRATIVE NOTICES
2015-12
2015-13
2015-14
- IV. COPY OF TAX RETURNS
- V. COPY OF APPRAISAL

west virginia



department of environmental protection

Contact: Dale Biller

Office: 304-926-0499 ext. 1479

DEP Announces Changes Related to Reporting Water Use

The West Virginia Department of Environmental Protection is working to get the word out about two new requirements related to large water withdrawals from surface or groundwater sources. The state Water Resources Protection and Management Act was amended in 2014 to include a lower reporting threshold, which will result in additional water users having to report withdrawals; and a requirement that monthly data be collected.

Effective Jan. 1, the reporting threshold will be 300,000 gallons withdrawn from surface or groundwater sources in a 30-day period. The previous reporting threshold was 750,000 gallons per month. The new threshold brings West Virginia in line with the water withdrawal reporting requirements of most surrounding states.

Also effective in January, anyone withdrawing at that 300,000-gallon threshold or higher must begin collecting water use data for each month so the data can be included in an annual survey submitted to the DEP's Water Use Section of the Division of Water and Waste Management on an annual basis. These annual surveys, completion of which is mandatory under the act, must include the *actual* monthly water use. In previous years, Large Quantity Users (LQUs) could certify that their water use was within plus-or-minus 10 percent of the quantity reported the prior year.

It's important to note that the LQU classification going forward includes not only any water users who withdraw 300,000 gallons or more in a 30-day period, but also continues to include any entity that bottles water for resale, regardless of the quantity withdrawn. Excluded from this classification is water designated for farm use, including watering livestock or poultry on a farm, though farms are encouraged to voluntarily report water withdrawals to assist with the accuracy of the survey. Entities that purchase water from a water provider also are not considered LQUs.

Because the agency cannot identify and contact every potential new LQU, the responsibility to report at the new 300,000-gallon threshold ultimately rests with each water withdrawing entity.

The 2015 monthly data must be reported by March 31, 2016. The 2016 monthly data and each subsequent year's monthly data must be included in an annual survey submitted to the agency by March 31 of the following year.

Received
FEB 02 2015

Jefferson County Commission

"Promoting a healthy environment"



Persons participating in the LQU survey and registration shall provide the most accurate information available on monthly water withdrawals and future potential maximum withdrawals. Actual withdrawal amounts shall be established through metering, measuring or alternative accepted scientific methods to obtain a reasonable estimate or indirect calculation of actual use. Although metering of the withdrawal is not specifically required, it is the preferred method for determination of monthly withdrawals.

If you are a Large Quantity User and have not registered, you must complete a registration form. The forms and instructions for filling them out may be found online at:

<http://www.dep.wv.gov/WWE/wateruse/Pages/AnnualCertification-LargeQuantityUsers.aspx>

If you need more information, consult the Water Use Section pages of the DEP website at:

<http://www.dep.wv.gov/WWE/wateruse/Pages/default.aspx>.

If you are a Large Quantity User contact Dale Biller at 304-926-0499, ext. 1479
email Robert.D.Biller@wv.gov or email DEP.water.use@wv.gov

Mail to:

Department of Environmental Protection
Division of Water and Waste Management
Water Use Section c/o Dale Biller
601 57th Street, SE
Charleston, WV 25304

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

Week Ending Date

January 31, 2015

To be Deposited on:

February 6, 2015

Amount Played	50,265,328.89
Amount Won	45,093,359.19
Amount Promo	217,455.00
MWAP Contribution	<u>2,741.89</u>
Adjusted Gross Terminal Revenue	<u>4,951,772.81</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>198,070.92</u>
Net Terminal Revenue	<u>4,753,701.89</u>
Surcharge @ 10%	475,370.20
State Share Excess @ 58% & 10% of 42%	295,680.26
Track Share of Capital Reinvestment @ 90% of 42%	<u>179,689.94</u>
<i>Track Share of Capital Reinvestment @ 96%</i>	<i>172502.34</i>
<i>Track Share of Capital Reinvestment @ 4%</i>	<i>7187.60</i>
Adjusted Net Terminal Revenue	<u>4,278,331.69</u>
Racetrack @ 46.50% / 42%	1,796,899.31
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	1,754,115.97
Excess Lottery Fund @ 12.85% / 9.55%	408,580.69
Race Track Purses @ 90% of 7% / 4%	154,019.94
Employee Pension Fund @ 1% / .5%	21,391.66
Greyhound Development @ 90% of .75%	28,878.74
Thoroughbred Development @ 90% of .75%	28,878.74
County/Municipality @ 2%	<u>85,566.64</u>
	<u>4,278,331.69</u>

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

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

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 7.93%	CHARLES TOWN 39.90%	HARPERS FERRY 2.17%	RANSON 33.68%	SHEPHERDS TOWN 16.32%
5 days ending: 07/05/14	\$ 106,819.12	\$ 106,819.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/12/14	\$ 111,792.16	\$ 111,792.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/19/14	\$ 116,320.32	\$ 116,320.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/26/14	\$ 112,502.48	\$ 112,502.48	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/02/14	\$ 117,145.12	\$ 117,145.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/09/14	\$ 114,374.60	\$ 114,374.60	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/16/14	\$ 114,105.32	\$ 114,105.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/23/14	\$ 116,097.04	\$ 116,097.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/30/14	\$ 117,652.72	\$ 60,280.02	\$ 57,372.70	\$ 4,549.65	\$ 22,891.71	\$ 1,244.99	\$ 19,323.13	\$ 9,363.22
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	\$ 20,844.89	\$ 1,133.86	\$ 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	\$ 6,875.69
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
01/24/15	\$ 82,425.60	\$ 41,212.80	\$ 41,212.80	\$ 3,268.17	\$ 16,443.91	\$ 894.32	\$ 13,880.47	\$ 6,725.93
01/31/15	\$ 85,566.64	\$ 42,783.32	\$ 42,783.32	\$ 3,392.72	\$ 17,070.54	\$ 928.40	\$ 14,409.42	\$ 6,982.24
Subtotal	\$ 3,233,283.28	\$ 2,072,673.38	\$ 1,160,609.90	\$ 92,036.36	\$ 463,083.33	\$ 25,185.26	\$ 390,893.43	\$ 189,411.52

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	52,810.32
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	1/24/2015	41,212.80
1/29/2011	48,036.94	1/28/2012	62,898.78	2/2/2013	52,067.92	2/1/2014	47,681.60	1/31/2015	42,783.32
2/5/2011	60,777.44	2/4/2012	72,154.66	2/9/2013	52,222.20	2/8/2014	45,434.52		
2/12/2011	67,471.84	2/11/2012	66,429.04	2/16/2013	64,243.52	2/15/2014	41,076.08		
2/19/2011	72,018.54	2/18/2012	77,455.88	2/23/2013	64,115.70	2/22/2014	61,523.98		
2/26/2011	75,544.02	2/25/2012	77,611.78	3/2/2013	62,602.74	3/1/2014	57,744.78		
3/5/2011	74,535.34	3/3/2012	75,963.86	3/9/2013	59,213.26	3/8/2014	50,439.94		
3/12/2011	66,979.48	3/10/2012	76,808.62	3/16/2013	62,366.36	3/15/2014	54,414.66		
3/19/2011	73,113.26	3/17/2012	76,883.92	3/23/2013	59,841.02	3/22/2014	50,734.62		
3/26/2011	68,490.80	3/24/2012	72,108.36	3/30/2013	57,567.98	3/29/2014	51,174.60		
4/2/2011	70,846.58	3/31/2012	74,244.22	4/6/2013	63,108.84	4/5/2014	55,229.90		
4/9/2011	67,076.78	4/7/2012	75,382.98	4/13/2013	56,849.30	4/12/2014	48,653.18		
4/16/2011	64,698.56	4/14/2012	71,065.34	4/20/2013	55,432.12	4/19/2014	54,469.22		
4/23/2011	67,674.14	4/21/2012	68,055.08	4/27/2013	58,612.74	4/26/2014	51,637.18		

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

TOTALS 4,016,541.01 4,124,906.80 3,580,645.18 3,261,565.02 2,072,673.38

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
Total 2010-2011	1,297,391.70	Total 2011-2012	1,602,900.84	Total 2012-2013	1,530,462.31	Total 2013-2014	998,486.72

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

Total 2014-2015 **449,434.01**

Table Game Revenue Distribution - Jefferson County School Board

Date	Amount	Date	Amount	Date	Amount	Date	Amount
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		
Total 2011-2012	4,808,702.50	Total 2012-2013	4,608,334.13	Total 2013-2014	2,995,460.18	Total 2014-2015	1,348,302.03

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

Week Ending Date	February 7, 2015
To be Deposited on:	February 13, 2015
Amount Played	54,805,109.19
Amount Won	49,021,361.53
Amount Promo	241,450.00
MWAP Contribution	<u>3,040.31</u>
Adjusted Gross Terminal Revenue	<u>5,539,257.35</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>221,570.30</u>
Net Terminal Revenue	<u>5,317,687.05</u>
Surcharge @ 10%	531,768.71
State Share Excess @ 58% & 10% of 42%	330,760.14
Track Share of Capital Reinvestment @ 90% of 42%	<u>201,008.57</u>
Track Share of Capital Reinvestment @ 96%	192968.23
Track Share of Capital Reinvestment @ 4%	8040.34
Adjusted Net Terminal Revenue	<u>4,785,918.34</u>
Racetrack @ 46.50% / 42%	2,010,085.70
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	1,962,226.54
Excess Lottery Fund @ 12.85% / 9.55%	457,055.19
Race Track Purses @ 90% of 7% / 4%	172,293.06
Employee Pension Fund @ 1% / .5%	23,929.59
Greyhound Development @ 90% of .75%	32,304.95
Thoroughbred Development @ 90% of .75%	32,304.95
County/Municipality @ 2%	<u>95,718.36</u>
	<u>4,785,918.34</u>

WEST VIRGINIA LOTTERY

First Benchmark

Charles Town

County / City Split

Fiscal Year 2015

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

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 7.93%	CHARLES TOWN 39.90%	HARPERS FERRY 2.17%	RANSON 33.68%	SHEPHERDS TOWN 16.32%
5 days ending: 07/05/14	\$ 106,819.12	\$ 106,819.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/12/14	\$ 111,792.16	\$ 111,792.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/19/14	\$ 116,320.32	\$ 116,320.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/26/14	\$ 112,502.48	\$ 112,502.48	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/02/14	\$ 117,145.12	\$ 117,145.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/09/14	\$ 114,374.60	\$ 114,374.60	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/16/14	\$ 114,105.32	\$ 114,105.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/23/14	\$ 116,097.04	\$ 116,097.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/30/14	\$ 117,652.72	\$ 60,280.02	\$ 57,372.70	\$ 4,549.65	\$ 22,891.71	\$ 1,244.99	\$ 19,323.13	\$ 9,363.22
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	\$ 1,114.82	\$ 17,299.72	\$ 8,382.76
09/20/14	\$ 101,329.08	\$ 50,684.54	\$ 50,684.54	\$ 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	\$ 4,473.88	\$ 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	\$ 4,108.58	\$ 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	\$ 15,589.80	\$ 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
01/24/15	\$ 82,425.60	\$ 41,212.80	\$ 41,212.80	\$ 3,268.17	\$ 16,443.91	\$ 894.32	\$ 13,880.47	\$ 6,725.93
01/31/15	\$ 85,566.64	\$ 42,783.32	\$ 42,783.32	\$ 3,392.72	\$ 17,070.54	\$ 928.40	\$ 14,409.42	\$ 6,982.24
02/07/15	\$ 95,718.36	\$ 47,859.18	\$ 47,859.18	\$ 3,795.23	\$ 19,095.81	\$ 1,038.55	\$ 16,118.97	\$ 7,810.62
Subtotal	\$ 3,329,001.64	\$ 2,120,532.56	\$ 1,208,469.08	\$ 95,831.59	\$ 482,179.14	\$ 26,223.81	\$ 407,012.40	\$ 197,222.14

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	123,136.88	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	53,551.28					
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	68,577.72	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	1/24/2015	41,212.80					
1/29/2011	48,036.94	1/28/2012	62,898.78	2/2/2013	52,067.92	2/1/2014	47,681.60	1/31/2015	42,783.32					
2/5/2011	60,777.44	2/4/2012	72,154.66	2/9/2013	52,222.20	2/8/2014	45,434.52	2/7/2014	47,859.18					
2/12/2011	67,471.84	2/11/2012	66,429.04	2/16/2013	64,243.52	2/15/2014	41,076.08							
2/19/2011	72,018.54	2/18/2012	77,455.88	2/23/2013	64,115.70	2/22/2014	61,523.98							
2/26/2011	75,544.02	2/25/2012	77,611.78	3/2/2013	62,602.74	3/1/2014	57,744.78							
3/5/2011	74,535.34	3/3/2012	75,963.86	3/9/2013	59,213.26	3/8/2014	50,439.94							
3/12/2011	66,979.48	3/10/2012	76,808.62	3/16/2013	62,366.36	3/15/2014	54,414.66							
3/19/2011	73,113.26	3/17/2012	76,883.92	3/23/2013	59,841.02	3/22/2014	50,734.62							
3/26/2011	68,490.80	3/24/2012	72,108.36	3/30/2013	57,567.98	3/29/2014	51,174.60							
4/2/2011	70,846.58	3/31/2012	74,244.22	4/6/2013	63,108.84	4/5/2014	55,229.90							
4/9/2011	67,076.78	4/7/2012	75,382.98	4/13/2013	56,849.30	4/12/2014	48,653.18							
4/16/2011	64,698.56	4/14/2012	71,065.34	4/20/2013	55,432.12	4/19/2014	54,469.22							
4/23/2011	67,674.14	4/21/2012	68,055.08	4/27/2013	58,612.74	4/26/2014	51,637.18							

4/30/2011	66,807.50	4/28/2012	72,880.66	5/4/2013	61,102.92	5/3/2014	54,757.72
5/7/2011	66,379.74	5/5/2012	71,582.30	5/11/2013	57,428.70	5/10/2014	51,011.76
5/14/2011	66,699.76	5/12/2012	63,357.92	5/18/2013	61,172.80	5/17/2014	51,148.34
5/21/2011	63,210.44	5/19/2012	78,984.36	5/25/2013	57,131.24	5/24/2014	53,082.60
5/28/2011	64,724.06	5/26/2012	67,396.24	6/1/2013	65,920.66	5/31/2014	62,642.98
6/4/2011	74,952.34	6/2/2012	76,959.44	6/8/2013	55,233.74	6/7/2014	49,517.18
6/11/2011	62,203.12	6/9/2012	63,584.86	6/15/2013	54,067.52	6/14/2014	50,266.50
6/18/2011	61,200.76	6/16/2012	59,436.12	6/22/2013	54,690.28	6/21/2014	48,768.14
6/25/2011	65,470.44	6/23/2012	55,921.30	6/29/2013	55,991.38	6/28/2014	49,250.32
6/30/2011	34,351.16	6/30/2012	58,207.40	6/30/2013	11,509.54	6/30/2014	12,010.70
TOTALS	4,016,541.01		4,124,906.80		3,580,645.18		3,261,565.02
							2,120,532.56

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
Total 2010-2011	1,297,391.70	Total 2011-2012	1,602,900.84	Total 2012-2013	1,530,462.31	Total 2013-2014	998,486.72

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
Total 2014-2015	449,434.01

Table Game Revenue Distribution - Jefferson County School Board

Date	Amount	Date	Amount	Date	Amount	Date	Amount
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		
Total 2011-2012	4,808,702.50	Total 2012-2013	4,608,334.13	Total 2013-2014	2,995,460.18	Total 2014-2015	1,348,302.03