

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, MARCH 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

- March 6, 2015 Special Session
- March 10, 2015 Regular Meeting

APPROVAL OF PURCHASE ORDERS

- March 19, 2015

APPROVAL OF ACCOUNTS PAYABLE

- March 12, 2015
- March 19, 2015

PAYROLL APPROVAL

- March 12, 2015

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT

PRESENTATIONS

1. 9:45 a.m. Bridget Cohee, Esq., Steptoe & Johnson, PLLC
- Legal update concerning pending litigation in Kilmer v. Jefferson County Commission, Civil Action No. 3:13-CV-95 and Thomas, et al. v. Jefferson County Commission, Civil Action No. 3:13-CV-156 - Possible Executive Session - Discussion/Action

2. 10:00 a.m. Jesse Jones, Chief of Staff, Jefferson County Sheriff's Dept.
- Approval and signature of the FY16 Courthouse Security Grant and associated documents - Discussion/Action
3. 10:10 a.m. Interviews and appointment to the Property Safety Enforcement Agency - one 2-year term ending February 8, 2017 - Discussion/Action
4. 10:20 a.m. Interviews and appointments to the Jefferson County Historic Landmarks Commission - Two 3-year terms ending March 6, 2018 - Discussion/Action
5. 10:30 a.m. Bill Polk, Maintenance Director
- Approval of Employment - Auto Mechanic - Discussion/Action
6. 10:45 a.m. **BREAK**
7. 11:00 a.m. Tim Stanton, Finance Director
- Review of Budget to Actual as of February 28, 2015
- Approval of FY2016 Budget
- Review and approval of Internal Budget Transfers for FY15 - Discussion/Action
8. 12:15 p.m. **Break for Lunch**

UNFINISHED BUSINESS

9. Amend Emergency Services Agency Reorganization Ordinance to remove Ambulance Revenue Sharing - Discussion/Action (JT)
10. Amend new impact fees for residential housing to 70% of the fees in the 2015 Recalculation Study using housing unit types from the 2015 Recalculation Study - Discussion/Action (JT)
11. Discuss eliminating school impact fees and revisiting vehicle impact fees - Discussion/Action (PN)

NEW BUSINESS

12. Rescind reduction of Impact Fees adopted February 19, 2015, and postpone consideration of impact fee funding levels until the public hearing process has been concluded - Discussion/Action
13. Approval of Grant application and Resolution - Blue Ridge Mountain VFD - \$3,000 - Discussion/Action

14. Approval to use the Jefferson County Commission meeting room the third Wednesday of each month from 5:30 - 8:00 pm for the purpose of holding Parent Education courses - Discussion/Action
15. Legislative Updates

COUNTY ADMINISTRATOR REPORTS

COUNTY COMMISSION REPORTS

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

16. 1:30 p.m. Lynn Fields, Probate Office
 - Approve and close estates that did not meet the requirements for closure at January's quarterly review, but that need to be closed for time sensitive reasons - Discussion/Action

 - Public Hearing
 - Petition to Remove Ricky Crum as the Executor of the Estate of Gardner Dillow and to Appoint Sheriff of Jefferson County or Bank of Charles Town as Administrator in the above Estate - Discussion/Action

~~~~~ EVENING SESSION ~~~~~

17. 7:00 p.m. Public Hearing
 - 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 (Planning and Zoning File #Z14-03)

18. **ADJOURN**

DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY WRITTEN REPORTS

- GIS/Addressing Office Quarterly Update Report - 2015, 1st Quarter

CORRESPONDENCE/INFORMATION

Notice of Intent to Appoint to the Jefferson County Planning Commission.

Impact Fee Status Report for February 2015.

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

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

Jefferson County Public Service District Regular Board Meeting Minutes from February 2, 2015.

Letter from Rose Ann Glover, resident, regarding her concerns about the All Good Festival.

Letter from the Virginia Department of Transportation to Tim Walther, promoter of the All Good Festival, regarding transportation and traffic plans for the All Good Festival and Camp Out.

Memorandum from the State of West Virginia Office of the Governor regarding the NDRC Phase 1 Application.

Memorandum from the Eastern Panhandle Conservation District regarding an inspection for the Evitts Run Channel.

Letter and study from Don Orser, resident, regarding the county impact fees.

E-mail from Melissa Payne, resident, regarding the potential reduction of impact fees.

County Legislative Line from March 1, 2015.

County Legislative Line from March 6, 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.

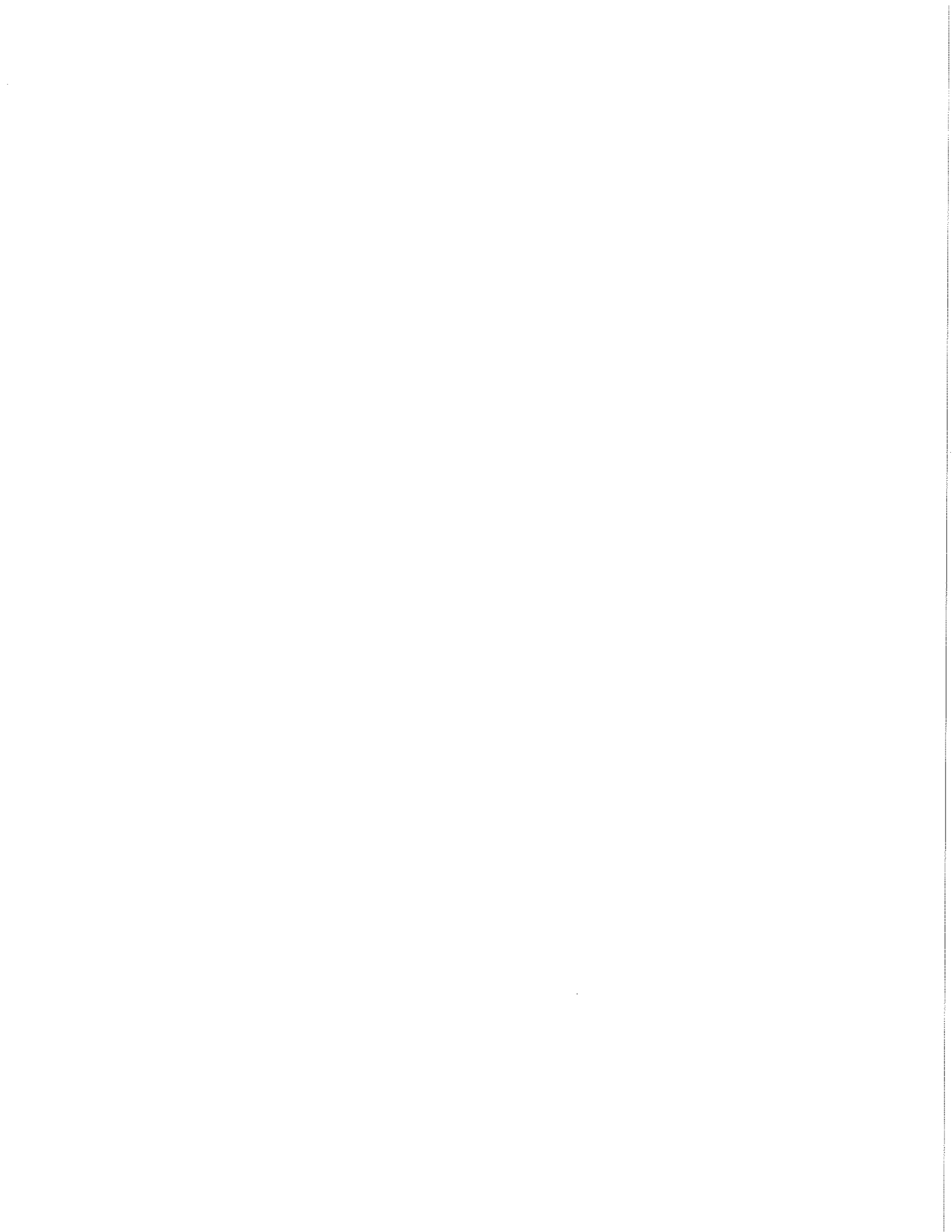
County Legislative Line from March 9, 2015.

County Legislative Line from March 11, 2015.

WV Lottery Weekly Settlement for Charles Town - week ending February 28, 2015.

WV Lottery Weekly Settlement for Charles Town - week ending March 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.



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 March 6, 2015 at 2:00 pm (An audio file of the March 6, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President
Patsy Noland, Vice President
Dale Manuel, Commissioner
Walt Pellish, Commissioner
Stephanie Grove, County Administrator
Steve Groh, Assistant Prosecuting Attorney
Jessica Carroll, Administrative Assistant

RE: **Emergency Session on Impact Fee Litigation**

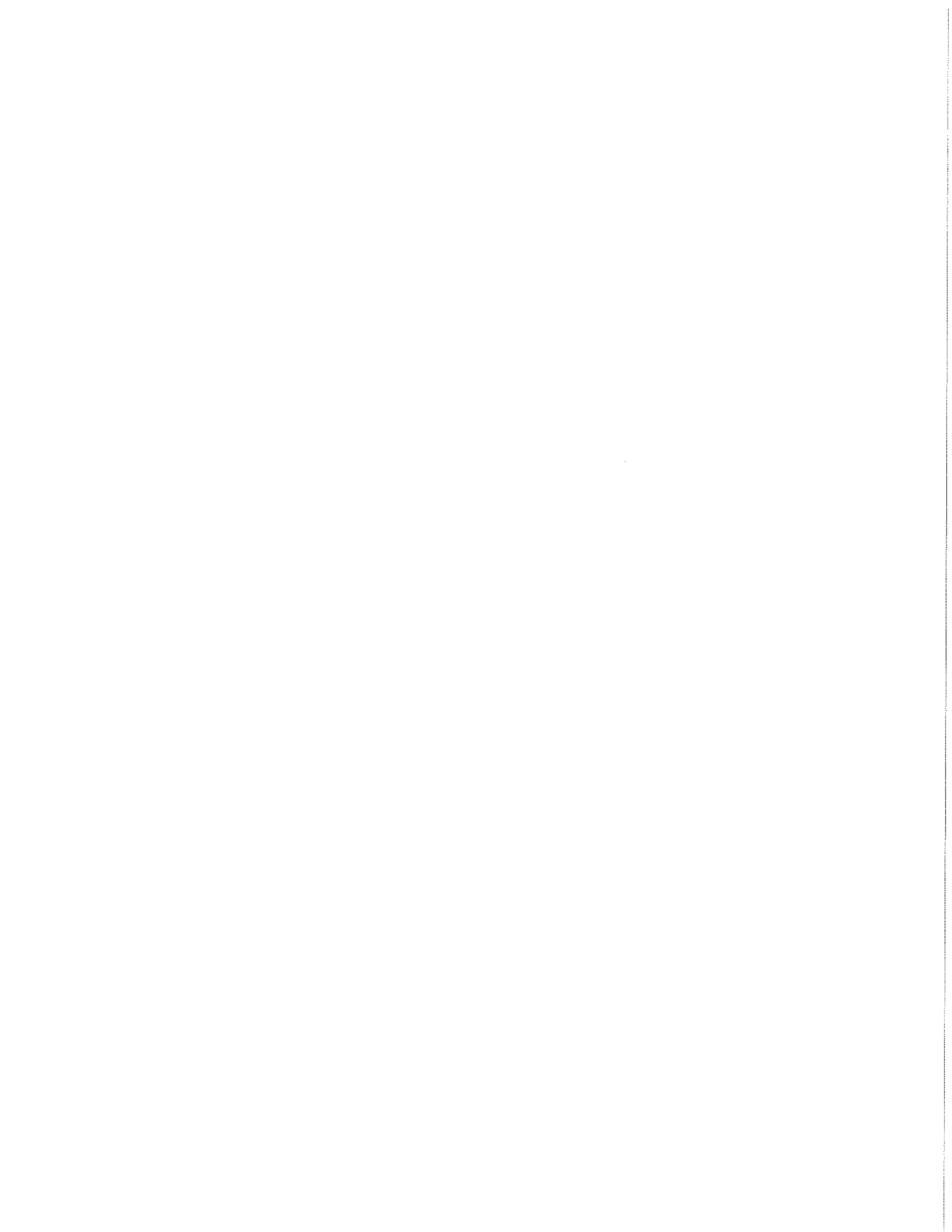
Commissioner Tabb called the meeting to order at 2:06 pm and stated the purpose for the meeting was to discuss litigation relating to proposed changes to the County's impact fees. This discussion was to be held during the regular County Commission meeting scheduled for Thursday, March 5, 2015 but was cancelled due to inclement weather, hence the need for an emergency session.

- **Motion by Ms. Tabb to enter into Executive Session citing §6-9A-4 to discuss pending litigation and preserve attorney-client privilege. Motion unanimously approved.**
- **Motion by Ms. Tabb to come out of Executive Session. Motion unanimously approved.**

The special session adjourned at 2:47 pm on a motion by Mr. Manuel. Motion was seconded and unanimously approved.

JANE M. TABB, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Executive Administrative Assistant



Minutes

Jefferson County Commission

Tuesday, March 10, 2015

A meeting of the Jefferson County Commission was held on Tuesday, March 10, 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, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jim Eddy, Bailiff. (An audio tape of the Tuesday, March 10, 2015 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Noland led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the February 11, 2015 Budget Presentation Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Manuel to approve the February 12, 2015 Budget Presentation Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Bell to approve the February 13, 2015 Budget Presentation Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Pellish to approve the February 17, 2015 Budget Presentation Minutes as presented. Motion seconded and unanimously approved.

Motion by Ms. Noland to approve the February 17, 2015 Board of Review and Equalization Minutes as presented. Motion seconded and unanimously approved.

Motion by Ms. Noland to approve the February 19, 2015 Regular Meeting Minutes with noted correction. Motion seconded and unanimously approved.

Motion by Ms. Noland to approve the February 20, 2015 Board of Review and Equalization Minutes with noted correction. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Ms. Tabb to approve the Payroll for February 26, 2015 in the amount of \$226,504.08. Motion unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
073877	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ -	\$ 4,352.80	\$ 4,352.80
073878	412	COMCAST		\$ -	\$ 103.63	\$ 103.63
073878	425	COMCAST		\$ -	\$ 610.24	\$ 610.24
073879	717	BRUCE'S AUTO REPAIR		\$ -	\$ 12.00	\$ 12.00
073880	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
073881	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
073882	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
073883	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
073884	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
073885	403	CASTO & HARRIS INC		\$ -	\$ 262.19	\$ 262.19
073886	ALLOC	CITIZENS FIRE COMPANY		\$ -	\$ 43,375.00	\$ 43,375.00
073887	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
073888	405	MARCIA LYNN CHANDLER		\$ -	\$ 354.20	\$ 354.20
073889	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
073890	PAYROLL	COLONIAL LIFE		\$ -	\$ 516.18	\$ 516.18
073891	700	BRANDON CONWAY		\$ -	\$ 276.00	\$ 276.00
073892	405	DELL MARKETING LP		\$ -	\$ 1,877.81	\$ 1,877.81

073893	425	DAYCON		\$ -	\$ 983.92	\$ 983.92
073894	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
073895	716	JESSICA EBERSOLE		\$ -	\$ 64.50	\$ 64.50
073896	405	EASTERN PANHANDLE BAR		\$ -	\$ 175.00	\$ 175.00
073897	PAYROLL	STACI HOVERMALE		\$ -	\$ 181.23	\$ 181.23
073898	412	MICHAEL HARMAN		\$ -	\$ 516.04	\$ 516.04
073899	700	ALBERT HOCKMAN		\$ -	\$ 276.00	\$ 276.00
073900	PAYROLL	VOYA FINANCIAL		\$ -	\$ 2,590.00	\$ 2,590.00
073901	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 165.60	\$ 165.60
073901	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 157.02	\$ 157.02
073901	402	JEFFERSON PUBLISH CO INC		\$ -	\$ 159.32	\$ 159.32
073902	712	ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
073903	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,720.00	\$ 5,720.00
073904	401	LEWIS CO CIRCUIT CLERK		\$ -	\$ 44.21	\$ 44.21
073905	405	RALPH A LORENZETTI JR		\$ -	\$ 568.36	\$ 568.36
073906	712	LANGUAGE LINE SERVICES		\$ -	\$ 150.11	\$ 150.11
073907	716	DENISE LAMBIOTTE		\$ -	\$ 64.50	\$ 64.50
073908	412	JUDITH A MATLICK		\$ -	\$ 255.47	\$ 255.47
073909	712	PRIORITY DISPATCH	52542	\$ 5,250.00	\$ -	\$ 5,250.00
073910	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
073911	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
073912	404	OFFICE SERVICES		\$ -	\$ 128.70	\$ 128.70
073913	424	OFFICEMAX		\$ -	\$ 130.58	\$ 130.58
073914	424	PATRIOT FIRE AND SECURIT		\$ -	\$ 150.00	\$ 150.00
073914	425	PATRIOT FIRE AND SECURIT		\$ -	\$ 3,260.00	\$ 3,260.00
073915	716	CHRISTINA POPE		\$ -	\$ 64.50	\$ 64.50
073916	401	RICOH USA, INC./GA		\$ -	\$ 252.73	\$ 252.73
073916	403	RICOH USA, INC./GA		\$ -	\$ 287.58	\$ 287.58

073916	404	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
073916	405	RICOH USA, INC./GA		\$ -	\$ 423.90	\$ 423.90
073916	406	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
073916	425	RICOH USA, INC./GA		\$ -	\$ 48.10	\$ 48.10
073916	433	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
073916	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
073916	700	RICOH USA, INC./GA		\$ -	\$ 295.90	\$ 295.90
073916	712	RICOH USA, INC./GA		\$ -	\$ 267.08	\$ 267.08
073917	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 0.78	\$ 0.78
073917	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 3.32	\$ 3.32
073917	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 9,771.78	\$ 9,771.78
073917	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 41,782.94	\$ 41,782.94
073917	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 2.34	\$ 2.34
073917	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 39,907.99	\$ 39,907.99
073918	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.23	\$ 1.23
073918	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 30,088.44	\$ 30,088.44
073919	403	WV ASSOC OF CIRCUIT CLER		\$ -	\$ 350.00	\$ 350.00
073920	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 15,765.81	\$ 15,765.81
073920	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 10,720.75	\$ 10,720.75
073921	405	BRANDON C.H. SIMS		\$ -	\$ 92.00	\$ 92.00
073922	712	TELTRONIC		\$ -	\$ 458.00	\$ 458.00
073923	405	THOMSON REUTER - WEST	52685	\$ 893.75	\$ -	\$ 893.75
073924	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 1.22	\$ 1.22
073924	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 3.78	\$ 3.78
073924	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 76,381.38	\$ 76,381.38
073924	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 24,551.19	\$ 24,551.19
073925	PAYROLL	WV CPRB/LOAN DIVISION		\$ -	\$ 166.50	\$ 166.50
073926	700	JOSEPH WINDLE		\$ -	\$ 276.00	\$ 276.00

TOTAL						\$ 330,067.75
TOTAL				\$ 6,143.75	\$ 323,924.00	\$ 330,067.75

Motion by Ms. Noland to approve the accounts payable for February 26, 2015 in the amount of \$330,067.75. Motion seconded and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
073928	425	COMCAST		\$ -	\$ 189.90	\$ 189.90
073929	712	AT&T/GA		\$ -	\$ 19.02	\$ 19.02
073930	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 613.28	\$ 613.28
073931	413	APPLE VALLEY OFF.PRODUCT	52470	\$ 43.00	\$ -	\$ 43.00
073932	425	B-K OFFICE SUPPLY INC		\$ -	\$ 90.00	\$ 90.00
073933	401	201 N. GEORGE ST LLC		\$ -	\$ 9,638.92	\$ 9,638.92
073934	404	CASO & HARRIS INC		\$ -	\$ 683.80	\$ 683.80
073934	413	CASO & HARRIS INC		\$ -	\$ 845.00	\$ 845.00
073935	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
073936	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 48.86	\$ 48.86
073937	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 5,802.81	\$ 5,802.81
073938	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 21,146.05	\$ 21,146.05
073939	PAYROLL	GUARDIAN		\$ -	\$ 1,678.20	\$ 1,678.20
073939	PAYROLL	GUARDIAN		\$ -	\$ 1,886.29	\$ 1,886.29
073940	402	SALLY GRAN		\$ -	\$ 192.90	\$ 192.90
073941	717	INTERSTATE ALL BATTERY		\$ -	\$ 91.30	\$ 91.30
073942	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 907.22	\$ 907.22
073943	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 92.08	\$ 92.08
073944	GRANT	JEFFERSON PUBLISH CO INC		\$ -	\$ 56.70	\$ 56.70
073945	440	MICHAEL MONAGHAN		\$ -	\$ 97.00	\$ 97.00
073946	PAYROLL	HIGHMARK WV		\$ -	\$ 161,955.28	\$ 161,955.28
073947	ALLOC	JEFF CO PARKS &		\$ -	\$ 13,797.00	\$ 13,797.00
073948	404	PIFER OFFICE SUPPLY, INC		\$ -	\$ 15.59	\$ 15.59
073948	406	PIFER OFFICE SUPPLY, INC		\$ -	\$ 371.16	\$ 371.16
073948	413	PIFER OFFICE SUPPLY, INC		\$ -	\$ 471.05	\$ 471.05
073949	402	PAIGE CO CONTAINERS, INC		\$ -	\$ 214.00	\$ 214.00
073950	425	RCS SECURITY		\$ -	\$ 564.00	\$ 564.00
073951	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 7,181.00	\$ 7,181.00
073952	403	SOFTWARE SYSTEMS, INC		\$ -	\$ 383.04	\$ 383.04
073952	424	SOFTWARE SYSTEMS, INC		\$ -	\$ 491.96	\$ 491.96

073953	403	UNITED SYSTEMS & SOFTWARE		\$ -	\$ 227.00	\$ 227.00
073954	PAYROLL	UNICARE EAP		\$ -	\$ 322.20	\$ 322.20
073955	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 15,316.90	\$ 15,316.90
073956	405	THOMSON REUTER - WEST	52685	\$ 528.50	\$ -	\$ 528.50
073957	716	WV BOARD VETERINARY MED		\$ -	\$ 250.00	\$ 250.00
073958	402	XEROX CORPORATION	52468	\$ 1,398.31	\$ -	\$ 1,398.31
073958	439	XEROX CORPORATION	52329	\$ 612.54	\$ -	\$ 612.54
TOTAL						\$ 249,721.86
TOTAL				\$ 2,582.35	\$ 247,139.51	\$ 249,721.86

Motion by Mr. Manuel to approve the accounts payable for March 5, 2015 in the amount of \$249,721.86. Motion seconded and unanimously approved.

PUBLIC COMMENT:

Eleanor Finn, resident and member of the Jefferson County League of Women Voters – spoke against the reduction or potential elimination of impact fees. Ms. Finn also notified the Commission of a Mental Health Forum to be held on Saturday, March 14 at the Presbyterian Church in Shepherdstown.

PRESENTATIONS

1. Bill Polk, Director of Maintenance - requested the approval of bid recommendation for the Jefferson County Courthouse Roof and Clock Tower Renovation.
 - **Motion by Ms. Noland to approve the bid by Minghini’s General Contractors, Inc. for repairs and renovation to the Jefferson County Courthouse Roof and Clock Tower, as presented by Mr. Polk. Motion seconded and unanimously approved.**

2. Pete Dougherty, Sheriff – requested the approval to have four Fish and Wildlife Service Agents sworn in as Special Deputies.
 - **Motion by Ms. Noland to approve the swearing in of four Fish and Wildlife Service Agents, Keith Toomey, Mark Hedrick, Jeffrey McAboy, and Scott Colgan as Special Deputies for the Jefferson County Sheriff’s Department. Motion seconded and unanimously approved.**

3. Angie Banks, Assessor

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Daniel Mumaw	CTD	Real Estate	4725	\$1,467.15

- **Motion by Ms. Noland to approve the Exoneration as presented by the Assessor. Motion unanimously approved.**
4. Ralph Lorenzetti, Prosecuting Attorney – requested the approval of a part-time legal assistant from March 9, 2015 – June 8, 2015.
- **Motion by Ms. Noland to approve/deny the approval of a part-time legal assistant from March 9, 2015 – June 8, 2015. Motion seconded and unanimously approved.**
5. Steve Groh, Assistant Prosecuting Attorney - provided the Commission with a legal update on the pending litigation styled as Jefferson County Board of Education v. Jefferson County Commission, Civil Action No. 15-C-40. The Commission discussed the Impact Fee Ordinance amendments and/or changes to the amount of the impact fee and possible action on the same, and scheduling a potential public hearing for changes in the ordinance/fee amount, etc.
- **Motion by Ms. Noland to enter into Executive Session to discuss pending litigation. Motion seconded and unanimously approved.**
 - It was the consensus of the Commission to hold a public hearing on the matter of Impact Fees on Monday, March 16, 2015 at 7:00 p.m.
6. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
7. Lynn Fields, Deputy Probate Clerk – requested the Commission set a hearing date to discuss the petition to remove Ricky Crum as Executor of the Estate of Gardner W. Dillow and appoint either the Sheriff of Jefferson County or the Bank of Charles Town as the Administrator of the Dillow Estate.
- It was the consensus of the Commission to hold a public hearing on the petition to remove Ricky Crum as Executor of the Estate of Gardner W. Dillow and appoint either the Sheriff of Jefferson County or the Bank of Charles Town as the Administrator of the Dillow Estate on Thursday, March 19, 2015 at 1:30 pm.
8. Ronda Eddy, Jefferson Day Report Center – requested the approval of the Resolution of support for the Community Corrections Grant.
- **Motion by Mr. Manuel to approve the Resolution of support for the Community Corrections Grant. Motion seconded and unanimously approved.**

- **Motion by Mr. Manuel to sign the Standards and Conditions document for the Community Corrections Grant. Motion seconded and unanimously approved.**

9. Roger Goodwin, Chief County Engineer

a. Feagan's Mill – Floodplain Ordinance Variance request by Danny Lutz, owner

- **Motion by Mr. Manuel to grant a variance from the requirements of the Jefferson County Floodplain Ordinance to allow for the restoration of Feagan's Mill on the basis of being a historic structure and with the conditions outlined in the attached March 5, 2015 memorandum by Roger Goodwin, Chief County Engineer. Motion seconded and unanimously approved.**

b. Presentation of FY2016 Capital Improvement Plan for the Office of Impact Fees

- **Motion by Mr. Manuel to approve the FY2016 Capital Improvement Plan for the Office of Impact Fees as presented. Motion seconded and unanimously approved.**

10. Jennifer Brockman, Director of Planning and Zoning

a. Recommendation from the Planning Commission to the County Commission to amend Section 20.104, "Exceptions," of the Jefferson County Subdivision and Land Development Regulations, subsection "C," to "exempt" public utilities and private utility firms processing easements from these Regulations for the purpose of setting a public hearing to be held by the County Commission (STA15-02)

b. Recommendation from the Planning Commission to the County Commission to amend Section 24.200, "Waivers," of the Jefferson County Subdivision and Land Development Regulations to change the last sentence of the introductory paragraph stating "No process or procedural waivers shall be granted" to "Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval" for the purpose of setting a public hearing to be held by the County Commission (STA12-03)

c. Recommendation from the Planning Commission to the County Commission to amend the definition of "days" from business days to calendar days in Section 26.200 of the Jefferson County Subdivision and Land Development Regulations for the purpose of setting a public hearing to be held by the County Commission (STA15-01)

- It was the consensus of the Commission to hold a public hearing on the above listed amendments to the Jefferson County Subdivision and Land Development Regulations on Thursday, March 26, 2015 at 7:00 p.m.

NEW BUSINESS

11. Provide Jefferson Arts Council with a letter of support for a grant application to the WV Commission on the Arts
 - **Motion by Mr. Manuel to provide a letter of support to the Jefferson Arts Council for a grant application to the WV Commission on the Arts. Motion seconded and unanimously approved.**
12. Amend new impact fees for residential housing to 70% of the fees in the 2015 Recalculation Study using housing unit types from the 2015 Recalculation Study.
 - It was the consensus of the Commission to postpone discussion/action on this item until the March 19, 2015 Regular County Commission Meeting.
13. Amend Emergency Services Agency Reorganization Ordinance to remove Ambulance Fee Revenue Sharing.
 - It was the consensus of the Commission to postpone action on this item until the March 19, 2015 Regular County Commission Meeting.
14. Discussion of Jefferson County Emergency Services Agency 24 –hour shifts.
 - **Motion by Ms. Tabb to request County Administrator direct staff to research the legality of 24 hour shifts for FF/EMS staffing at the ESA. Motion seconded and unanimously approved.**
15. Approval of Horseman’s Resolution of Support
 - **Motion by Mr. Manuel to adopt and sign the Resolution of Support for the Horseman’s Benevolent and Protective Agency and forward to lawmakers in Charleston. Motion seconded and unanimously approved.**
16. Discuss eliminating school impact fees and revisiting vehicle impact fees.
 - The Commissioners expressed their opinions on impact fees; however, it was the consensus of the Commission to delay action on this item until after the public hearing on impact fees, scheduled for Monday, March 16, 2015 at 7:00 pm.
17. Decision 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 and Zoning File #Z14-02.

- **Motion by Ms. Tabb to approve the rezoning request for 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 and change the zoning designation from rural to general commercial. Motion seconded and unanimously approved.**
18. Approval to use Jefferson County Commission meeting room on Saturday, April 18, 2015 at 1:00 pm for a Youth Meeting with Civil Rights leader Ruby Sales.
- **Motion by Mr. Manuel to approve the use of the JCC meeting room on April 18, 2015 for a Youth Meeting with Civil Rights leader Ruby Sales. Motion seconded and unanimously approved.**
19. Legislative Updates – Mr. Manuel, Mr. Bell, and Ms. Noland reported on various house and senate bills of interest to the County and the community.

COUNTY ADMINISTRATOR REPORTS

➤ **Reclassify Job Position**

- **Motion by Mr. Manuel to approve the reclassification of the Executive Assistant position within the Commission Office from 35 hours a week to 37.5 hours a week, effective July 1, 2015. Motion seconded and unanimously approved.**

➤ **Space Needs Discussion – Possible Executive Session**

- **Motion by Mr. Manuel to enter into Executive Session to discuss property negotiations. Motion seconded and unanimously approved.**
- **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**

20. **Tim Stanton, Finance Director**

Internal Budget Revision

- **Motion by Mr. Pellish to approve Internal Budget Revision #7 as presented. Motion seconded and unanimously approved.**

Review of Proposed FY16 Budget Adjustments

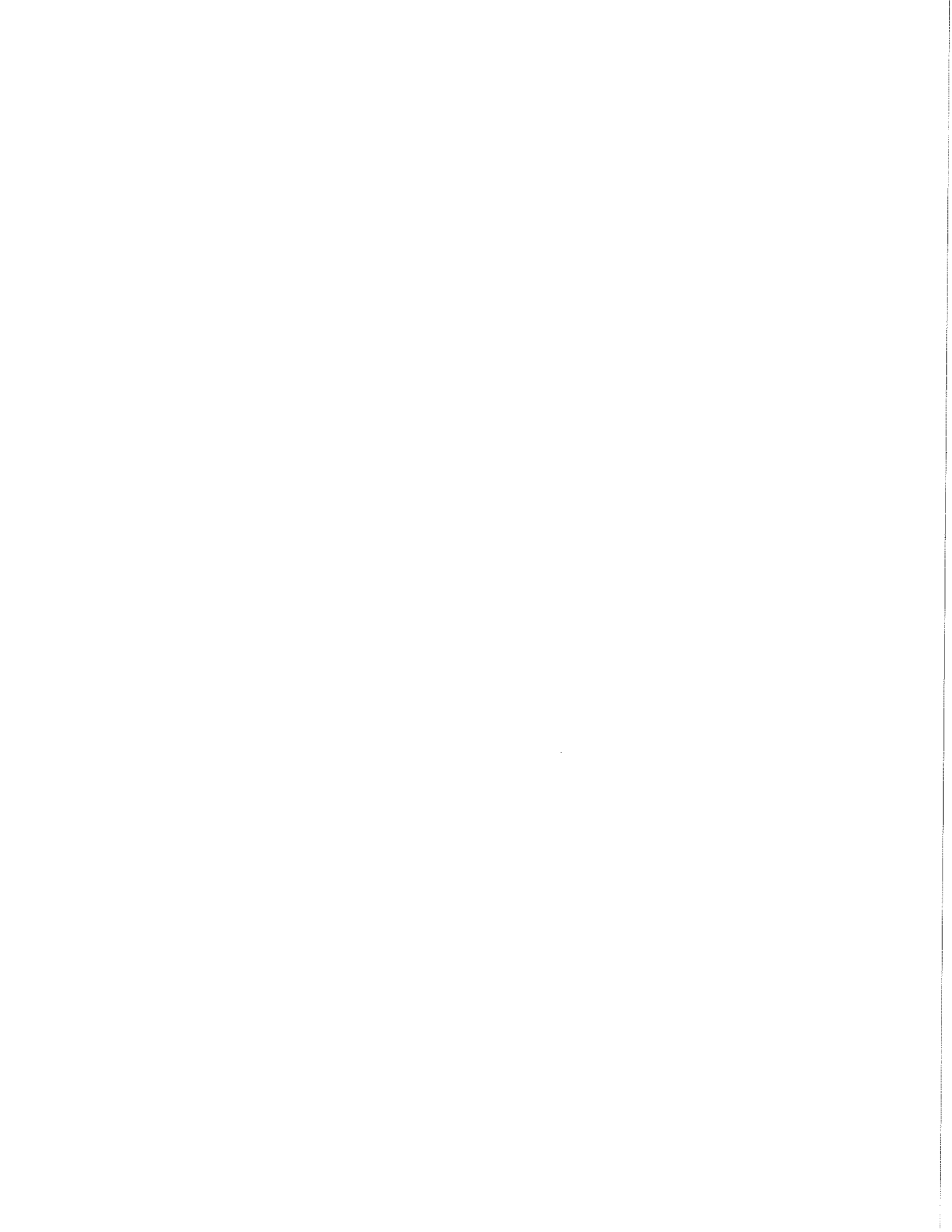
Mr. Stanton notified the Commission they had a surplus of \$19,415.00 and needed to determine what they'd like to do with the monies.

- **Motion by Mr. Manuel to provide \$3,000 of the surplus to the Parks and Recreation employees so they could each receive a \$500.00 raise. Motion seconded but fails on a vote of 1-4 with Mr. Bell, Ms. Tabb, Ms. Noland, and Mr. Pellish opposing.**
- **Motion by Ms. Noland to place the \$19,415 surplus into the Contingency Fund. Motion seconded and unanimously approved.**

21. The Commission meeting was adjourned at 1:37 pm on a motion by Ms. Noland. Motion was seconded and unanimously approved.

JANE M. TABB, PRESIDENT

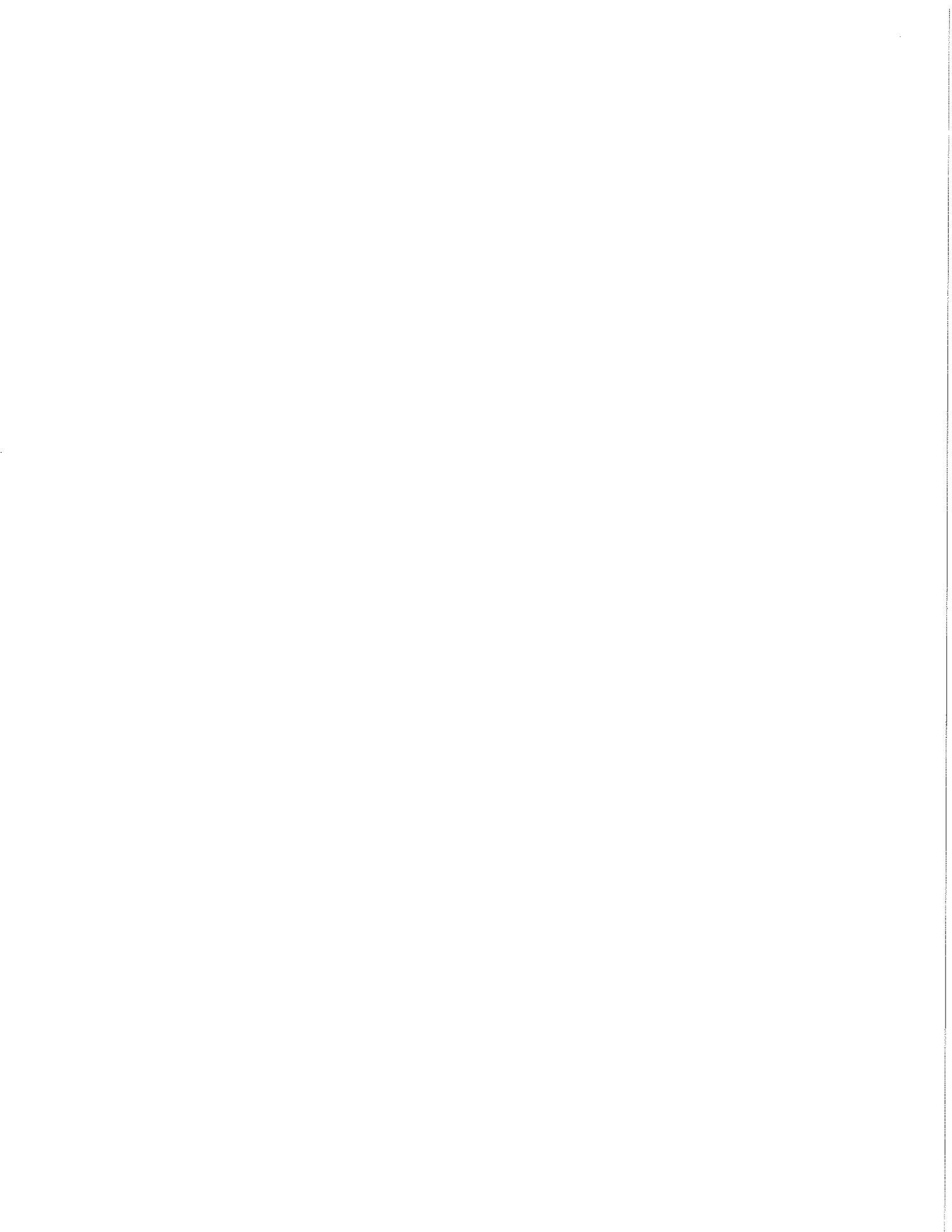
Respectfully submitted
Jessica D. Carroll
Administrative Assistant



PURCHASE ORDERS TO BE APPROVED

March 19, 2015

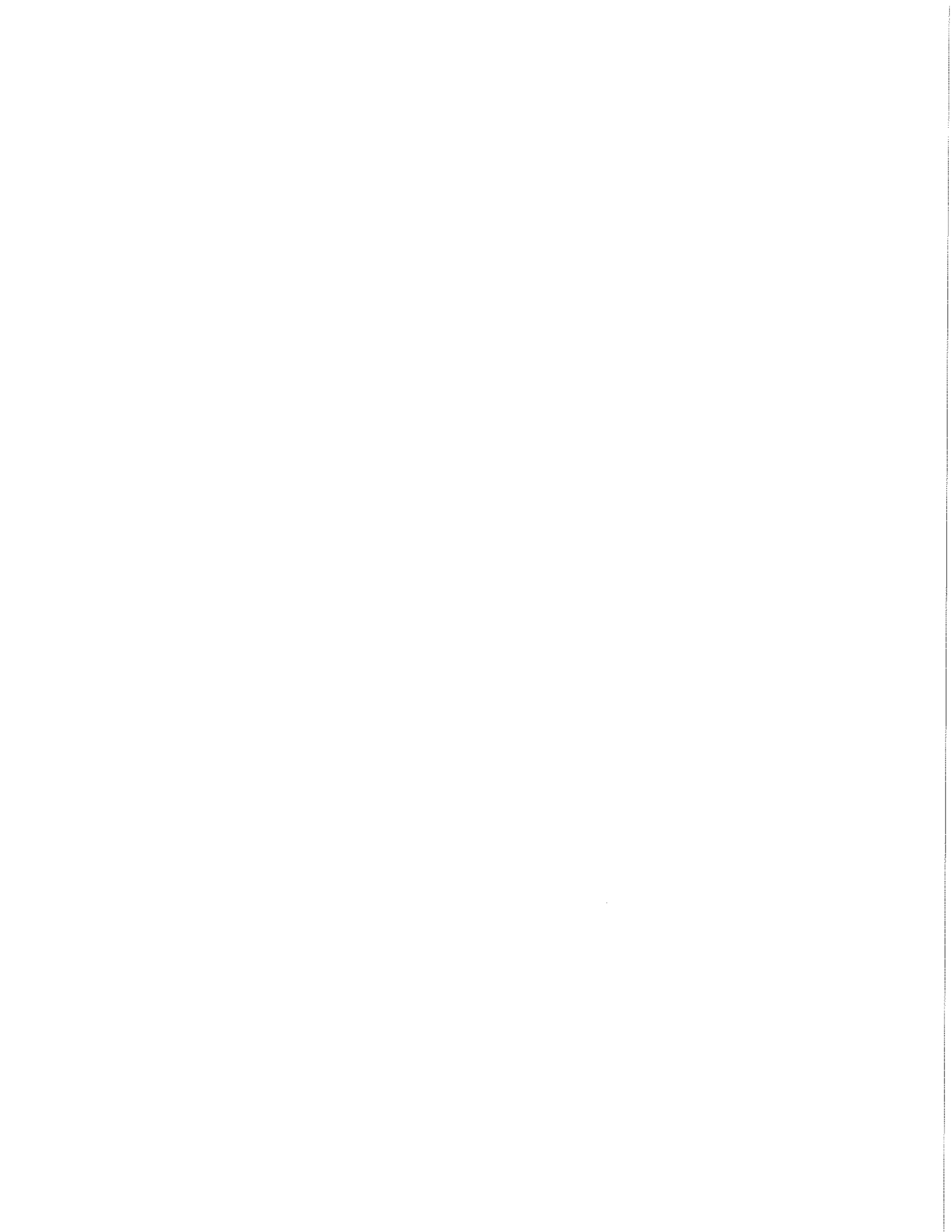
DEPARTMENT	PURCHASE ORDER	AMOUNT	VENDOR	DESCRIPTION
OTHER BUILDINGS	52654	\$ 5,124.00	Boland	Water Treatment Service Agreement
GRAND TOTAL		\$ 5,124.00		



Payroll Approval

Checks Dated: **3-12-15**

DESCRIPTION	Fund 001 CO.	Fund 003 Dog	Total
Gross Wages	\$ 360,417.55		\$ 360,417.55
6.2% Tax Payable OASDI	\$ 21,535.63		\$ 21,535.63
1.45% Tax Payable HI	\$ 5,036.54		\$ 5,036.54
Fed Withholding	\$ 41,898.95		\$ 41,898.95
WV State Withholding	\$ 15,521.09		\$ 15,521.09
PERS Retirement Deduct	\$ 12,425.67		\$ 12,425.67
Hosp. Pre-Tax	\$ 10,434.00		\$ 10,434.00
Cancer/ICU Pre-Taxed	\$ 1,253.35		\$ 1,253.35
Cancer/ICU Not Pre-Taxed	\$ 904.31		\$ 904.31
Optional Life Not Pre-Taxed	\$ 512.00		\$ 512.00
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%	\$ 5,575.82		\$ 5,575.82
457 - Nationwide	\$ 749.00		\$ 749.00
457I - ING	\$ 3,040.00		\$ 3,040.00
MD State Tax	\$ 351.55		\$ 351.55
D/VF	\$ 1,381.38		\$ 1,381.38
VA. State Tax	\$ 27.38		\$ 27.38
COLONIAL(PLUS)	\$ 258.09		\$ 258.09
Total Deductions	\$ 128,414.54	\$ -	\$ 128,414.54
Net Wages Total	\$ 232,003.01	\$ -	\$ 232,003.01
Payroll Dated	12-Mar-2015		





AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name: **Bridget Cohee, Esq.**

Department or Organization:

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **March 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*): **Legal update concerning pending litigation in Kilmer v. Jefferson County Commission, Civil Action No. 3:13-CV-95 and Thomas, et al. v. Jefferson County Commission, Civil Action No. 3:13-CV-156**

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.

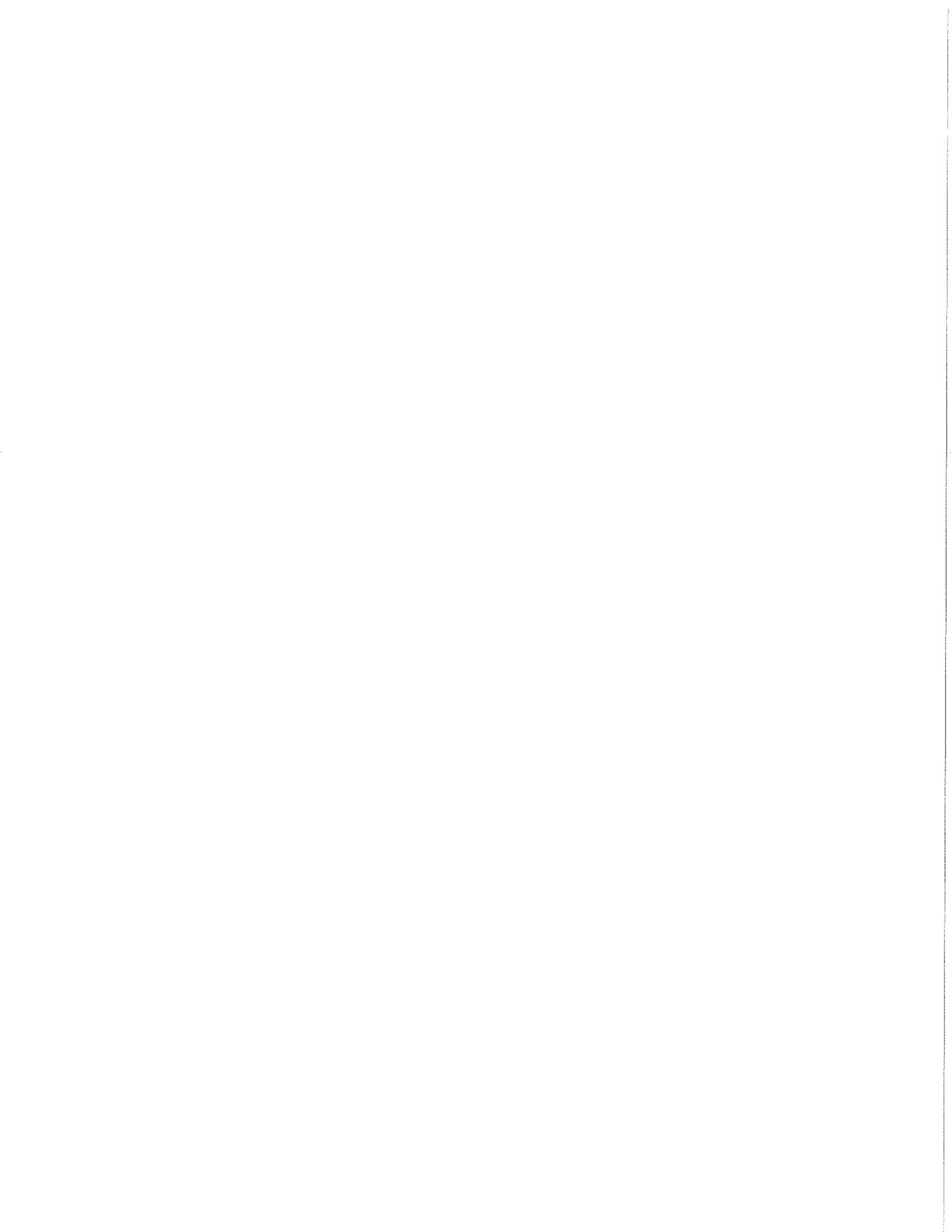
Telephone for conference call Y/N Click here to enter text.

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: Jesse Jones

Department or Organization: JCSO

Estimation of amount of time needed for appointment: 5 min

Date Requested – 1st Choice:

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

Date Requested – 2nd Choice:

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

Please provide the County Commission with a description of your request or presentation, including any background information:
Seeking approval and signature on associated documents for a grant application in the amount of \$ to enhance security in
Courtthouse buildings.

Is this a funding request?
If so, how much?

Y/N
\$

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I move to
approve application of the Court Security grant in the amount of \$

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: jjones@jcsdvw.com Phone Number: 304-728-3205

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

[Click here to enter text.](#)

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

**COURT SECURITY FUND
GRANT PROGRAM**

GRANT APPLICATION

PAGE - 1

1. Applicant: Jefferson County Commission
Address: P.O. Box 250
Charles Town, WV 25414
Phone/Fax: 304-728-3284/304-725-7916
FEIN# 55-6000333

5. Grant Funds Requested: \$: 25,999

2. Project Director: Robert Sell
Address: 102 Industrial Blvd
Kearneysville, WV 25430
Phone/Fax: 304-728-3205/304-728-3299
Email: rsell@jcsdvw.com

6. *Staff Use Only*
Court Security Plan Approved _____

3. Fiscal Officer: Tim Stanton
Address: P.O. Box 250
Charles Town, WV 25414
Phone/Fax: 304-724-8425/304-725-7916
Email: tstanton@jeffersoncountywv.org

7. Project Period:
Beginning Date: July 1, 2014
Ending Date: June 30, 2015

4. Geographic Area Served: Jefferson County
West Virginia
Population: 55,000

8. Type of Application:
 Initial *Continuation* *Revision*

9. Project Title and Description: Court Security Upgrade Project

This project will allow for the installation of additional security cameras, dividing wall in the hold cell, ballistic materials, handheld metal detectors, alarm control panel, and intercom system.

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 the governing body, and the applicant will comply with the attached Special Conditions and Assurances if grant assistance is provided.

Authorized Official: Jane Tabb
COUNTY COMMISSION PRESIDENT

Title: President

Signature: _____

Date: _____

COURT SECURITY FUND	ITEMIZATION OF FUNDS BY CATEGORY PAGE 2		
Applicant: Jefferson County Commission	Local Matching Funds (If Applicable)	Grant Funds Requested	Approved (DJCS Use Only)
<u>Personnel/Contractual</u> UNALLOWABLE <u>Travel/Training</u> UNALLOWABLE <u>Equipment</u> (ITEMS COSTING MORE THAN \$5,000) Walk-thru Metal Detectors Handheld Metal Detectors Dividing Wall for Holding Cell Partition in Magistrate arraignment area <u>Other</u>	NO MATCH REQUIRED	\$0 \$0 \$15,176 \$1,629 \$6,944 \$2,250	
Total Local Funds			
Total Grant Funds		\$	
Total Approved Project			

COURT SECURITY FUND		BUDGET SUMMARY	
		PAGE 3	
Applicant: Jefferson County Commission		Federal Employer Identification Number: 55-6000333	
Category	Court Security Funds (A)*	Matching Funds (if applicable) (B)	Total Funds (A + B)
Personnel/ Contractual	-0-		
Travel/Training	-0-		
Equipment	\$		\$
Other			
Total Budget	\$		\$

* Total of column A shall be placed in the space on page one for Grant Funds Requested.

All funds must be rounded to the nearest whole dollar.

**Court Security Fund
Budget Narrative
Page 4**

Jefferson County's court system is located in three buildings, within one city block in the City of Charles Town. These buildings include the historic Jefferson County Courthouse, the Judicial Center, and the Courthouse Annex. The historic Courthouse houses Circuit Court and the County Clerk. The Judicial Center houses Magistrate Court, Circuit Court, Bailiff's office, and the Prosecuting Attorney's office. The Courthouse Annex houses Family Court and the Circuit Clerk's office.

If approved, the County Commission of Jefferson County proposes to use the grant funds from the Court Security Fund to purchase two (2) walk-thru metal detectors to enhance security at the point of entry to both the circuit court and magistrate court buildings. This improvement will be enhanced with six (6) new hand-held metal detectors.

In addition, the County proposes to construct a dividing wall in the holding cells located in the Judicial Center. This will create secure area for prisoners that require isolation.

This grant request includes a screening material to enhance the safety of our magistrates. At present, an individual being seen or arraigned by a magistrate could slide over the counter area (possibly harming the Magistrate) and could then enter into the Magistrate office areas.

- **Divider Wall for Holding Cell - \$6,944**
Labor and materials to furnish and install a 3' x7' hollow metal 14 gauge welded frame with sidelight and transom. Door to be glazed with half lite security kit. Glazing on door, transom and side light to be ½" thick Lexan. Opening to have anti ligature hinges and Adam Rite security lock.
- **Handheld Metal Detectors - \$1,629**
6 Garrett hand-held metal detectors; LED/Audio/Silent Vibrate Pinpointing Metal Detectors @\$271.50; Weight (lbs) 1-1/8; Exterior length, 16-1/2in; Exterior Width, 3-1/4in; Battery, 9 Volt with 100 hours battery life; National Institute of Justice Standard 0602.02
- **Walk-Through Metal Detector - \$15,176**
2 Garrett Walk-Through Metal Detectors that are 87 in by 35 in and have audio alarm volume adjustable; Max No Zones 33; Standards certified by FAA and Requirements of NILECJ; Standard 0601.00 Security Levels 1-5
- **Protection Barrier - \$2250**
3/8" Clear Tempered Safety glass with cutouts for speak-holes and document exchange.

COURT SECURITY PLAN

1. An assessment of the existing security measures in place and any problems or shortcomings with existing procedures;

Jefferson County's court system is located in three buildings, within one city block in the City of Charles Town. These buildings include the historic Jefferson County Courthouse, the Judicial Center, and the Courthouse Annex. The historic Courthouse houses Circuit Court and the County Clerk. The Judicial Center houses Magistrate Court, Circuit Court, Bailiff's office, and the Prosecuting Attorney's office. The Courthouse Annex houses Family Court and the Circuit Clerk's office.

All of the court buildings have a Court Security Officer (CSO) stationed at bailiff stations at the entrance of each building as well as CSO's that function as bailiffs in the courtrooms. Each of these entrances and are monitored by at least CSO. There are additional CSOs that acts as rovers.

Security Cameras are in place in all court buildings as well as outside the court buildings. With funding from the FY2012 Court Security Fund Grant, the Jefferson County Commission was able to install cameras in much needed locations inside and outside of the County's court facilities. With this funding, we were also able to establish a Central Viewing Station/Surveillance Room located inside the secured Bailiff's office in the Judicial Building. CSO's are stationed in the Surveillance Room to constantly monitor all of the security cameras. Upon establishing the Surveillance Room, Camera monitors that were on the CSO's desks at the entrances of the court buildings were removed. This not only removed a distraction from the CSO at the front desk enhancing their ability to see persons in front of them, but also removed the possibility of persons being able to view camera recordings.

Access to employee and court areas in all buildings are electronically controlled by a card reader. Duress alarms are located in various locations in all court buildings.

There is still a need for more security specifically in and around the Jefferson County Magistrate Court office area. Magistrates regularly conduct business, interview complainants, and arraign defendants in the area immediately in front of their office area. The counter area is low, creating a serious safety concern that a defendant, or an unhappy/angry complainant could reach over and attack a Magistrate or slide over the counter and enter into the office area.

The holding cell in the Judicial Center needs to have a dividing wall installed in it for safety and security reasons. This will provide a secure area for prisoners that require isolation.

2. A description of how the county responds to court security emergencies and whether the response is adequate;

**Court Security Fund
Grant Application
Page 6**

CSO's are in radio contact with the Jefferson County Emergency Communications Center. In the event that a problem arises that the CSO is unable to rectify, additional law enforcement support can be summoned via radio and via a computer-aided dispatch system. The only inadequacy could be the response time in the event that additional law enforcement is needed.

3. A description and illustrated layout of the physical locations of court facilities around the county and a discussion of whether changes or consolidation of space could improve court security in the county;

The three buildings that house the Jefferson County's court system are located within one city block of each other in the City of Charles Town. The historic Jefferson County Courthouse is located at 100 East Washington Street. The Judicial Center is located at 110 North George Street. The Courthouse Annex is located at 119 North George Street. Because the Jefferson County Courthouse is a historic building, consolidation of space is probably not an option. Steps have been taken in recent years to deal with space issues within Jefferson County's court system. The Courthouse Annex, which was formerly the Jefferson County Jail, was renovated. When this building was completed, the Circuit Clerk's office and Family Court were able to relocate from the Judicial Center. Most of the Prosecuting Attorney's staff was relocated to another building freeing up more space in the Judicial Center for Circuit and Magistrate Court. Space in the Judicial Center has also been reallocated in order to accommodate an additional Circuit Judge. (Illustrations are attached.)

4. An assessment of the training needs for bailiffs currently employed in the county or for additional bailiffs and the options for securing the necessary training;

All CSO's have attended the bailiff training conducted by the West Virginia Supreme Court of Appeals. New hires are given on-the-job training by the Chief Bailiff along with training from the Jefferson County Sheriff's Office certified firearms instructors. Bailiff attend classes on personal defense, handcuffing, radio use, and other skills training to make them more effective until the next scheduled bailiff training is held by the West Virginia Supreme Court of Appeals.

5. A response to the court security audit performed by the West Virginia Supreme Court of Appeals or the United States Marshall Service.

The most recent Court Security Audit for Jefferson County was performed in October 2010 by A.G. Angus. The reported noted there was a lack of security camera in and around the Jefferson County Courthouse.

6. Background of applicant including past experiences, capabilities, and why the grant is proposed; and

Jefferson County was established in 1801. The Jefferson County Courthouse is a historic building well known for the 1859 treason trial of John Brown. Although the Courthouse

**Court Security Fund
Grant Application
Page 7**

is a historic building, it is still very much a working Courthouse. The Courthouse's historic integrity must be maintained while at the same time providing for the safety and security of the general public, court officials and staff. This grant is proposed to ensure the continued safety and security of all those who visit, work or conduct business in the Jefferson County court system.

7. Justification for why your project should be funded.

Jefferson County is located within commuting distance of the Washington D.C./Baltimore metropolitan area and is subject to the same types of crimes and incidents that can occur in a major metropolitan area. Jefferson County's court system is inundated with a constant flow of court officials, staff, visitors, law enforcement officers, and anyone requiring court services. Therefore, this funding is very much needed so that Jefferson County can continue to provide safety and security for all those who use the court system of Jefferson County.

GOAL(S)

A prioritized list of all substantial and concrete goals this project will attempt to achieve and the reasons why each of these goals can be met by the grantee. These goals may be both short and long range.

Jefferson County's goal is to provide for more effective detection of existing or potential threats to ensure the security and safety of the general public, court officials and staff. With the approval of these grant funds, this goal can be met.

OBJECTIVE(S)

Specific statements of desired achievement which reflect project emphasis. Objectives should be clearly qualified, time-framed and measurable terms of planned levels of project performance to be achieved. The results of objectives must be specific not general, and must be recognizable and understandable. Above all, objectives must be achievable and feasible within specific time frames.

- Installation of security cameras in much needed locations of Jefferson County's court system.
- Installation of a dividing wall in the holding cells of the Judicial Center.
- Installation of ballistic materials in the Circuit Courtroom.
- Purchase of hand held metal detectors.
- Installation of an intercom system.
- Installation of an alarm control panel.

IMPLEMENTATION (Key Activity/Milestones)

Describe the major activities necessary to implement the project including an operational schedule for the project. This should incorporate specific activities, services, and procedures to be followed, and how achievement will be documented. A milestone (ganttt) chart is recommended which provides a clear time line estimating the time necessary for each phase of this project.

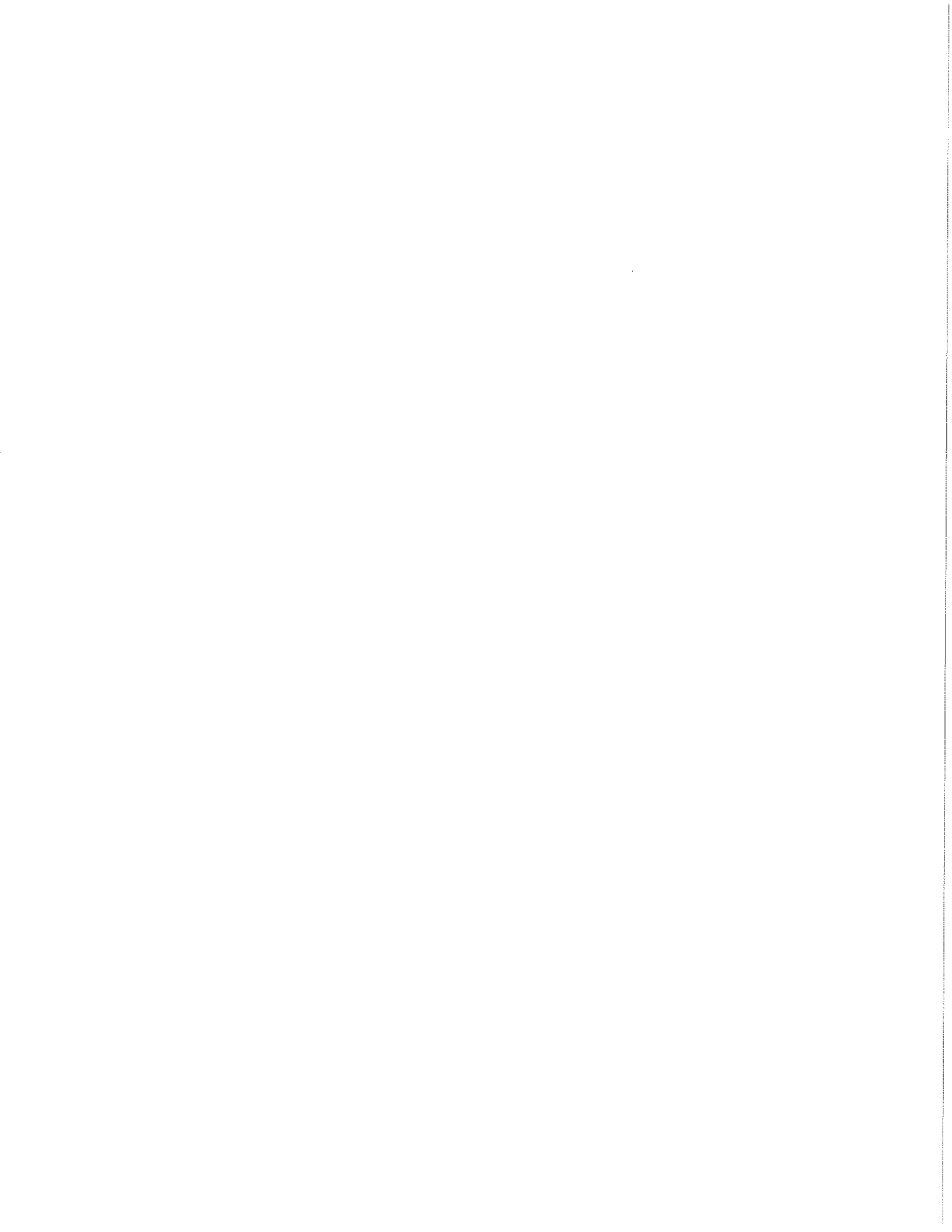
**Court Security Fund
Grant Application
Page 8**

- Order the equipment and supplies from vendors.
- Take delivery of equipment.
- Schedule the installation of all items.
- Begin installation of security items.
- Payment to vendors.
- Provide any training necessary on new equipment.

PROJECT ASSESSMENT (Evaluation)

Specify the indicators and measures to be used to assess the results of this project as well as the means of collecting data. The methodology for the collection and type of measurements are important and should be clearly defined at the beginning of the project. Be sure to state who will perform the assessment.

When the new security equipment is in place, the results should be immediate. Safety and security will be much improved and the Court Security Officers will have the ability to detect potential threats quicker. Jefferson County's Safety and Security Committee will be able to assess the data and results provided by these increased security measures that this grant will provide.



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: **March 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*): **Interviews and Appointments to the Property Safety Enforcement Agency – one two-year term ending February 8, 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

NOTICE OF INTENT TO APPOINT

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, March 19, 2015 or as soon thereafter as the Commission may decide:

Jefferson County Property Safety Enforcement Agency - One two year term ending February 8, 2017.

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

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

SPIRIT OF JEFFERSON:

PLEASE ADVERTISE ON:

March 4 and March 11

THANKS - JEFFERSON COUNTY COMMISSION

Melinda Keuroglian
286 Hite Road
Kearneysville, WV 25430-5015
(304) 728-1034

Received

FEB 23 2015

February 20, 2015

Jefferson County Commission

Jessica Carroll
Executive Administrative Assistant
Jefferson County Commission
P.O. Box 250
Charles Town, WV 25414

Re: Jefferson County Property Safety Enforcement Agency

Dear Ms. Carroll:

I am in receipt of your February 3, 2015 letter regarding my appointment to the above Agency.

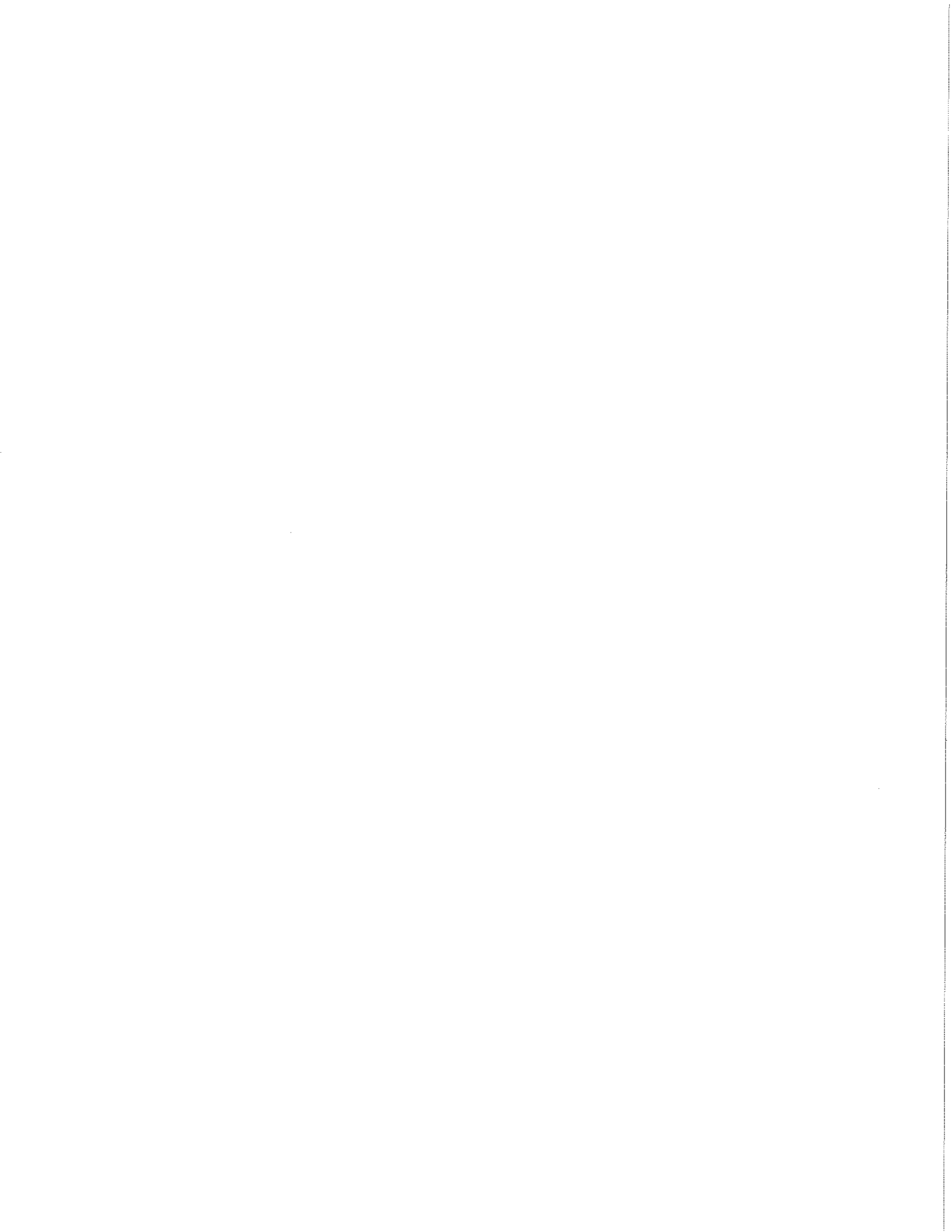
Since I have served this agency for quite a few years and have established a very good working relationship with the other Agency members, I would appreciate being considered for another term. If you have any questions regarding my faithful service, please direct them to Roger Goodwin.

Thank you for the opportunity to be considered for this position again.

Sincerely,



Melinda Keuroglian



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: **March 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*): **Interviews and Appointments to the Jefferson County Historic Landmarks Commission – two three-year terms ending March 6, 2018.**

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, March 19, 2015, or as soon thereafter as the Commission may decide:

**Historic Landmarks Committee - two three- year terms ending
March 6, 2018**

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

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

SPIRIT OF JEFFERSON:

PLEASE ADVERTISE ON:

March 4 and March 11

THANKS - JEFFERSON COUNTY COMMISSION

March 5, 2015

Jefferson County Commission
PO BOX 250
124 East Washington Street
Charles Town, WV 25414

Dear County Commission,

I have just completed my sixth year on the Jefferson County Historic Landmarks Commission (JCHLC) and ask that I be reappointed for another three year term, 2015-2018.

During my time on the JCHLC, the Commission moved beyond its traditional role of documentation and recognition of historic structures and began focusing more on education, public outreach, battlefield preservation, and support of owners of landmark structures. For example, the WV GeoExplorer Project, the Commission's primary educational project, is a computer database of Jefferson County history available to anyone with an Internet connection and computer that provides residents information about their heritage. The acquisition of three properties, totaling 21 acres, on the Potomac River and part of the core Shepherdstown Battlefield are now preserved from further development and await designation as a National Park. These are some of the activities and achievements that have made serving on the JCHLC so rewarding.

My goals for the next three years are to contribute to the enactment of a historic preservation-zoning ordinance that expands protections of county historic structures, work to integrate WV GeoExplorer into the Jefferson County Board of Education curriculum, the designation of the Shepherdstown Battlefield as a National Park, and expand the support that JCHLC provides to landmark designated structure owners.

Thank you for your consideration for my reappointment.

Sincerely,



Martin Burke
1328 Terrapin Neck Rd.
Shepherdstown, WV 25443

3/12/15

To: Jefferson County Commission

From: Eric S. H. Jenkins

It is my wish, if it pleases the County Commission, to continue serving another three year term on the Jefferson County Historic Landmarks Commission.

Sincerely,

A handwritten signature in cursive script that reads "Eric S. H. Jenkins".

Eric S. Hendricks Jenkins

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: **3/5/15** March 19, 2015

Subject (*Wording to be placed on agenda*): **Approval of Employment – Auto Mechanic**

Please provide the County Commission with a description of your request or presentation, including any background information:
This is to approve the hiring of an Auto Mechanic for the Jefferson County Maintenance Department.

Is this a funding request? No – Position is currently budgeted.
If so, how much?

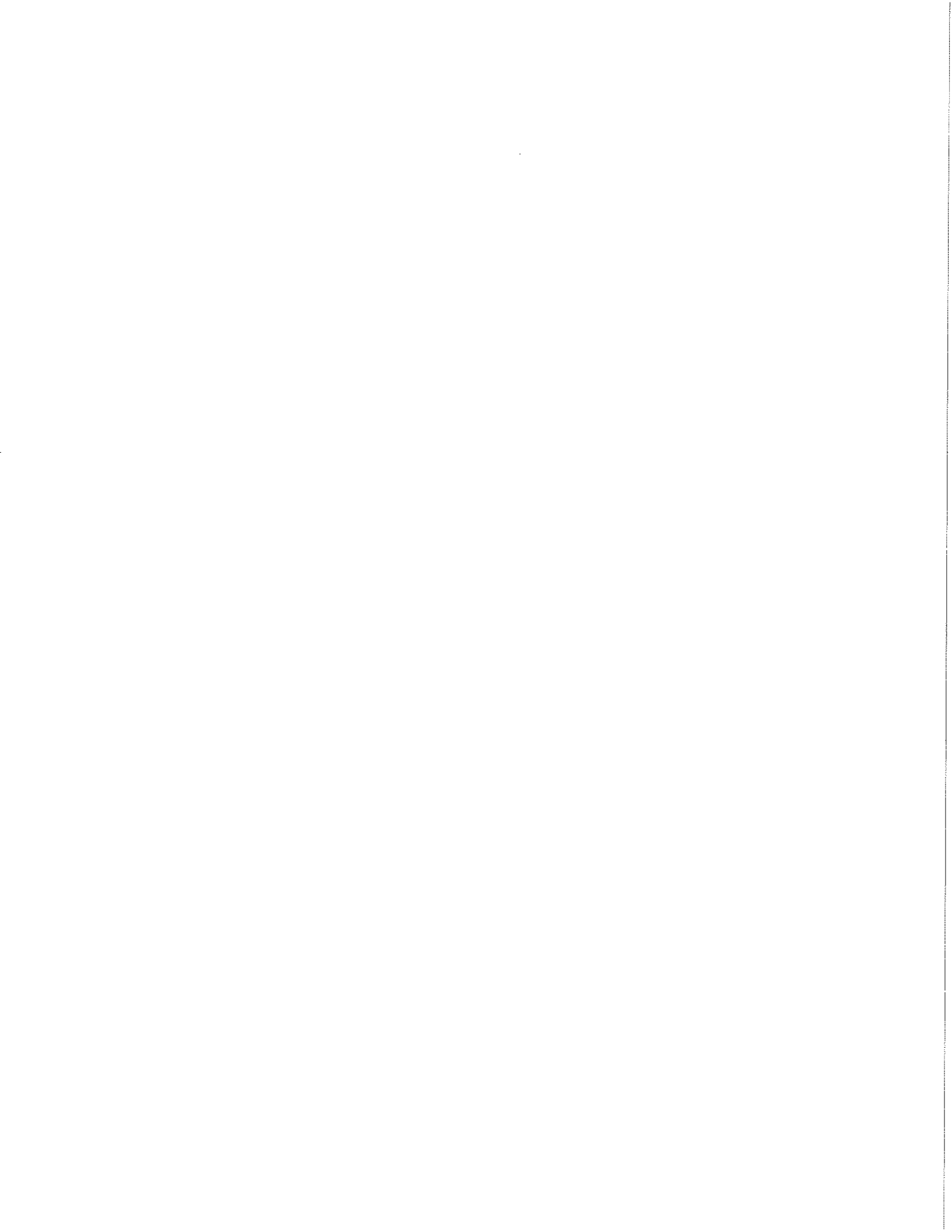
Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Move to approve the employment of the auto mechanic recommended by the Director of Maintenance.

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: Tim Stanton, Finance Director

Department or Organization: County Commission




Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1st Choice: March 19, 2015

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

Date Requested – 2nd Choice:

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

-  Review of Budget to Actual as of February 28, 2015
-  Approval of FY16 Budget
-  Review and Approval of Internal Budget Transfers for FY15

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*):

Approval of FY16 budget of General Operating Fund and Coal Severance Fund
Approval of internal budget transfers as submitted

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

If not attached, explain:

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

None

AGENDA REQUEST FORM

www.jeffersoncountywv.org



Name: Jane Tabb

Department or Organization: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: March 5, 2015

Date Requested – 2nd Choice: _____

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

Subject (Wording to be placed on agenda):

Ambulance Fee Revenue Sharing

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

Data provided by Fire Companies shows that Ambulance revenue does not cover expenses.

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

Discussion/Action

Amend ESA Reorganization Ordinance to remove Ambulance Revenue Sharing.

Are documents attachments? Yes No

If not, explain:

Is a projector needed? Yes No

Contact information:

Email address: Vinemont@frontiernet.net

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

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

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

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

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

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

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

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

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

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

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

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

- 1) The current Jefferson County Emergency Services Agency (created in 2008) and its Board shall be dissolved and shall cease to exist and operate as of the date of creation of the successor Agency and the appointment of a new Board. Existing debt obligations, assets and property owned by the current Emergency Services Agency shall be transferred to the new Agency. All employees employed at the time of the adoption of this ordinance will become employees of the new Agency and shall receive the same or comparable salary and benefits unless the Board deems a modification in employment, salary, benefits, or job classification is warranted.
- 2) Effective upon the dissolution of the prior Agency and Board, Pursuant to S.B. 224, Ch. 234, Acts, Reg. Sess. (W.Va. 2008), the new Jefferson County Emergency Services Agency (hereinafter referred to as “the Agency”), a public corporation, is hereby created and reconstituted. The Agency shall be a joint emergency services agency authorized to provide ambulance and emergency medical services and improve fire protection services in the incorporated and unincorporated areas of Jefferson County. Dissolution of the current Jefferson County Emergency Service Agency Board shall not be effective until the County Commission appoints a new Board pursuant to the provisions of this Ordinance.

Section 2. Powers

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

Final Version

appropriate Agencies and Officials to establish policies for the orderly dispatch of all emergency ambulance and fire protections services in Jefferson County.

- (f) In the event an Ambulance Fee and/or a Fire Fee is imposed by the County Commission, the County Commission shall have the sole authority to set the rate of said fee(s). The Agency shall submit any and all information required by the County Commission for that body to periodically review the appropriate level of said fee(s) to cover the reasonable and actual costs of the provision of the emergency services for which said fees are instituted.
- 2) To the extent a conflict exists between the powers, rights and responsibilities conferred by the State of West Virginia upon emergency ambulance service authorities and those conferred upon county fire associations and county fire boards, the Agency shall be deemed to possess the broader of the two powers.

Section 3. Joint Emergency Services Board

- 1) The prior Jefferson County Emergency Services Board being abolished as set forth in Section 1, There is hereby created a new Joint Emergency Services Board which has full lawful authority to oversee, manage and control the Jefferson County Emergency Services Agency.
- 2) The new Joint Emergency Services Board (the "Board") shall consist of six members appointed by the County Commission who are citizens of the United States, registered voters in and official residents of Jefferson County constituted as follows:
 - a) One member of the Jefferson County Commission (who shall only be eligible to serve on the Board so long as he/she remain a member of the County Commission);
 - b) One representative of the emergency medical services community in Jefferson County; selected from three nominees submitted by the Fire and Rescue Association
 - c) One representative of the fire protection services community in Jefferson County selected from three nominees submitted by the Fire and Rescue Association;
 - d) Three citizen members of the board;

Final Version

- e) President of Fire & Rescue Association, shall be a non-voting Board member.
- f) No citizen member of the Board may provide fire service or emergency ambulance service in Jefferson County. Nor may any member of the Board have any immediate family member who provides fire service or emergency ambulance service in Jefferson County.
- g) No member of the Board, nor their immediate family member, shall have any interest in any firm, partnership, corporation association engaged in the business of providing ambulance or fire services, nor in the manufacture, sale or lease of ambulance or fire equipment of facilities. For purposes of this ordinance, immediate family member shall mean a spouse or other person with whom a member is living as husband and wife and any child or children, grandchild or grandchildren and parent or parents.
- h) Employees of the Agency are not eligible to serve as members of the Board.
- i) Four members of the Board constitute a Quorum;
- j) After appointment, each member shall take an oath of office before they may serve.
- k) The initial members will serve staggered terms. Two of citizen members' initial terms shall expire on June 30th, 2015. The third citizen member's initial term shall expire on June 30th, 2016. The County Commissioner shall be appointed each January at the organization meeting of the Commission. The initial terms of the appointee from the emergency medical services community and of the appointee from the fire protection services community shall expire on June 30th, 2016.
- l) After the expiration of the initial staggered terms in item "k" above, every position on the Board shall have a three-year term, with the exception of the County Commission member.
- m) Notwithstanding the limitation on length and number of successive terms, Board Members whose terms have expired shall continue to serve until their successors have been appointed and sworn in.
- n) In the event of a vacancy on the Board, the County Commission shall appoint a replacement member to serve for the amount of time remaining in the now-vacant term. The replacement shall be from the same category of member as the person being replaced.

- o) The Board shall serve without compensation, but may, with prior approval of the Board, be reimbursed for all reasonable and necessary expenses actually incurred in the discharge of their duties. The members shall submit a written verified request for reimbursement at least quarterly and at least five days before a regularly scheduled meeting. Any expense not submitted within 180 days of being incurred may not be reimbursed.
- p) Annually the Board shall elect one of its appointed members as chairman, another as vice chairman, and another as treasurer, and shall appoint a secretary.
- q) Board members are limited to two consecutive terms.

Section 4. Bylaws and Standards of Operation

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

Section 5. Borrowing Money

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

Section 6. Fiscal Year and Required Accounts

- (a) The fiscal year for the Agency shall commence on July 1.
- (b) Each year hereafter, the Board shall provide to the County Commission an audited financial statement of the Agency showing income and expenditures from the past fiscal year, including the actual costs associated with providing emergency services broken down by type of service provided, agency which provided said services, fund collected from every

source and all other income and outlets of the Agency. The report shall be published as a Class 1 legal advertisement in a newspaper with circulation in Jefferson County.

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

- (j) The Agency may bill and collect the actual and reasonable costs of fire protection services the Agency provides directly to members of the public. For residents and businesses of Jefferson County that have paid the applicable Fire Fee, the Agency may only collect to the extent that insurance, private or public, will reimburse providers of such services, e.g., in the event of an emergency fire call, the Agency shall bill and collect for the cost of such fire protection services but only to the extent provided has insurance coverage. In any event, the charge for fire protection services shall not exceed \$500 or the amount covered by insurance whichever is less.
- (k) The Agency shall require a written financial accounting from every person, agency, association, corporation or business which provides emergency ambulance services or fire protection services (a "recipient") which receives assets, money, resources or services of any kind, including but not limited to provision of paramedics, EMTs or other personnel, (all considered "funds") from the Agency. Said accounting shall be provided periodically, as the Agency shall direct, and shall be a verified written financial statement of the recipient's total operations including an accounting for the use of all funds provided to the recipient by the Agency.
- (l) As often as required by the Agency but not less than annually, recipients of Agency funds will provide to the Agency a verified written accounting of any agency provided funds and any revenue derived from said funds.

~~(m) When recipients of Agency funds bill for emergency or fire protection services that were provided using Agency resources, the Agency shall be entitled to a proportionate share of the revenue collected from the billing. Proportionate share shall be determined by the Agency and is defined as that portion of revenue attributable to Agency funds or resources.~~

~~(n)~~(m) If a recipient fails to provide any verified written account as directed by the Agency, the Agency shall stop funding allocations to the recipient until the recipient provides the required accounts.

~~(o)~~(n) Any purchase of or contract for supplies, equipment and materials for the Agency or for the construction, or improvement of facilities of the Agency which exceeds the sum of \$10,000.00 (Ten Thousand Dollars) shall be based upon competitive sealed bids obtained by public notice published as a Class II legal advertisement within Jefferson County as required by WV Code §7-15-16 or as otherwise required by law.

Section 7. Severability and Construction

Final Version

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

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

Given under my hand and seal this ____ day of _____, 20__.

Walt Pellish, President

BAKERTON FIRE DEPARTMENT, 891 Carter Avenue, Harpers Ferry, WV 304-876-0007

ESA PROFIT SHARING

	FY12/13		FY13/14		FY14/15	
	EMS-SPECIFIC EXPENSE	SHARED EXPENSE	EMS-SPECIFIC EXPENSE	SHARED EXPENSE	EMS-SPECIFIC EXP	SHARED EXPENSE
ADMINISTRATION						
Office supplies/equipment	0.00	0.00	78.83	0.00	67.30	0.00
Legal fees	0.00	0.00	0.00	0.00	0.00	0.00
Accounting/audit fees	0.00	0.00	0.00	0.00	325.00	0.00
Billing fees	0.00	0.00	0.00	0.00	0.00	0.00
Refunds	0.00	0.00	0.00	0.00	0.00	0.00
Dues and subscription	0.00	0.00	0.00	0.00	0.00	0.00
Insurance	1960.27	0.00	1524.67	0.00	1755.04	0.00
Licenses/permits	0.00	0.00	0.00	0.00	0.00	0.00
Professional fees	0.00	0.00	0.00	0.00	0.00	0.00
Office operations	0.00	0.00	0.00	0.00	0.00	0.00
Taxes	0.00	0.00	0.00	0.00	0.00	0.00
Bank fees/interest	0.00	0.00	0.00	0.00	0.00	0.00
EMS OPERATIONS						
Licenses/permits	0.00	0.00	100.00	0.00	100.00	0.00
Service contracts	0.00	0.00	0.00	0.00	0.00	0.00
Background checks/fingerprints	0.00	0.00	469.00	0.00	234.50	0.00
Physicals	0.00	0.00	0	0.00	260.00	0.00
Training/certification	0.00	0.00	790.00	0.00	825.00	0.00
Recruitment/retention	0.00	0.00	0.00	0.00	0.00	0.00
Patient care supplies	0.00	0.00	0.00	0.00	5640.07	0.00
Drugs	0.00	0.00	0.00	0.00	1000.00	0.00
Fuel	0.00	0.00	0.00	0.00	1140.89	0.00
Vehicle maintenance and repair	0.00	0.00	1196.13	0.00	3052.46	0.00
Equipment	0.00	0.00	0.00	0.00	898.96	0.00
PAYROLL						
Hourly payroll costs	0.00		0.00	0.00	0.00	0.00
EMS incentives/stipends	0.00		0.00	0.00	0.00	0.00
Workers' comp insurance	0.00		1934.50	0.00	1610.00	0.00
FICA/payroll taxes	0.00		0.00	0.00	0.00	0.00
Retirement incentives	0.00		0.00	0.00	0.00	0.00
DEPRECIATION						
Vehicles	0.00	0.00	0.00	0.00	0.00	0.00
Equipment	0.00	0.00	0.00	0.00	0.00	0.00
Building and grounds	0.00	0.00	0.00	0.00	0.00	0.00
BUILDING AND GROUNDS						
Utilities	1429.62	0.00	2092.34	0.00	1171.37	0.00
Maintenance	185.00	0.00	203.50	0.00	510.00	0.00
MISCELLANEOUS/OTHER						
Detailed separately	0.00	0.00		0.00	0.00	0.00
TOTAL COSTS	3,574.89	0.00	8,388.97	0.00	18,590.59	0.00
# OF EMS CALLS	33	0	0	0	33	0
# OF FIRE CALLS	179	EMS CALL PROPORTION:	0.16	EMS CALL PROPORTION:	0.00	EMS CALL PROPOI #DIV/0!
PRO-RATED EXPENSES:	3,574.89	0.00	8,388.97	0.00	18,590.59	0.00
TOTAL EMS EXF	30,554.45	3,574.89	0	8,388.97	0	18,590.59
TOTAL EMS COI	\$3,693.97	0.00	0.00	0.00	3693.97	0.00
EMS PROFIT (LC	-\$26,860.48		-8,388.97		-14,896.62	
TOTAL ESA PER	9	0.00	0.00			
TOTAL VOLUNT	24	ESA STAFFING CONTRIBUTI	0.27	ESA STAFFING CONTRIBUTIO	0.00	ESA STAFFING COI #DIV/0!
AMOUNT DUE	-7325.59	0.00	0.00	0.00	0.00	0.00

Note: The Bakerton FD Ambulance went in service in September 2014. Thus, the bulk of expenses occurred in FY 14/15 (September through January).

The preceding years' costs were incurred to get the ambulance operational.

Blue Ridge

	FY 13		FY 14		FY 15	
	EMS-Specific Expense	Shared Expense	EMS-Specific Expense	Shared Expense	EMS-Specific Expense	Shared Expense
Administration						
Office Supplies		4861		8264		
Legal Fees				130		
Accounting		3635		5860		
Billing Fees		7129		6200		
Refunds						
Dues and Subscriptions						
Insurance		23414		31875		
Licenses/permits						
Professional fees						
Office Operations						
Taxes						
Bank fees/interest		2634		29366		
EMS Operations						
Licenses/Permits	400	1680	350			
Service Contracts						
Background checks						
Physicals						
Training/Certification		3255		5885		
Recruitment/retention						
Patient care supplies	17118	51081	14266	45160		
Drugs						
Fuel		21773		31141		
Vehicle Maintenance						
Equipment						
Depreciation						
Vehicles		3824		3824		
Equipment		78484		77568		
Building & Grounds		61		61		
Building & Grounds						
Utilities		13455		16449		
Maintenance		3219		7545		
Total Costs	17518	218505	14616	269328		
# of EMS calls	340 EMS Call Proportion		0.731182796 EMS Call Proportion		0.731182796	
# of Fire Calls	125					
Pro-rated expenses:	159767.10		196928			
Total EMS Expenses:	177285.10		211544			
Total EMS Collected Billing	103703		96812			
EMS Profit (Loss)	-73582.10		-114732.00			

Friendship

		FY13		FY14		FY15 (Projected)	
		EMS-SPECIFIC EXPENSE	SHARED EXPENSE	EMS-SPECIFIC EXPENSE	SHARED EXPENSE	EMS-SPECIFIC EXPENSE	SHARED EXPENSE
ADMINISTRATION							
Office supplies/equipment		\$ 2,590.94		\$ 3,109.88		\$ 1,665.00	
Legal fees		\$ -		\$ -		\$ -	
Accounting/audit fees		\$ 1,365.30		\$ 1,839.83		\$ 1,465.20	
Billing fees		\$ 7,138.46		\$ 6,422.73		\$ 6,500.00	
Refunds		\$ -		\$ -		\$ -	
Dues and subscription		\$ 50.00		\$ 5,735.80		\$ 5,000.00	
Insurance		\$ 8,604.50		\$ 9,630.44		\$ 9,800.00	
Licenses/permits		\$ 25.00		\$ 25.00		\$ 25.00	
Professional fees		\$ -		\$ -		\$ -	
Office operations							
Taxes (Payroll for Admin)		\$ 1,725.60		\$ 1,044.54		\$ 1,350.00	
Bank fees/interest (Ambulance Payment)		\$ 119,571.01		\$ -		\$ -	
EMS OPERATIONS							
Licenses/permits		\$ 1,142.00		\$ 400.00		\$ 400.00	
Service contracts		\$ 4,930.26		\$ 2,413.87		\$ 3,500.00	
Background checks/fingerprints		\$ -		\$ -		\$ -	
Physicals		\$ -		\$ -		\$ -	
Training/certification		\$ 4,299.90		\$ 2,990.00		\$ 3,000.00	
Recruitment/retention		\$ -		\$ -		\$ -	
Patient care supplies		\$ 30,533.68		\$ 23,509.90		\$ 25,000.00	
Drugs		\$ 2,305.34		\$ 2,320.97		\$ 2,400.00	
Fuel		\$ 3,205.75		\$ 4,284.76		\$ 4,400.00	
Vehicle maintenance and repair		\$ 1,737.44		\$ 3,585.05		\$ 5,000.00	
Equipment		\$ 4,930.26		\$ 5,642.02		\$ 5,700.00	
PAYROLL							
Hourly payroll costs		\$ 3,024.45		\$ 2,895.99		\$ 4,995.00	
EMS incentives/stipends		\$ 5,442.00		\$ 5,559.26		\$ 6,000.00	
Workers' comp insurance		\$ 3,287.00		\$ 3,269.00		\$ 3,300.00	
FICA/payroll taxes		\$ 1,861.60		\$ 1,220.38		\$ 1,300.00	
Retirement incentives		\$ -		\$ -		\$ -	
DEPRECIATION (Figures received from Accountant)							
Vehicles		\$ 24,714.28		\$ 24,897.14		\$ 27,142.85	
Equipment		\$ 24,714.28		\$ 24,897.14		\$ 27,142.85	
Building and grounds		\$ 24,714.28		\$ 24,897.14		\$ 27,142.85	
BUILDING AND GROUNDS							
Utilities		\$ 5,856.59		\$ 6,856.59		\$ 8,991.00	
Maintenance		\$ 1,300.35		\$ 2,607.01		\$ 4,995.00	
MISCELLANEOUS/OTHER							
Detailed separately							
TOTAL COSTS		\$ 289,070.27	0.00	\$ 170,054.44	0.00	\$ 186,214.75	0.00
# OF EMS CALLS: (2013 and 2014)	748						
# OF FIRE CALLS: (2013 and 2014)	322	EMS CALL PROPORTION:	0.70	EMS CALL PROPORTION:	0.00	EMS CALL PROPORTION:	#DIV/0!
PRO-RATED EXPENSES:		\$ 289,070.27	0.00	\$ 170,054.44	0.00	\$ 186,214.75	#DIV/0!
TOTAL EMS EXPENSES:	289,070.27						
TOTAL EMS COLLECTED BILLING:	\$171,727.92						
EMS PROFIT (LOSS)	-\$117,342.35						
TOTAL ESA PERSON-RESPONSES:	337						
TOTAL VOLUNTEER PERSON-RESPONSES:	411	ESA STAFFING CONTRIBUTION:	0.45	ESA STAFFING CONTRIBUTION:	0.00	ESA STAFFING CONTRIBUTION:	#DIV/0!
AMOUNT DUE TO ESA:	-52866.80742						

Independent

	FY13		FY14		FY15	
	EMS-SPECIFIC EXPENSE	SHARED EXPENSE	EMS-SPECIFIC EXPENSE	SHARED EXPENSE	EMS-SPECIFIC EXPENSE	SHARED EXPENSE
ADMINISTRATION						
Office supplies/equipment		\$ 5,408.05		\$ 5,312.10		
Legal fees		\$ 204.06		\$ 826.34		
Accounting/audit fees	\$ 2,180.00	\$ 3,800.00	\$ 142.93	\$ 3,812.50		
Billing fees	\$ 31,230.83		\$ 34,061.11			
Refunds	\$ 3,774.02		\$ 1,363.89			
Dues and subscription		\$ 300.00		\$ 1,398.22		
Insurance		\$ 55,815.94		\$ 53,701.37		
Licenses/permits		\$ 400.00		\$ 500.00		
Professional fees		\$ 40.00		\$ 40.00		
Office operations						
Taxes		\$ 6,264.77		\$ 5,562.79		
Bank fees/interest		\$ 258.00		\$ 912.09		
EMS OPERATIONS						
Licenses/permits	\$ 200.00		\$ 1,281.00			
Service contracts	\$ 11,606.50		\$ 8,050.57			
Background checks/fingerprints						
Physicals		\$ 15,708.00		\$ 27,410.00		
Training/certification	\$ 3,563.20		\$ 915.00			
Recruitment/retention		\$ 5,539.77		\$ 5,984.59		
Patient care supplies	\$ 34,427.20		\$ 35,799.56			
Drugs						
Fuel	\$ 11,297.19	\$ 2,628.60	\$ 12,995.48	\$ 3,057.03		
Vehicle maintenance and repair	\$ 18,282.61	\$ 6,593.92	\$ 2,670.95	\$ 864.91		
Equipment	\$ 17,926.59	\$ 4,313.25	\$ 1,759.92	\$ 3,538.24		
PAYROLL						
Hourly payroll costs	\$ 75,000.00		\$ 50,000.00			
EMS incentives/stipends	\$ 50,000.00		\$ 50,000.00			
Workers' comp insurance		\$ 51,191.00		\$ 26,033.00		
FICA/payroll taxes						
Retirement incentives		\$ 15,225.80		\$ 18,519.20		
DEPRECIATION						
Vehicles	\$ 30,000.00		\$ 31,194.00			
Equipment	\$ 20,000.00		\$ 20,796.00			
Building and grounds		\$ 50,000.00		\$ 55,043.00		
BUILDING AND GROUNDS						
Utilities		\$ 35,237.98		\$ 44,052.34		
Maintenance		\$ 14,667.02		\$ 32,925.69		
MISCELLANEOUS/OTHER						
Detailed separately						
TOTAL COSTS	\$ 309,488.14	\$ 273,596.16	\$ 251,030.41	\$ 289,493.41	0.00	0.00
# OF EMS CALLS / # OF FIRE CALLS:	1705	613	1638	517		
	EMS CALL PROPORTION:	0.74	EMS CALL PROPORTION:	0.76	EMS CALL PROPORTION:	1.00
PRO-RATED EXPENSES:	\$ 309,488.14	\$ 201,243.08	\$ 251,030.41	\$ 220,041.86	0.00	0.00
TOTAL EMS EXPENSES:	\$ 510,731.22		\$ 471,072.27			
TOTAL EMS COLLECTED BILLING:	\$ 400,971.07		\$ 421,282.72			
EMS PROFIT (LOSS)	\$ (109,760.15)		\$ (49,789.55)			
TOTAL ESA PERSON-RESPONSES:						
TOTAL VOLUNTEER PERSON-RESPONSES:	ESA STAFFING CONTRIBU	#DIV/0!	ESA STAFFING CONTRIBU	#DIV/0!	ESA STAFFING CONTRIBU	#DIV/0!
AMOUNT DUE TO ESA:	#DIV/0!					

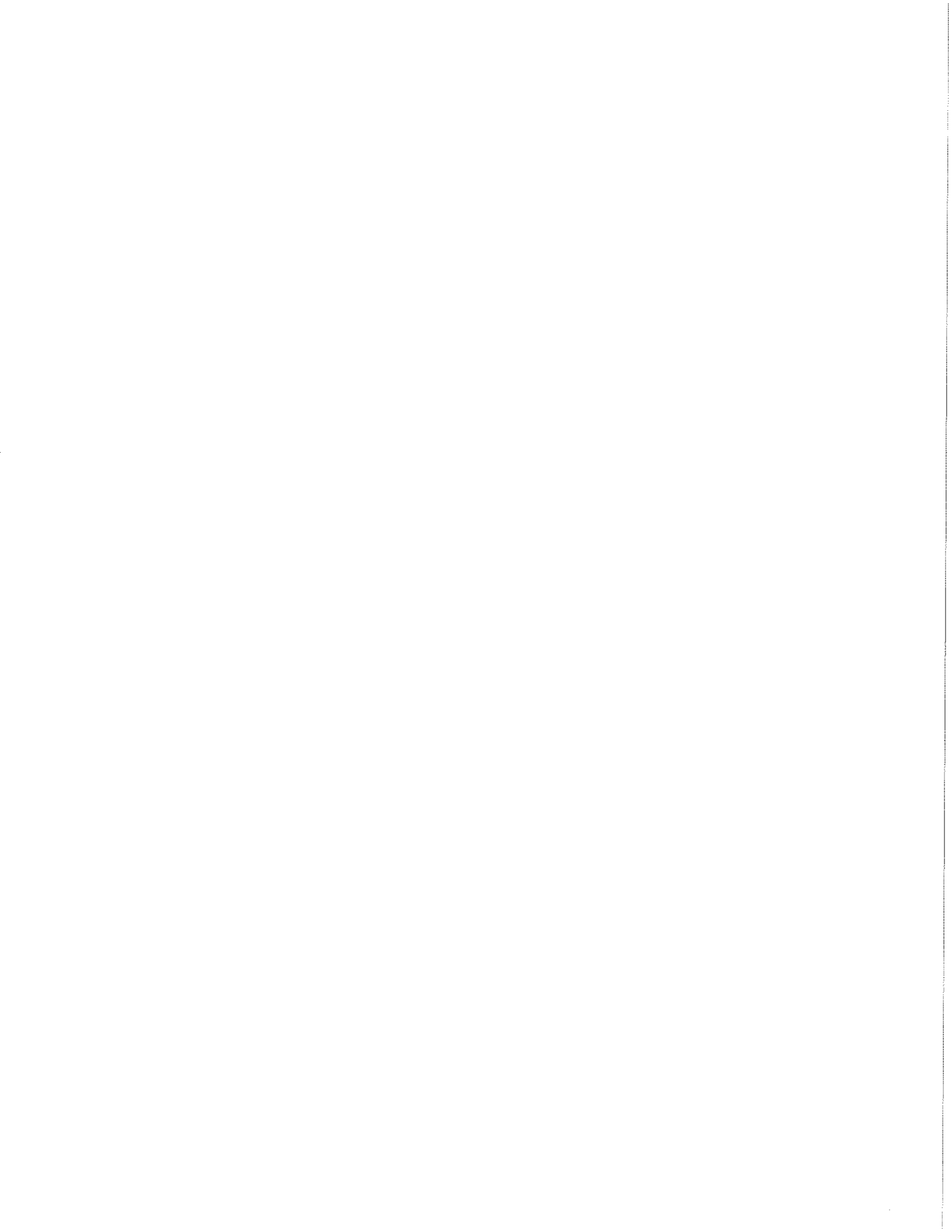
Middleway

Middleway Volunteer Fire Company
 JCESA Requested Information
 Accounting by Calander Year
 Unaudited information provided

	13		14		15	
	EMS-SPECIFIC EXPENSE	SHARED EXPENSE	EMS-SPECIFIC EXPENSE	SHARED EXPENSE	EMS-SPECIFIC EXPENSE	SHARED EXPENSE
ADMINISTRATION						
Office supplies/equipment	**	5190.77		1677.46		
Legal fees						
Accounting/audit fees		1400		1550		
Billing fees	6436.48		5587.66			
Refunds						
Dues and subscription		250		400		
Insurance		15776.48		13630.53		
Licenses/permits (included under EMS Ops)						
Professional fees						
Office operations						
Taxes						
Bank fees/interest						
EMS OPERATIONS						
Licenses/permits	400		700			
Service contracts (under equipment below)						
Background checks/fingerprints						
Physicals						
Training/certification	1425		395			
Recruitment/retention						
Patient care supplies	23893.22		12008.13			
Drugs (included with patient care supplies)						
Fuel	2745.48		3484.21			
Vehicle maintenance and repair	3544.31		7202.65			
Equipment	27887.81		8229.57			
PAYROLL						
Hourly payroll costs						
EMS incentives/stipends	9756.68		10020			
Workers' comp Insurance	***	3911.71		8669		
FICA/payroll taxes						
Retirement incentives						
DEPRECIATION						
Vehicles	2500		2500			
Equipment	500		500			
Building and grounds						
BUILDING AND GROUNDS						
Utilities	**	6194.27		12345.46		
Maintenance	*	16991.31		2753.28		
MISCELLANEOUS/OTHER						
Detailed separately						
Building Mortgage		38633		38633.28		
Active 911				198		
Wifi				1382		
ESO	1308		1308			
TOTAL COSTS	79,088.98	49,714.54	51,935.22	81,239.01	0.00	0.00
# OF EMS CALLS:	243	132	312	77		
# OF FIRE CALLS:		EMS CALL PROPORTION:	0.65	EMS CALL PROPORTION:	0.80	EMS CALL PROPORTION:
PRO-RATED EXPENSES:	79,088.98	32,215.02	51,935.22	65,158.28	0.00	0.00
TOTAL EMS EXPENSES:	111,304.00	111304.00	117,093.50			
TOTAL EMS COLLECTED BILLING:	70740.15	70740.15	77673.62			
EMS PROFIT (LOSS)	-\$4,563.85	-\$4,563.85	-39,419.88			
TOTAL ESA PERSON-RESPONSES:						
TOTAL VOLUNTEER PERSON-RESPONSES:		ESA STAFFING CONTRIBUTION:	#DIV/0!	ESA STAFFING CONTRIBUTION:	#DIV/0!	ESA STAFFING CONTRIBUTION:
AMOUNT DUE TO ESA:	#DIV/0!	*** increase in fundraising activities		** Moved into new building		#DIV/0!

* Cost for New building design changes, etc
 In 2013 added an ambulance

	FY13		FY14		FY15	
	EMS-SPECIFIC EXPENSE	SHARED EXPENSE	EMS-SPECIFIC EXPENSE	SHARED EXPENSE	EMS-SPECIFIC EXPENSE	SHARED EXPENSE
ADMINISTRATION						
Office supplies/equipment		7,200.00		8,650.00		8,500.00
Legal fees						
Accounting/audit fees		3,150.00				3,200.00
Billing fees	14,000.00		16,400.00		16,500.00	
Refunds	Netted in revenue					
Dues and subscription						
Insurance	4,800.00	13,600.00	6,100.00	12,600.00	6,100.00	12,600.00
Licenses/permits						
Professional fees						
Office operations		6,500.00		6,000.00		6,000.00
Taxes						
Bank fees/interest						
EMS OPERATIONS						
Licenses/permits	400.00		900.00		900.00	
Service contracts	7,500.00		8,000.00		8,000.00	
Background checks/fingerprints	Included in adm					
Physicals						
Training/certification		2,600.00		4,300.00		4,500.00
Recruitment/retention						
Patient care supplies	20,000.00		22,100.00		22,100.00	
Drugs	2,600.00		3,200.00		3,200.00	
Fuel	11,100.00		12,400.00		12,400.00	
Vehicle maintenance and repair	10,000.00		10,000.00		10,000.00	
Equipment			3,800.00		4,000.00	
PAYROLL						
Hourly payroll costs						
EMS incentives/stipends		3,800.00		4,200.00		5,000.00
Workers' comp insurance	1,300.00		1,900.00		2,000.00	
FICA/payroll taxes						
Retirement incentives						
DEPRECIATION						
Vehicles	32,800.00		32,800.00		35,000.00	
Equipment	3,000.00		3,000.00		3,000.00	
Building and grounds		19,000.00		19,000.00		19,000.00
BUILDING AND GROUNDS						
Utilities		32,200.00		39,500.00		35,000.00
Maintenance		73,000.00		46,300.00		45,000.00
MISCELLANEOUS/OTHER						
Detailed separately						
Direct Mail		7,300.00		8,100.00		8,000.00
Interest Expense		13,700.00		11,400.00		10,000.00
Principal Payment on Debt		100,000.00		130,000.00		130,000.00
TOTAL COSTS	107,500.00	282,050.00	120,600.00	290,050.00	123,200.00	286,800.00
# OF EMS CALLS:	850		850		850	
# OF FIRE CALLS:	310	EMS CALL PROPORTION: 0.73	310	EMS CALL PROPORTION: 0.73	310	EMS CALL PROPORTION: 0.73
PRO-RATED EXPENSES:	107,500.00	206,674.57	120,600.00	211,736.50	123,200.00	209,364.00
TOTAL EMS EXPENSES:	314,174.57		332,336.50		332,564.00	
TOTAL EMS COLLECTED BILLING:	\$182,400.00		\$202,400.00		\$202,400.00	
EMS PROFIT (LOSS)	-\$131,774.57		-\$129,936.50		-\$130,164.00	
TOTAL ESA PERSON-RESPONSES:	463		452		590	
TOTAL VOLUNTEER PERSON-RESPONSES:	1475	ESA STAFFING CONTRIBU: 0.24	1563	ESA STAFFING CONTRIBU: 0.29	1475	ESA STAFFING CONTRIBU:
AMOUNT DUE TO ESA:	-31481.74687		-31,184.76		-37,747.55	



AGENDA REQUEST FORM

www.jeffersoncountywv.org



Name: Jane Tabb

Department or Organization: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: March 5, 2015

Date Requested – 2nd Choice: _____

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

Subject (Wording to be placed on agenda):

Revised Impact Fees

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

New impact fee schedule is based on two data sets: impact fee recalculation completed in 2008 (?) and the most recent recalculation completed in 2015.

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

Discussion/Action

- **Amend new impact fees for residential housing to 70% of the fees in the 2015 Recalculation Study using housing unit types from the 2015 Recalculation Study.**
- ~~Implement Non Residential impact fees at 0.5% of the 2015 Recalculation Study.~~

Are documents attachments? Yes No

If not, explain: See Roger Goodwin

Is a projector needed? Yes No

Contact information:

Email address: Vinemont@frontiernet.net

Phone number: 304.725.4325

**Residential impact fees at 70% of the 2015 Impact Fee Recal.
Study**

Housing Type	2015 Study	X 70%	Feb. 19th Vote	Difference
Single Family	\$9,065	\$6,346	\$6,346	NONE
Townhome	\$10,094	\$7,066	❖ \$6,908	\$158
Duplex	\$9,850	\$6,895	❖ \$6,908	(\$13)
Multi-Family	\$6,366	\$4,456	\$4,456	NONE

DIFFERENCE \$145.00

❖ Fee is not based on most current data & contains Fire fees which have been removed in the 2015 Study.

2/27/2015

2008 Impact Fees Current Fee Schedule

<u>2008 Fee Schedule Prior to March 1, 2015 - Residential Housing</u>					
Housing Unit Type	Schools	Parks & Rec	Law	Fire/EMS	Current Total Fee
Single-Family & Mobile Home	\$11,358	\$752	\$262	\$698	\$13,070
Townhome	\$8,560	\$575	\$200	\$533	\$9,868
Duplex	\$8,560	\$575	\$200	\$533	\$9,868
Multi-Family (Apartments & Con	\$6,306	\$566	\$197	\$525	\$7,594

2015 Impact Fee Recalculation Proposed Fee Schedule with Residential Housing Shown at 100% & 70% of Calculated Fee Amount

Housing Unit Type	2008 Recalculation Current Fee Total	2015 Recalculation Study Proposed Total Fee at 100%	Schools			Parks & Recreation			Law Enforcement			EMS			2015 Recalculated Fee Schedule Total Fee Amount at 70%	
			2015 Calculated Fee Amount at 100%	Percent Charged	Fee Amount at 70%	2015 Calculated Fee Amount at 100%	Percent Charged	Fee Amount at 70%	2015 Calculated Fee Amount at 100%	Percent Charged	Fee Amount at 70%	2015 Calculated Fee Amount at 100%	Percent Charged	Fee Amount at 70%		
Single-Family & Mobile Home	\$13,070	\$9,067	\$8,143	70%	\$5,700	\$625	70%	\$438	\$230	70%	\$161	\$69	70%	\$48	\$6,347	Using Proposed Fee Schedule
Townhome	\$9,868	\$10,096	\$9,172	70%	\$6,420	\$625	70%	\$438	\$230	70%	\$161	\$69	70%	\$48	\$7,067	Using Proposed Fee Schedule
Duplex	\$9,868	\$9,852	\$9,172	70%	\$6,420	\$460	70%	\$322	\$169	70%	\$118	\$51	70%	\$36	\$6,896	Using Proposed Fee Schedule
Multi-Family (Apartments & Condos)	\$7,594	\$6,368	\$5,688	70%	\$3,982	\$460	70%	\$322	\$169	70%	\$118	\$51	70%	\$36	\$4,458	Using Proposed Fee Schedule

2008 Current Fee Schedule Prior to March 1, 2015						
Housing Unit Type	Schools	Parks & Rec	Law	Fire/EMS	Current Total Fee	
Single-Family & Mobile Home	\$11,358	\$752	\$262	\$698	\$13,070	
Townhome	\$8,560	\$575	\$200	\$533	\$9,868	
Duplex	\$8,560	\$575	\$200	\$533	\$9,868	
Multi-Family (Apartments & Condos)	\$6,306	\$566	\$197	\$525	\$7,594	

2/27/2015

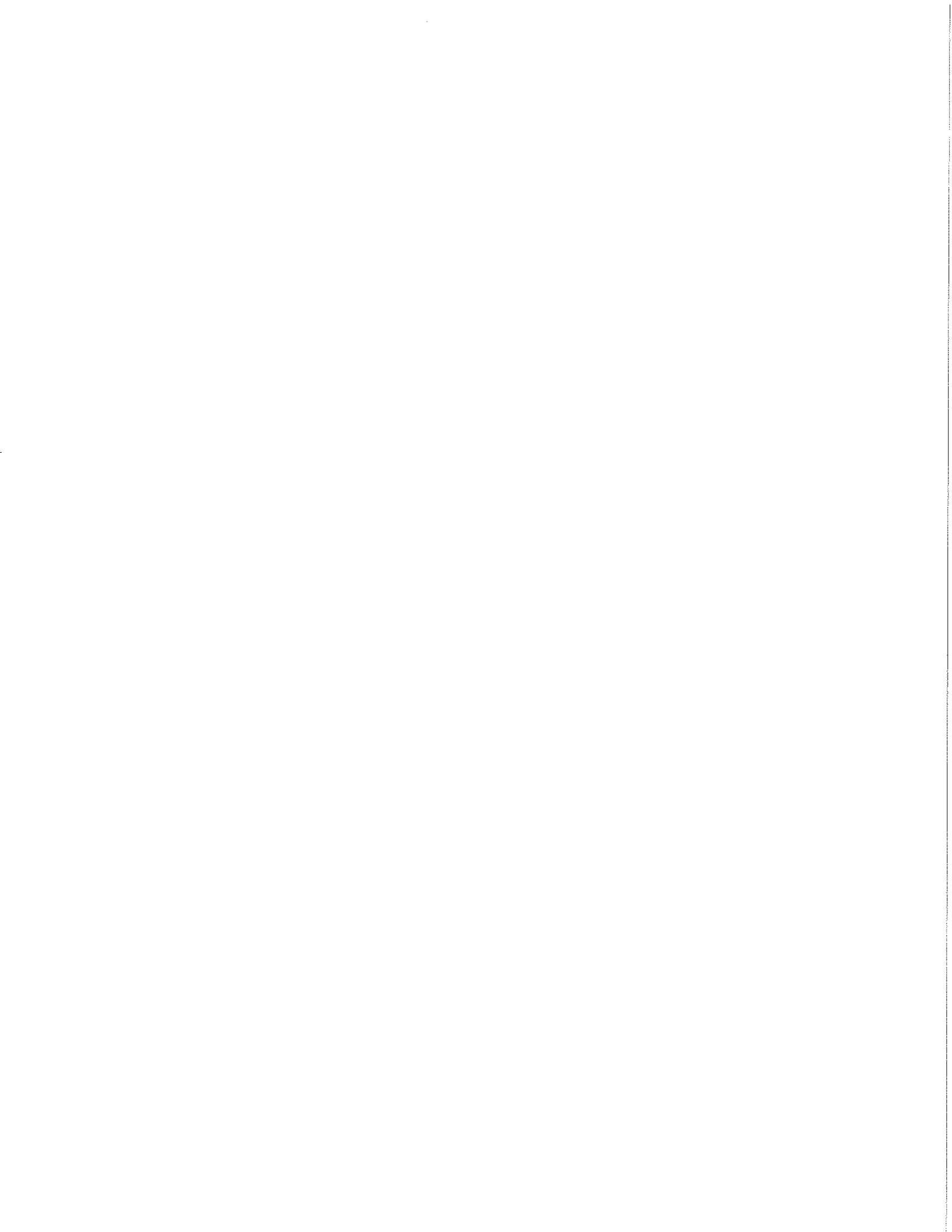
2015 Impact Fees - Jefferson County Commission Approved Fee Schedule Effective March 1, 2015
(Using Combined 2008 and 2015 Fee Schedules)

Housing Unit Type	2008 Recalculation Current Fee Total	2015 Recalculation Study Proposed Total Fee at 100%	Schools			Parks & Recreation			Law Enforcement			EMS			Approved 70% Impact Fee Amount Total	
			Fee Amount Used	Percent Charged	Approved Fee Amount	Fee Amount Used	Percent Charged	Approved Fee Amount	Fee Amount Used	Percent Charged	Approved Fee Amount	Fee Amount Used	Percent Charged	Approved Fee Amount		
Single-Family & Mobile Home	\$13,070	\$9,065	\$8,143	70%	\$5,700	\$625	70%	\$438	\$230	70%	\$161	\$67	70%	\$47	\$6,346	Using 2015 Proposed Fee Schedule
Townhome	\$9,868	\$10,094	\$8,560	70%	\$5,992	\$575	70%	\$403	\$200	70%	\$140	\$533	70%	\$373	\$6,908	Using 2008 Current Fee Schedule
Duplex	\$9,868	\$9,850	\$8,560	70%	\$5,992	\$575	70%	\$403	\$200	70%	\$140	\$533	70%	\$373	\$6,908	Using 2008 Current Fee Schedule
Multi-Family (Apartments & Condos)	\$7,594	\$6,366	\$5,688	70%	\$3,982	\$460	70%	\$322	\$169	70%	\$118	\$49	70%	\$34	\$4,456	Using 2015 Proposed Fee Schedule

Fee Amounts Taken from Recalculated 2015 Fee Schedule
 (Note: 2015 Recalculated Fee Schedule No Longer Includes Collecting for the Fire Portion of the Fire/EMS for Any Residential Housing Types)
 Fee Amounts Taken from 2008 Current Fee Schedule (see fee schedule below)
 (Note: 2008 Current Fee Schedule Includes Collecting for the Fire Portion of the Fire/EMS Fee For Townhome & Duplexes)

2008 Current Fee Schedule Prior to March 1, 2015					
Housing Unit Type	Schools	Parks & Rec	Law	Fire/EMS	Current Total Fee
Single-Family & Mobile Home	\$11,358	\$752	\$262	\$698	\$13,070
Townhome	\$8,560	\$575	\$200	\$533	\$9,868
Duplex	\$8,560	\$575	\$200	\$533	\$9,868
Multi-Family (Apartments & Condos)	\$6,306	\$566	\$197	\$525	\$7,594

Figures from 2008 Current Fee Schedule Used in Approved Fee Schedule
 Figures from 2008 Current Fee Schedule Used in Approved Fee Schedule



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Patsy Noland

Department or Organization: County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: **March 5, 2015**

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

Date Requested – 2nd Choice: Next available

Subject (*Wording to be placed on agenda*): **Discuss eliminating school impact fees and revisiting vehicle impact fees.**

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

1. The county commission, at the February 19th meeting, voted to reduce impact fees by 30% of the consultant's recommended figure. Since that decision, the county commission has been working on the 2016 Fiscal Year Budget, and it is clear that the school impact fees have majorly contributed to our stagnant growth, and that we are losing new growth to nearby counties due to impact fees. The county commission must do all it can to grow our tax base so that our citizens do not have to pay for the increasing need for additional services by increasing taxes. The county commission, over the last several years, has had to increase taxes to meet the growing demand for services, and the county commission is one step away from assessing taxes on citizens at the maximum allowable tax rate. School impact fees have majorly contributed to our stagnant growth by driving the cost of building houses to a level that prohibits our local workforce from being able to afford to build their homes, which has had a negative effect on Jefferson County's tax base.
2. Consider eliminating purchasing vehicles for law enforcement from impact fees as there has been no growth in the number of Deputy Sheriffs that would justify the need for additional vehicles.

Is this a funding request? Y/N - No

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

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

1. Based upon the above stated reasoning, I move that the county commission eliminate school impact fees.
2. Based upon the above stated reasoning, I move that the county commission eliminate purchasing vehicles from impact fees for law enforcement.

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

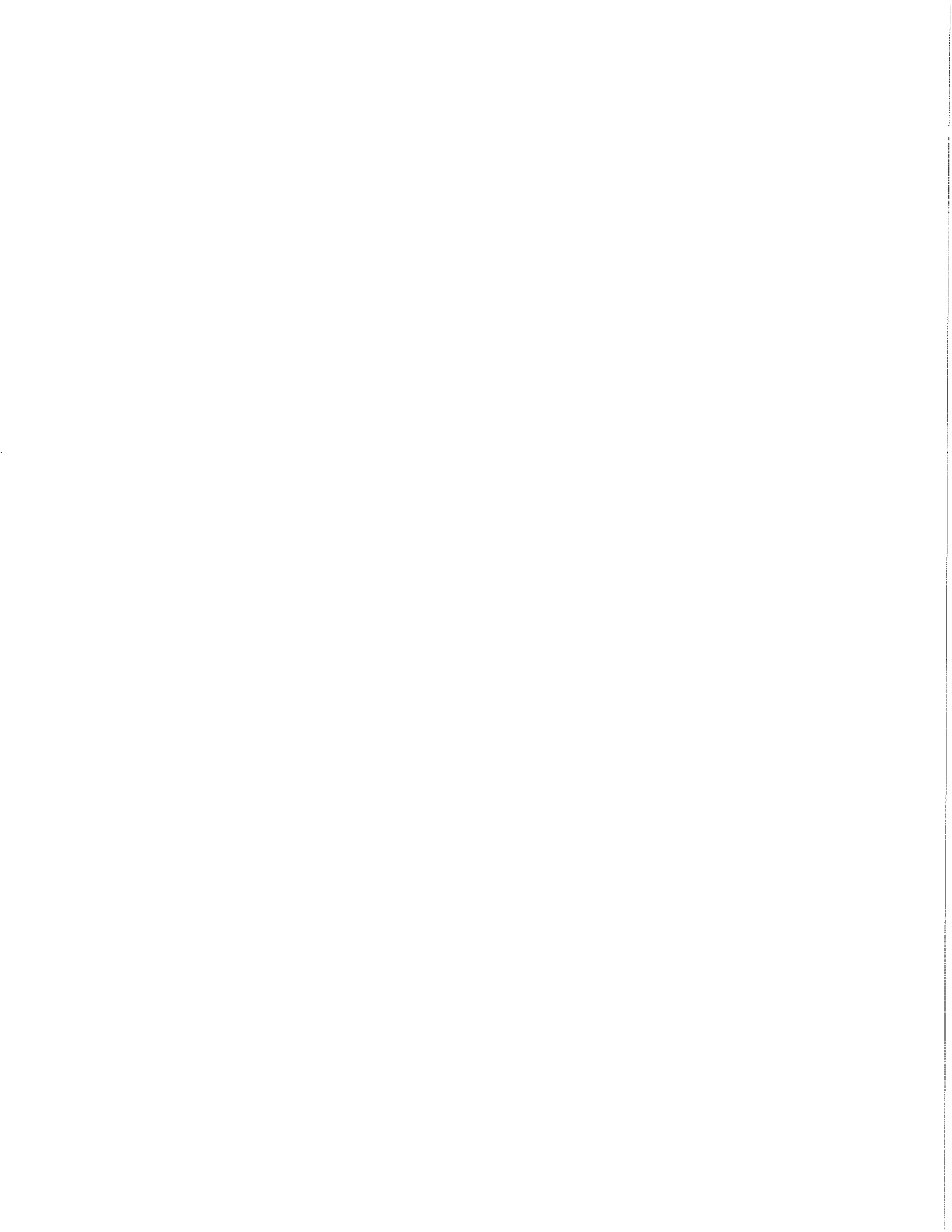
If not attached, explain: Click here to enter text.

Is equipment needed? No 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: commissionerpnoland@gmail.com Phone Number: Click here to enter text.





AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name: **Stephanie Grove, County Administrator**

Department or Organization: County Commission

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **March 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*): **Rescind reduction of Impact Fees adopted on February 19, 2015, and postpone consideration of impact fee funding levels until the public hearing process has been concluded**

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.

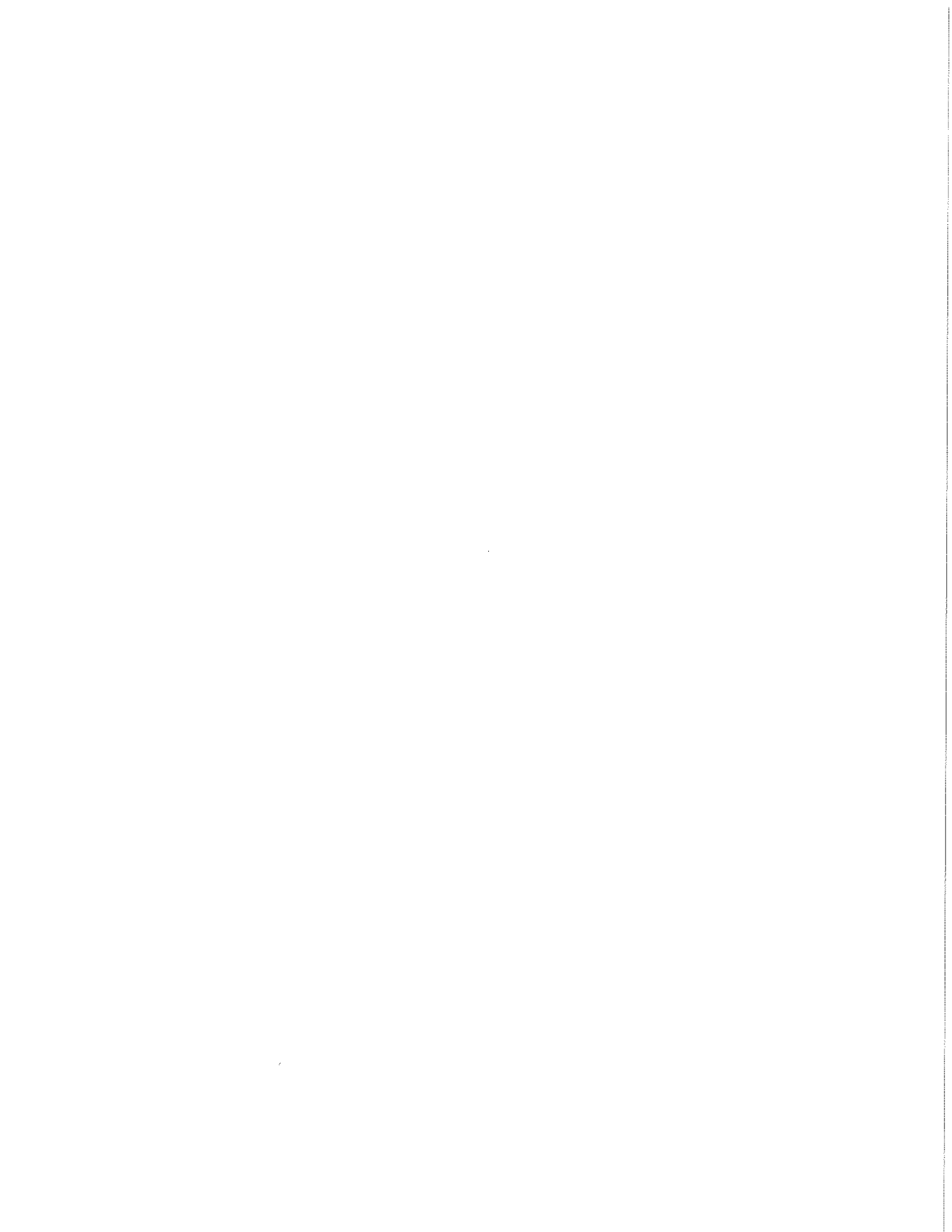
Telephone for conference call Y/N Click here to enter text.

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: **Sandy Slusher McDonald, Deputy County Administrator**

Department or Organization: **County Commission**

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

Date Requested – 1st Choice: **March 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*): **Approval of Resolution and grant application – Blue Ridge Mountain VFD– Discussion/Action**

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

If so, how much? **\$ 0 (Pass through Grant)**

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):
Motion to approve the Resolution and grant application for the Blue Ridge Mountain VFD in the amount of \$3,000 and to authorize the President of the Commission to affix her signature to the appropriate documents - Discussion/Action

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

Pass through grant

**JEFFERSON COUNTY
COMMISSION
CHARLES TOWN, WV**

RESOLUTION

The Jefferson County Commission met on the 19th day of March, 2015 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Jane Tabb, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provisions of the Community Participation Grant Program in the amount of \$3,000. The funds from this project is for the purchase of equipment for the Blue Ridge Mountain VFD.

Dated: _____

JANE TABB
PRESIDENT
JEFFERSON COUNTY COMMISSION

ATTESTED: _____
County Clerk

15LEDA0069

Community Participation Grant Program

Deadline: April 30, 2015

Fiscal Year 2015

Grantee: Jefferson Co. Commission
 Project Title: Blue Ridge Mountain VFD – Equipment

Project Number: 15LEDA0069
 Amount: \$3,000

Section 1: Grantee (Local Governing Agency)

GOVERNING AGENCY NAME:	Blue Ridge Mountain Volunteer Fire Company		
CONTACT PERSON:	Penny Kisner	E-MAIL:	Kisnerpenny@yahoo.com
		PHONE:	304 268 1440

Yes No Are funds requested for a nonprofit organization? If yes, complete Section 2.

Section 2: Subgrantee (Nonprofit Organization)

NONPROFIT ORGANIZATION:	Blue Ridge Mountain Vol. Fire Company		
EXECUTIVE DIRECTOR:	Penny H. Kisner	E-MAIL:	Kisnerpenny@yahoo.com
ADDRESS:	181 Keyes Crp Rd	CITY:	Harpersburg
PHONE:	304 268 1440	WEBSITE:	BRMVFCA
		ZIP:	25825

- Federal nonprofit certification, 501 (c) determination letter from Internal Revenue Service is attached.
- Proof of active registration with the WV Secretary of State is attached.

Section 3: Project Details

Describe in specific terms the scope of the work to be completed and the proposed use(s) of the grant funds. A separate sheet may be attached if additional space is needed.

DESCRIPTION OF PROJECT:

PROJECT LOCATION:

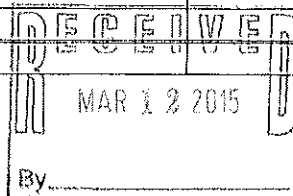
OWNER OF PROJECT SITE, PROPERTY OR BUILDING:
LOCATION AND ADDRESS WHERE GRANT FUNDS WILL BE USED (SUFFICIENT TO DRIVE TO SITE):

Attach a copy of the property deed if project site(s) or building(s) are not publicly owned. Application WILL NOT be processed without a deed.

Section 4: Funding Summary

A minimum of 10% is required as a local match. Attach commitment letters for each funding source listed below.

	AMOUNT	SOURCE GRANT, BANK LOAN, FUNDRAISING, ETC.	STATUS PENDING, APPROVED, ONGOING, ETC.	DOCUMENTATION LETTER, RESOLUTION, ETC.
GRANT FUNDS REQUESTED	\$3,000			
LOCAL FUNDS (10% REQUIRED MATCH)	\$ 300.00	Fund Raising		
OTHER FUNDS	\$ - 00 -			
OTHER FUNDS	\$ - 00 -			
OTHER FUNDS	\$ - 00 -			
TOTAL PROJECT COST	\$ 2,700.00			



ANSI 207 Hi Vis Mesh-Top Public Safety Vest

Item #V-PSMT-Fire	1 866-304-7189	25	\$775.00
Fire Safety USA	1 877-699-3473		
Hose Strap		1	\$ 50.00
Forestry Hose Pack		1	\$125.00
Double Donut Strap		1	\$ 70.00
Forestry Hose 1.0" X 50"		10 Rolls	\$650.00
Salvage Covers SC 14x18 18oz			
Gated Wye 75014433 2.5 Females Inlet x 2 and 1.5" Male Outlet			\$275.00
Halax Marrying Strap		4 \$35.00 each	\$140.00
Pike Pole-8D '8 Pike Pole with Handle		3 \$65.00 each	\$195.00
Pike Pole Bracket FBP58201C		3 \$20.00 each	\$ 60.00
HYH-6 =6' NYH Pike Pole		3 \$75.00 each	\$225.00

TOTAL \$2,865.00

BRMVFC 10% (Fundraising) - 10% \$ 286.00

TOTAL \$2,579.00

Justification: Supplies are needed to help Blue Ridge Mountain Volunteer Fire Company members better serve and protect Jefferson County and surrounding areas.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Crystal Hawn

Department or Organization: Jefferson County Family Court

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: March 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*): Approval to use the JCC meeting room the third Wednesday of each month from 5:30 – 8:00 pm for the purpose of holding Parent Education courses.

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

COUNTY COMMISSION MEETING ROOM

REQUEST FORM

Date Requested: 6-17-15, 7-15-15,8-19-15,9-16-15,10-21-15,11-18-15,12-16-15
Meeting Time: 5:30 p.m. to 8:00 p.m.
Organization Name: Jefferson Co., WV Family Court
Purpose of Meeting: Parent Education

Please attach a brief description of your organization. (You may attach other printed materials.)

Please check the boxes on all that apply to your organization:

- Has previously used the library
- Is a not-for-profit organization
- Can provide a certificate of insurance
- Indemnification Form provided in lieu of certificate of insurance

By signing this Request, I acknowledge that I have read and fully understand the Jefferson County Commission Meeting Room Policy for the use of the County Commission Meeting Room located at 200 East Washington Street lower level of the Old Charles Town Library. I agree to assume personal responsibility for my organization's compliance with these regulations, the behavior of all those attending any meeting or program, and the care of the meeting room and all property within the room.

Person Making Request: (printed): Crystal Hawn

Signature of Person Making Request: Crystal Hawn Date: 3-12-2015

Contact Person: Crystal Hawn

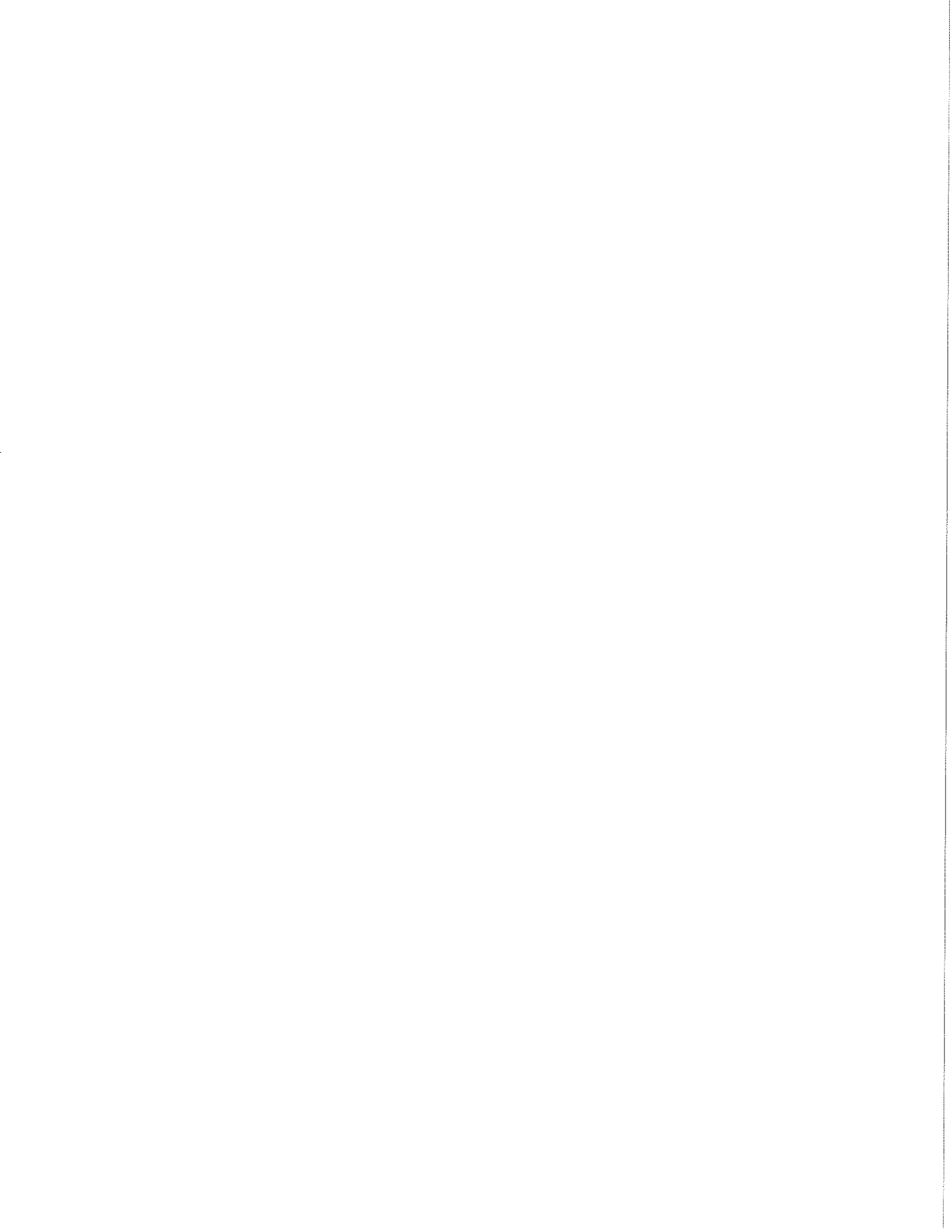
(If other than the representative signing above)
Representative's Address: 119 North George Street, Suite 200

Charles Town, WV 25414

Telephone: 304-724-6256x1431 Fax: 304-724-6258

E-mail:

crystal.hawn@courtswv.gov





AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **March 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.

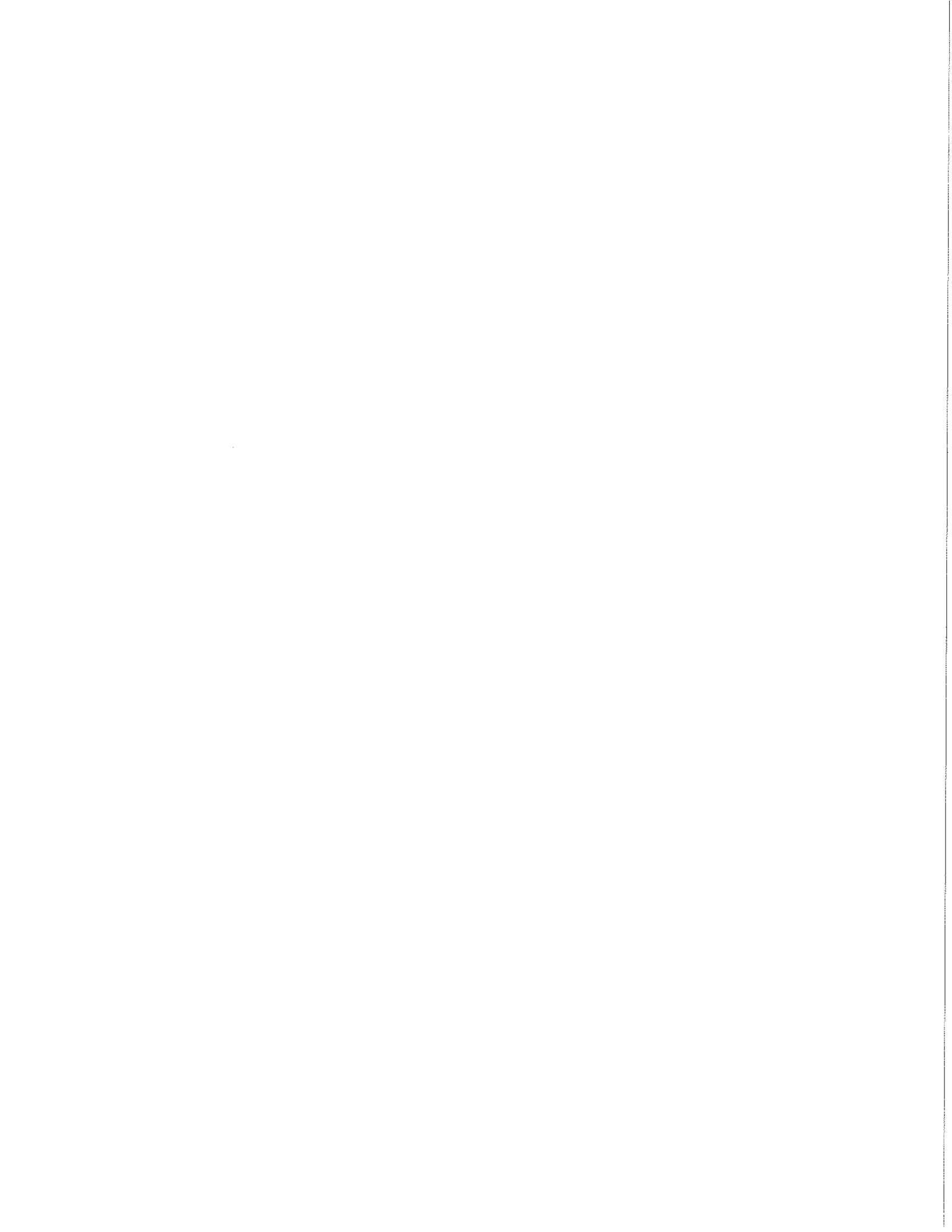
Telephone for conference call Y/N Click here to enter text.

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: Lynn Fields

DEPARTMENT OR ORGANIZATION: Probate Office

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

DATE REQUESTED: 1ST CHOICE March 19th, 2015

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

SUBJECT: To approve and close estates that did not meet the requirements for closure at January's quarterly review, but that need to be closed for time sensitive reasons.

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

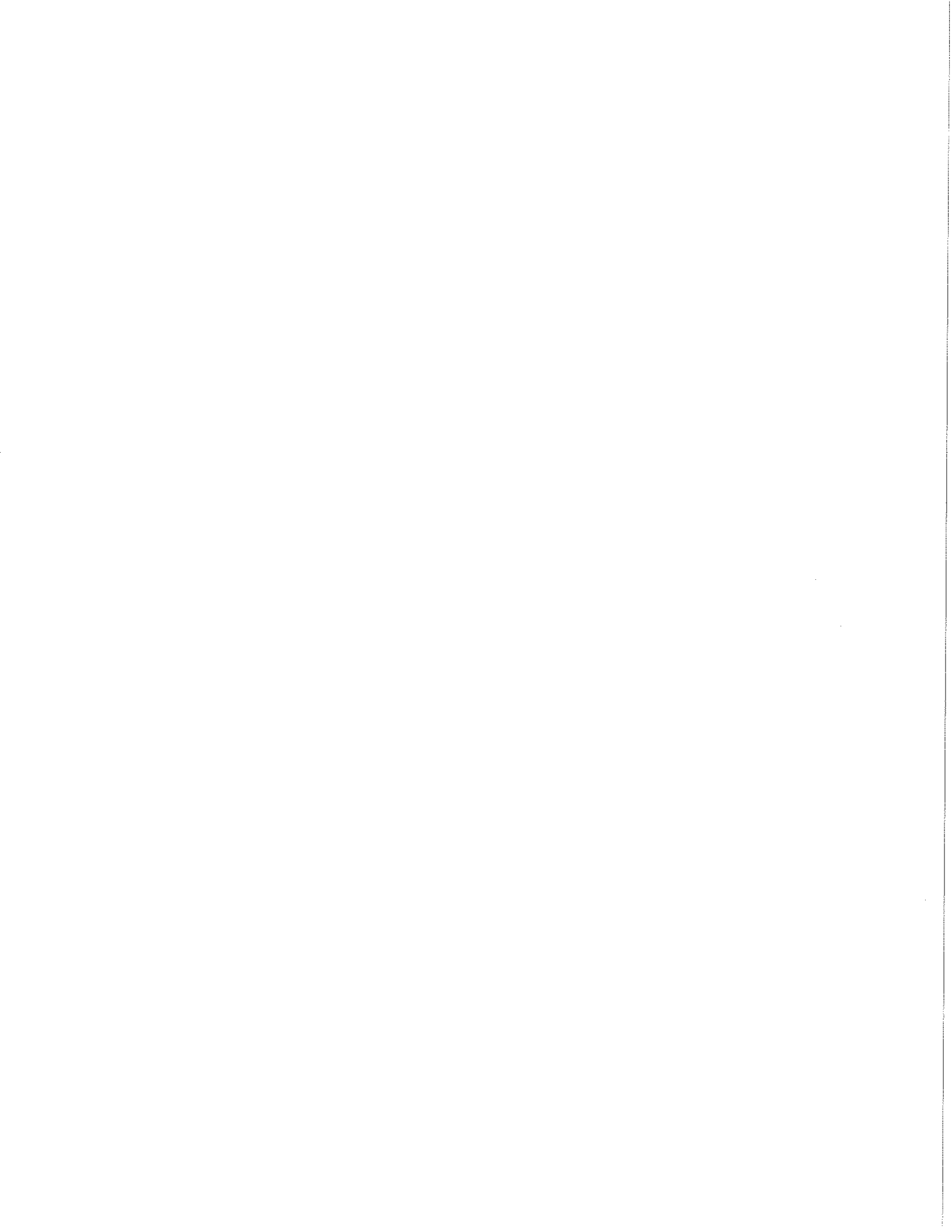
The probate office has been asked by two attorneys to close approximately five estates that were not able to be closed in January, but that need to be closed now for tax purposes, distribution, etc.

RECOMMENDED MOTION: All presented estates have met the necessary requirements for closure, and it is our recommendation that they be approved and closed by the county commission.

ARE DOCUMENTS ATTACHED: Yes.

IS A PROJECTOR NEEDED?: NO

lfields@jeffersoncountywv.org (304) 728-3210



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Lynn Fields

Department or Organization: Jefferson County Probate Department
Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: **March 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*):

Public Hearing on the Petition to Remove Ricky Crum as the Executor of the Estate of Gardner Dillow and to Appoint Sheriff of Jefferson County or Bank of Charles Town as Administrator in the above Estate.

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

Law Office of
F. Samuel Byrer, PLLC

202 West Liberty Street
P.O. Box 597
Charles Town, WV 25414

Telephone: (304) 724-7228
Facsimile: (304) 724-7278

 COPY

F. Samuel Byrer
Peter A. Pentony

Writer's email:
fsamuelbyrer@frontiernet.net

February 18, 2015
Via: *Hand Delivery*

Ms. Karen Olden & Ms. Lynn Fields
Deputy Probate Clerks
Jefferson County Courthouse
Charles Town, WV 25414

RE: Estate of Gardner Dillow

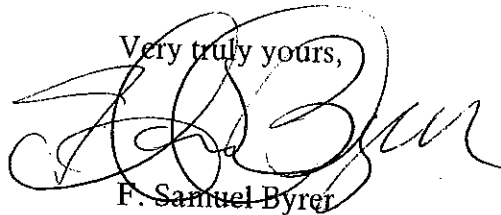
Dear Karen & Lynn:

Enclosed please find a Petition to Remove Ricky Crum as Executor and to Appoint Sheriff of Jefferson County or Bank of Charles Town as Administrator in the above estate.

I also enclose an Order allowing the County Commission to appoint a Fiduciary Supervisor to address this. I sent a copy of all of this to Mr. Dorsey, counsel for the Estate.

If you have any questions or need any additional information, please do not hesitate to contact me. Thank you very much.

Very truly yours,


F. Samuel Byrer

FSB:dld
Enclosures

cc: Mrs. Lisa Burch
John K. Dorsey, Esq.

**IN THE COUNTY COMMISSION OF
JEFFERSON COUNTY, WEST VIRGINIA**

IN RE: The Estate of Gardner W. Dillow, deceased

Petition to Remove Ricky Crum as Executor and to Appoint
Sheriff of Jefferson County or Bank of Charles Town as Administrator

This Petition is filed by Lisa Burch, Administratrix of the Estate of Jessica Cave, Administratrix of the Estate of Dominic Estevez, and Administratrix of the Estate of Angelina Estevez. Mrs. Burch is a creditor of the Estate of Gardner W. Dillow.

Pursuant to W.Va. Code §44-5-5, "The county commission under whose order, or under the order of whose clerk, any such fiduciary derives his authority . . . may . . . whenever from any cause it appears proper, revoke and annul the powers of such fiduciary." Proper cause exists for the County Commission to remove Ricky Crum as Executor of the Estate of Gardner W. Dillow for three reasons.

First, Crum failed to file a proper Appraisal and Inventory within the statutory time period. Second, Crum failed to file an accounting in accordance with West Virginia Code §44-4-2 and has unduly delayed the administration of the Estate. Third, Crum, upon information and belief, has committed waste of assets and has treated assets of the Estate of Gardner Dillow as his own without properly addressing claims.

In further support of her Petition, Mrs. Burch states as follows:

1. Prior to and at the time of his death, Gardner Dillow owned and operated several mobile home parks in Berkeley and Jefferson Counties.
2. On January 23, 2012, as a result of the negligence, gross negligence, recklessness, and wanton disregard of law by Dillow, his purported LLC, and his agents or employees, one of Dillow's mobile homes burned, causing the death of Jessica Cave, Jessica's two-year-old son Dominic Estevez, and Jessica's unborn child Angelina Estevez. The mobile home did not have a smoke detector, was dilapidated, and contained improperly connected aluminum and copper wiring. Shortly after the fire, Dillow or one of his employees removed evidence from the scene of the fire.
3. On June 14, 2013, Gardner Dillow died. On June 24, 2013, Ricky Crum qualified as Executor of the Estate of Gardner Dillow. Gardner Dillow's Last Will and Testament did not require Crum to post surety on his bond and named Crum as the sole beneficiary of the Estate.
4. On October 25, 2013, Mrs. Burch, mother of Jessica and grandmother of Dominic and Angelina, and also Administratrix of each of their estates, filed Notices of Claim against the Estate of Gardner Dillow for their wrongful deaths. At least two other creditors also filed claims.
5. Crum never filed an objection or any other response to the Claims. The claims are thus deemed admitted.

Crum breached his duties as Executor by failing to timely file a proper Appraisal and Inventory.

6. W.Va. Code § 44-1-14(f) requires the personal representative to file an Inventory and Appraisal of the assets of an estate within 90 days of qualification. Crum qualified on June 24, 2013; however, despite allegedly having an attorney and an accountant, Crum failed to file an Appraisal and Inventory for nearly one year following his appointment. Crum finally filed the form on June 6, 2014, more than eight months late, in violation of law.
7. Moreover, a delayed Appraisal might perhaps be explainable if the Estate had used the time period to obtain professional appraisals. However, Crum failed to obtain a professional business valuation of the mobile home park or the purported LLC, and failed to obtain appraisals for the real estate, so that accurate values could be reported in the eight-month-late Appraisal.
8. A prudent person in Crum's position should have obtained appraisals promptly upon qualifying in order to have an accurate understanding of the value of estate assets and sufficient information to decide how to proceed properly in the estate. As Crum was an employee of the decedent's LLC and was also assisted by counsel, it should have been clear from the outset-- due to the State tax liens, delinquent real estate taxes, obligations related to multiple mobile home parks, and the Petitioner's known wrongful death claims—that efficient and timely marshaling and liquidation of assets would be necessary in order to properly administer the Estate. Instead, Crum delayed or wholly

failed to address these matters, and instead incurred further expense, delay and debt while apparently continuing to operate the Estate's mobile home parks.

9. Crum breached his duty to the creditors of the estate by failing to obtain accurate valuations of the property and assets and failing to file a timely Inventory and Appraisalment.

Crum breached his duties as Executor by failing to file an Accounting.

10. W. Va. Code § 44-4-2 requires a personal representative to file an accounting within two months after the end of each year following his qualification as Executor. Crum qualified in June 2013, and was legally obligated and duty-bound to file an accounting by August 2014. In violation of this law, Crum has never filed any accounting despite allegedly having an accountant and attorney.

11. As a result of Crum's failure to file an accounting, Crum has had the opportunity to take in revenue, spend money, sell property, and use Estate assets, all without reporting the same.

12. Crum's failure to file an accounting is a violation of law and is prejudicial to the creditors of the Estate.

**Crum has breached his duties as Executor
by wasting Estate assets and by treating Estate assets as his own,
without properly addressing the claims of creditors.**

13. Petitioner believes that Crum is not administering the Estate of Gardner Dillow according to law and in a manner which would provide for the proper

payment of claims, and that he instead is enriching and benefitting himself at the expense of the holders of proper claims against the Estate.

14. Gardner Dillow owned a home located at 47 Columbia Court, Harpers Ferry, at the time of his death. Crum listed his own address as 809 Virginia Avenue, Martinsburg, in his June 24, 2013, Qualification Order; however, by the time he filed the June 2014 Appraisal, Crum identified 47 Columbia Court, Harpers Ferry, as his address. Clearly, it appears that at some point during his administration of this Estate, Crum moved into the decedent's home.
15. To compound the misdeeds, upon information and belief, Crum apparently failed to pay the mortgage on the home while he lived in it, resulting in foreclosure on an Estate asset.
16. Crum has sold real estate belonging to Gardner Dillow.
17. Crum has continued to operate Gardner Dillow's mobile home parks. The mobile home parks generate more than \$100,000 per year in gross income, according to information in the hands of Petitioner. The appraisal identified twenty-four mobile homes owned by the Estate's LLC. Records from the Jefferson County Magistrate Court reflect that the typical rent charged is \$450 to \$500 per month. Even estimating conservatively and allowing for 75% occupancy, eighteen mobile homes at \$450 per month would yield over \$97,000 in gross revenue per year. Upon belief, Crum has continued to receive the rental income from the mobile home parks, without timely filing an Accounting.

18. Crum apparently has the benefit of legal counsel and accounting advice. Nonetheless, he has failed to file the legally-required probate documents such as the Accounting. Petitioner believes that the reason for this failure may be that Crum is collecting rent from the mobile home park tenants and possibly keeping some of the money for himself, and that Crum is failing to keep and file proper records of income of the Estate. Crum's failure to file the Accounting required by law prevents Petitioner from determining how Crum has applied the income from the operation of the mobile home facilities.

Crum should be removed as Executor or should be required to post a cash or surety bond.

19. The eight-month-late Appraisal and Inventory identified probate property with a value of \$490,319.95. Despite these assets, Crum has made no effort to resolve the claims of the Estate's creditors, and instead he has continued to operate the mobile home parks without accounting for the rents received.

20. Moreover, Crum has operated the trailer parks with very old, dangerous, dilapidated mobile homes during his service as Executor. The newest of the mobile homes, per the Appraisal, is forty-three years old. Crum has continued allowing families to live in these dangerous units, upon information and belief, without having any liability insurance.

21. Crum's actions and neglect have put the tenants' lives and those of their children at risk. Crum's actions have further put the creditors at risk by virtue of his operating without liability insurance. If another tragedy occurs in one

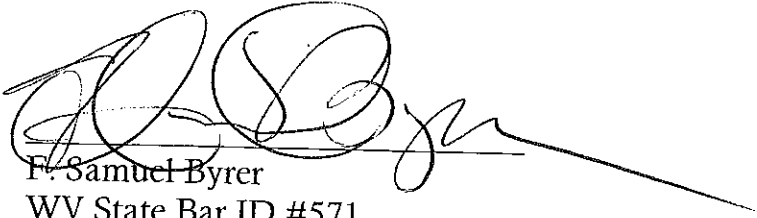
of the mobile homes, then one more claim will be competing with the acknowledged creditors of this Estate.

22. Crum's ability to appropriately handle this Estate is doubtful. In January 2010, the State of West Virginia filed a state tax lien against Crum and his wife for unpaid state taxes from 2005, 2006, and 2007, in the amount of \$5,921.65. The previous year, Valley Board Federal Credit recorded an Abstract of Judgment against Crum in the amount of \$852.09. These liens are unreleased.

WHEREFORE, as result of Crum's protracted failure to follow the legal obligations he swore to uphold when he took the oath of executor, in order to protect the interests of the creditors of the estate and in order to allow for the timely, proper, and efficient administration of the Estate of Gardner Dillow, the Petitioner prays that a fiduciary commissioner be appointed to hear this matter, that Ricky Crum be removed as Executor, be required to file an Accounting at his own expense, should have his accounts charged and falsified, be required to repay all fees and expenses he has paid from Estate funds, that the Sheriff of Jefferson County or Bank of Charles Town be appointed as Administrator of the Estate of Gardner Dillow, that costs, expenses and attorneys fees be awarded against him and for such further relief as may be just. Alternatively, should Crum be permitted to continue to serve as Executor, he should be required to post a bond with cash or corporate surety in the amount of \$1,000,000.00.

LISA BURCH,
Administratrix of the Estate of Jessica Cave, deceased,

Administratrix of the Estate of Dominic Estevez, deceased, and
Administratrix of the Estate of Angelina Estevez, deceased.
By counsel

A handwritten signature in black ink, appearing to read 'F. Samuel Byrer', is written over a horizontal line. The signature is stylized and cursive.

F. Samuel Byrer

WV State Bar ID #571

Peter A. Pentony

WV State Bar ID #7769

F. Samuel Byrer, PLLC

P.O. Box 597

Charles Town, West Virginia 25414

Phone: 304-724-7228

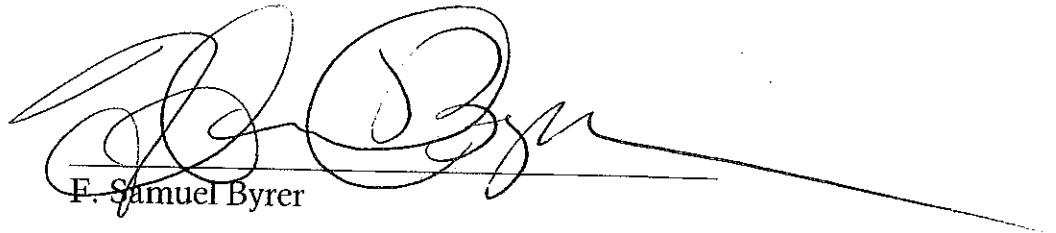
Fax: 304-724-7278

**IN THE COUNTY COMMISSION OF
JEFFERSON COUNTY, WEST VIRGINIA**

IN RE: The Estate of Gardner W. Dillow, deceased

Certificate of Service

I, F. Samuel Byrer, hereby certify that I served a copy of the foregoing Petition to Remove Ricky Crum as Executor and to Appoint Sheriff of Jefferson County or Bank of Charles Town as Administrator and proposed Order Appointing Fiduciary Commissioner upon counsel for the Executor, John K. Dorsey, by mailing a copy by first-class U.S. Mail, postage prepaid, to his address of P.O. Box 42, Charles Town, West Virginia 25414, on the 18th day of February, 2015.


F. Samuel Byrer

IN THE COUNTY COMMISSION OF
JEFFERSON COUNTY, WEST VIRGINIA

IN RE: The Estate of Gardner W. Dillow, deceased

Order Appointing Fiduciary Commissioner

On the ____ day of February, 2015, Lisa Burch, Administratrix of the Estate of Jessica Cave, Administratrix of the Estate of Dominic Estevez, and Administratrix of the Estate of Angelina Estevez, by counsel F. Samuel Byrer, filed a Petition to Remove Ricky Crum as Executor and to Appoint Sheriff of Jefferson County or Bank of Charles Town as Administrator.

It appears to the County Commission that this matter should be referred to a Fiduciary Commissioner who may take evidence and issue a recommended ruling on the Petition. As such, _____ is hereby appointed as Fiduciary Commissioner in this matter.

The Fiduciary Commissioner is empowered to conduct such hearings as are necessary and shall diligently make a recommendation to the County Commission concerning the issues raised in the Petition.

President of the Jefferson County Commission



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jennifer Brockman, Director

Department or Organization: Planning and Zoning

Estimation of amount of time needed for appointment: One (1) Hour

Date Requested – 1st Choice: March 19, 2015 @ 7:00 PM

*If a specific date is needed, please provide reason for specific date: **CC Scheduled Public Hearing.***

Date Requested – 2nd Choice: N/A

Subject (*Wording to be placed on agenda*): Public Hearing: 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 (**Planning and Zoning File #Z14-03**).

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 are attached.

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 March 19, 2015 at 7:00 PM.

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 keep the public input record open for **14 days** to receive public input on the proposed zoning map amendment for the 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.

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

Attachments:

- Rezoning Location Map
- Zoning Map Amendment Application (File #Z14-03)
- Standard Land Company, LLC, Staff Report, 02-10-15
- Written Comments Received during PC Public Hearing on 02-10-15
- Portion of the minutes from 02-10-15 Planning Commission Meeting pertaining to the Standard Land Company, LLC agenda item.

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.

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

The County Commission of Jefferson County will hold a public hearing on **Thursday, March 19, 2015 at 7:00 p.m.** in the County Commission meeting room located at the Old Charles Town Library, 200 East Washington Street, Charles Town, WV 25414.

At this meeting, there will be public input on the 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 request is to change the zoning designation for this property from Rural and Residential Growth to Residential-Light Industrial-Commercial (R-LI-C).

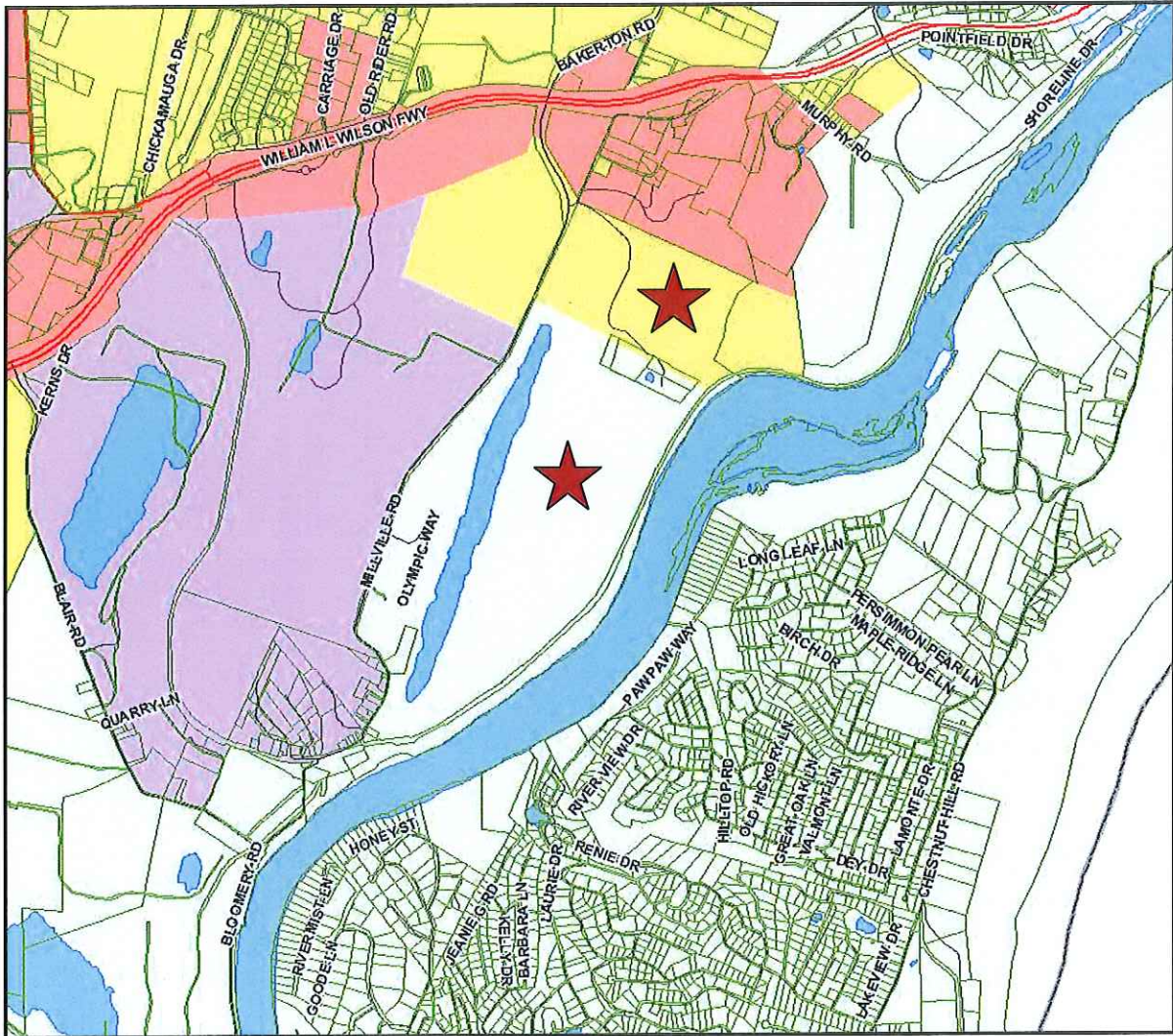
Anyone wishing to provide written or oral comment may do so at this meeting or send comments to info@jeffersoncountywv.org.

No decisions will be made at this meeting.

By Order of the County Commission of Jefferson County
Jane M. Tabb
President

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





JEFFERSON COUNTY, WEST VIRGINIA
Departments of Planning and Zoning
 116 East Washington Street, P.O. Box 338
 Charles Town, WV 25414

File Number: #Z14-03
 Staff Initials: c/c
 Application Fee: \$ _____

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: Standard Land Company, LLC
 Mailing Address: PO Box 25523 Washington, DC 20027
 Phone Number: 202-441-6156 Email: noah@arc.land

Applicant contact information

Name: See above
 Mailing Address: _____
 Phone Number: _____ Email: _____

Applicant representative

Name: Gordon/Mark Dyck
 Mailing Address: 301 N. Mildred Street, Suite 1, Charles Town, WV 25414
 Phone Number: 304-725-8456 Email: mdyck@gordon.us.com

Physical property details

Physical Address: East side of Millville Road (Route 27), south of the intersection with Route 340.
 City: Harpers Ferry State: WV Zip Code: 25425
 Tax District: Harpers Ferry Map No: 11 Parcel No: 24.1
 Parcel Size: 404.69 +/- acres Deed Book: _____ Page No: _____

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 checked="" 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"/>	

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.

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)

	12/30/14		
Signature of Property Owner	Date	Signature of Property Owner	Date

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

* 214-03

Zoning Map Amendment Application Addendum

Old Standard Quarry

December 30, 2014

RECEIVED

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Owner / Applicant:

Standard Land Company, LLC.
P.O. Box 25523
Washington, D.C. 20027

Substantiation for Request:

1. **Consistent with the Jefferson County Comprehensive Plan Vision: Promotes new growth including a balance of jobs and housing while being respectful of the rural landscape, the natural beauty and the pleasing character of our towns and villages (Page 9 of the Comprehensive Plan).** The conceptual plan for the development of this property will promote Residential/Light Industrial/Commercial uses in close proximity to a four (4) lane highway adjacent to other commercial and residential uses. The proposed concept plan will be respectful of the adjacent National Park Service properties and will be developed in a manner that integrates with the character of the adjacent commercial and residential land uses.

2. **Consistent with the Jefferson County Comprehensive Plan Policies: Encourages economic development so that residents can live and work in the County (Page 9 of the Comprehensive Plan).** The conceptual plan for the development of this property will promote Residential/Light Industrial/Commercial uses that will encourage economic development and places for residents to live.

3. **Consistent with the Basis for a Comprehensive Plan: A well-planned and developed community is more attractive to potential investors and employers (Page 16 of the Comprehensive Plan).** A rezoning of this property from rural/Residential Growth to Residential/Light Industrial/Commercial will provide 405 +/- acres of property along a major thoroughfare into Jefferson County with a creative, master plan for employers and homeowners in Jefferson County.

4. **Current and planned uses in the vicinity of the property recognize the Route 340 corridor as an appropriate area for development.** The properties north of this property are zoned the same as what the subject is requesting. There are numerous adjacent properties that are currently being operated as commercial and residential uses. Additionally, there are properties adjacent to this parcel that have been planned for future development as commercial, residential and recreational uses.
5. **Availability of Public Utilities.** This property currently has access to public water and sewer with unused capacity therefore there would be no additional burden on existing Utilities.

Property Tax Identification:

Map 11 Parcel 24.1

Deed information:

Deed Book 984, Page Number 501

Property Characteristics:

Location: Located on the east side of Millville Road (Route 27), ¼ mile south of the intersection of Route 340 and Millville Road.

Current Zoning: Rural/Residential Growth

Current / Historic Use: Industrial/Residential/Recreational

Tract Size: 405+/- 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 requested zoning map amendment is a unique opportunity to realize the potential of the subject property, which has unique economic development potential including significant preservation/recreation opportunities. The existing zoning is not consistent with the adjoining zoning or uses to the north of the property, which is zoned Residential/Light Industrial/Commercial and supports a variety of activities. Further, under existing zoning, approximately 320 homes could be developed on the most visible 80 acres on the northern portion of the subject, while the remaining acreage, which arguably has the most development potential, can only be developed for very low density residential. Yet this larger portion of the property includes an area that could be redeveloped without impacting the

adjoining National Park viewsheds. A previous development proposal of this nature was supported by the National Park Service, however would have been inconsistent with the existing zoning.

The applicant's goal is to obtain the Zoning Map Amendment in order to maintain flexibility in the master plan (placement and type of uses) while maintaining the economic potential of the overall property. The applicant believes that the Zoning Map Amendment will result in a unique and creative master plan for the property that will be implemented over time in a manner consistent with the surrounding area including respecting the historic viewsheds.

The applicant is requesting that the Residential/Light Industrial/Commercial Zone be granted to allow for uses that are consistent with the site location near other Residential/Light Industrial/Commercial uses and in close proximity to a four lane highway and existing public utilities. The property has a legacy heavy industrial use and the requested zoning is required if the property is to be viably redeveloped to provide employment and tax base opportunities more consistent with the information economy and recreation/tourism potential in the eastern part of the County.

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.***
 - **Public Utilities.** Sanitary sewer and water are provided through public utilities immediately available to the property therefore there should be no unreasonable cost to the community. The western portion of the property has a sewer main through it to an existing sewage treatment plant owned by East Jefferson Sewer Service, LLC. on a tract immediately adjacent to the subject property. Public water is on the northwest corner of the property, which is owned by Jefferson Utilities, Inc.
 - **Schools.** There are numerous schools (C.W. Shipley, Harpers Ferry Middle School) within a close proximity to this site, therefore should the property be developed with residential uses they can be provided without unreasonable cost to the community. Additionally, as with all development in Jefferson County impact fees will be collected as part of the development of the site to provide financial contributions to the County for services.

- ***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 Industry, Commerce and Residential uses.** The property owner envisions this property being developed in a manner that will

encourage these uses in a way that will benefit Jefferson County economically and structurally. The property has previously supported industrial, commercial, and residential uses and if the Zoning Map Amendment is granted, it can be redeveloped to accommodate updated uses appropriate for the information age, as well as agricultural and recreational uses. All of these uses are consistent with the surrounding area.

- **Chapter 2, Statement of Goals: Support and protect private property rights while supporting and protecting overall public health, safety and general welfare.**
 - 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 historical function as a Residential/Commercial/Industrial use and will not alter the character of the community. Granting the requested zoning designation would likely enhance public health and general welfare through the development of public recreational opportunities given the master plan would likely include trail systems that connect to surrounding parkland.

- **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 this rezoning request will help maintain the current economy and diversified tax base. It is extremely important to promote and attract residential/industrial and commercial uses in this County. This rezoning request will provide a master-planned development that will provide these uses (excluding heavy industrial) in an area that has existing services and compatible uses adjacent to this property. Uses will likely include those that are compatible with job creation and the tourism and recreation potential existing in the eastern part of the County.

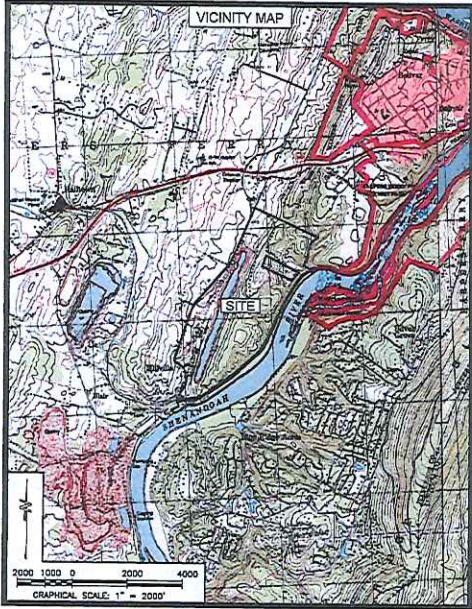
- **Existing Zoning Map**
 - Surrounding properties are zoned for similar uses to the Residential/Light Industrial/Commercial District. Land immediately north and adjacent to this property is currently zoned Residential/Light Industrial/Commercial. The adjacent uses are primarily commercial, residential, recreational, and hospitality-oriented. It should be noted that the subject property has historically had heavy industrial type uses on it, which uses still exist nearby to the south. However, the requested designation only supports light industrial uses. The applicant believes this is more consistent with the approach to balance a number of uses on the property and cater to information and recreation/tourism-oriented opportunities.
 - The subject is in close proximity to Bolivar and Harpers Ferry Growth Areas. Redevelopment of the subject property will be a natural extension of the growth areas surrounding Bolivar and Harpers Ferry, if not an extension of the Towns' boundaries. The applicant appreciates

the historic characteristics of these communities and the need to develop the property in a context sensitive fashion. The requested zone will offer more flexibility to respond to these varied demands and meet the needs of the surrounding communities.

- **The 2014 draft Comprehensive Plan identifies a preferred growth boundary immediately adjacent to this property.** While still in draft form, the location of this boundary continues to identify that this property is suitable for growth and development. Additionally, the subject property has the special designation of Quarry Redevelopment Area. Granting the requested zoning will allow for maximum flexibility in land use and the broadest possibility of creative development solutions on a portion of the property that can help pay for the costs of preserving unique features on other portions that are worthy of protection.

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 County, Maryland. As a major traffic corridor in Jefferson County, commercial and industrial uses gravitate to Route 340. This requested designation to Residential/Light Industrial/Commercial is consistent with properties with development potential being sited very close to major transportation corridors and underscores the appropriateness of this zoning request.
- **Recent installation of a traffic signal at the nearest intersection of Route 340 and Millville Road will increase the viability for commercial uses along this corridor.** Within the past year, a traffic signal was installed at the intersection of Route 340 and Millville Road, which is 1/4 mile from this property. Route 340 is a four (4) lane divided roadway. It is of sound planning practice to locate commercial uses near the areas of major traffic corridors as opposed to local roadways.
- **Neighborhood characteristics have changed since the original ordinance was adopted.** A very successful active recreation-based tourism business has flourished to the immediate north of the subject. The properties supporting this use, including planned expansion of the tourism opportunities, are zoned Residential/Light Industrial/Commercial. Granting this zoning designation on the subject would enable compatible or supporting uses on the subject. Additionally, the adjoining park land, while still being used for agriculture, is now used for passive recreation opportunities. The changes in the surrounding neighborhood and resulting demand from recreation and tourism support the requested zoning designation.



LEGEND

- PROPERTY BOUNDARY
- - - 10' CONTOUR
- VEGETATION LINE
- WATERCOURSE
- RAILROAD
- PROPOSED COMMERCIAL / LODGING / RECREATION
- PROPOSED CLUSTER RES. / LODGING / RECREATION
- PROPOSED COMMERCIAL / INDUSTRIAL
- EXISTING LAKE

*CONTOUR INFORMATION PROVIDED PURSUANT TO TOPOGRAPHIC SURVEY CONDUCTED IN 2010.



STANDARD LAND COMPANY PROPERTY

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STAFF REPORT

Jefferson County Planning Commission Meeting

February 10, 2015

PROPOSED REQUEST	To rezone from Rural (R) and Residential Growth (RG) to Residential-Light Industrial-Commercial (R-LI-C)
PLANNING COMMISSION RESPONSIBILITY:	To advise the County Commission as to whether the requested Zoning Map Amendment is consistent with the <i>2004 Comprehensive Plan</i> and/or <i>Envision Jefferson 2035 Plan</i> .
STAFF FINDING:	In this report, Staff presents the various factors related to this property based on both the <i>2004 Comprehensive Plan</i> and <i>Envision Jefferson 2035</i> . Staff finds that the request is not consistent with the <i>2004 Comprehensive Plan</i> , and that while the <i>Envision Jefferson 2035 Plan</i> supports redevelopment of the quarry property, the R-LI-C zoning category is not supported.

Applicant's Request

The applicant is requesting that the 404.69 acre Old Standard Quarry property be rezoned from Rural (R) and Residential Growth (RG) to Residential-Light Industrial-Commercial (R-LI-C). The applicant states that the Residential-Light Industrial-Commercial zone would allow for uses that are consistent with the site location near other Residential-Light Industrial-Commercial uses and is in close proximity to a four lane highway and existing public utilities. The applicant further states that the property has a legacy of heavy industrial use as a former quarry and the applicant believes that the requested zoning is required if the property is to be viably redeveloped to provide employment and tax base opportunities more consistent with the information economy and recreation/tourism potential in the eastern part of the county.

Background

A. Property Information

The property is located east of Millville Road (Route 27), ½ mile south of the intersection with Route 340, near Harpers Ferry, WV. It is a vacant parcel which is the site of the former Old Standard Quarry. The northern 108 acres +/- is zoned Residential Growth (RG) and the balance of the property is zoned Rural (R). The property is comprised of 404.69 acres and contains a deep lake from the quarry days that is nearly one mile in length and averages 300 feet wide. The property has over a mile of road frontage on Millville Road, a narrow two-lane rural route, and nearly 1.5 miles of frontage on the Shenandoah River. It is traversed by the CSX railroad which parallels the Shenandoah River.

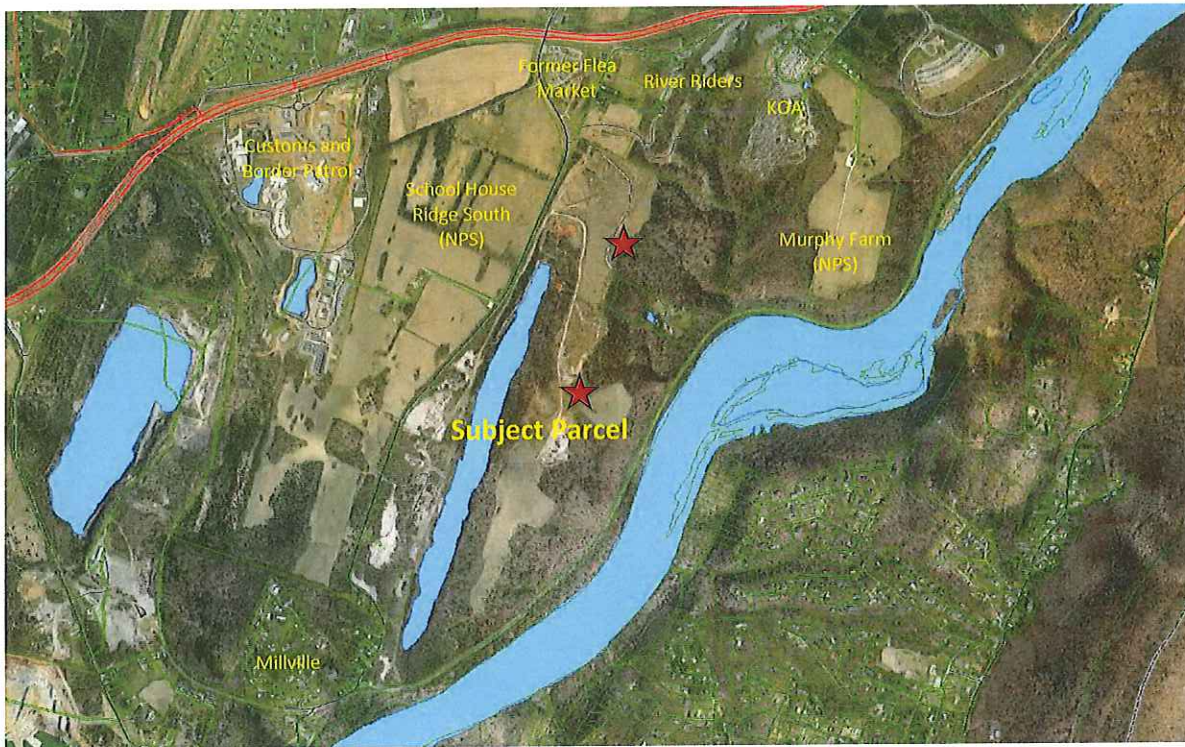
Image 1 is a location map showing the parcel requested for rezoning and neighboring properties.

STAFF REPORT

Jefferson County Planning Commission Meeting

February 10, 2015

Image 1



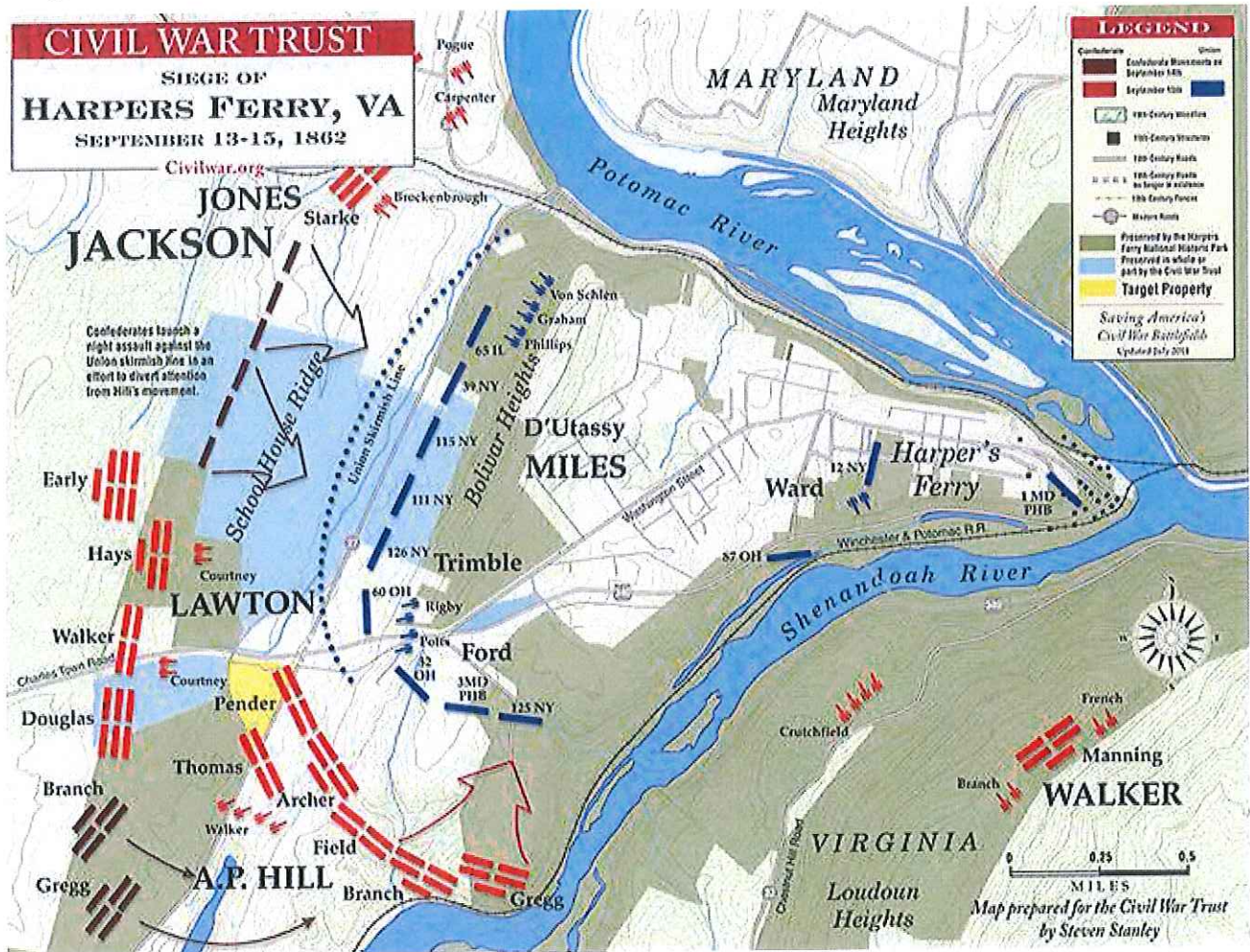
B. Property Vicinity

The property is bordered on the east and west by properties owned and managed by the National Park Service and Customs and Border Patrol. The small unincorporated village of Millville is located to the southwest and contains numerous single family houses. There are also three small rural properties that are surrounded by the Old Standard Quarry property. To the north of the Quarry property is River Riders, Inc. and a vacant lot zoned Residential-Light Industrial-Commercial. Northeast is the 13 acre site of the former Flea Market which has recently been purchased by the Civil War Trust. This site contains the historic Allstadt's Ordinary, which played a role in John Brown's raid, and was at the heart of the battlefield in 1862. The quarry property itself also played a role in the Siege of Harpers Ferry in September 1862 as can be seen in Image 2 below.

STAFF REPORT

Jefferson County Planning Commission Meeting
February 10, 2015

Image 2



Source: <http://www.civilwar.org/battlefields/harpersferry/maps/siege-of-harpers-ferry.html>

C. Property Characteristics

In addition to the significant historic importance of this site and its vicinity, the Old Standard Quarry property has natural resource significance. The Harpers Ferry area serves as a gateway to West Virginia and Jefferson County from Virginia, Maryland, and the greater Washington D.C. area. It sits at the confluence of the Potomac and Shenandoah Rivers and is bounded by mountainous terrain, which is part of why it was a critical battle site during the Civil War. To date, the areas known as Maryland Heights, Loudoun Heights, and Bolivar Heights have been preserved as significant viewsheds because they have been incorporated into the National Historical Park. Murphy Farm has also recently been made a part of the National Historical Park and offers a significant view of the Shenandoah River and the river edge of the Old Standard Quarry property (Image 3). The quarry property is the largest undeveloped property south of US 340 abutting the Shenandoah River and in

STAFF REPORT

Jefferson County Planning Commission Meeting

February 10, 2015

proximity to National Historical Park properties. Its continuity to the river and the park battlefield sites as well as its topography make it a significant natural resource.

Image 3



In addition to this viewshed, the topography of the Old Standard Quarry property lends itself to areas that could be developed without impact on the vistas from US 340 as well as areas that would have significant impact on this viewshed (Image 4). The property varies from a low point of a 300 foot contour along the Shenandoah River and 320 foot contour along the quarry itself to high spots of 540, 520, and 480 foot contours. Development on these high spots could negatively impact the viewsheds as seen from US 340, the NPS sites, and across the River, which would be contrary to both the *2004 Comprehensive Plan* and *Envision Jefferson 2035 Plan* recommendations. Image 5 provides information regarding the topography of the Old Standard Quarry site and the surrounding properties.

STAFF REPORT

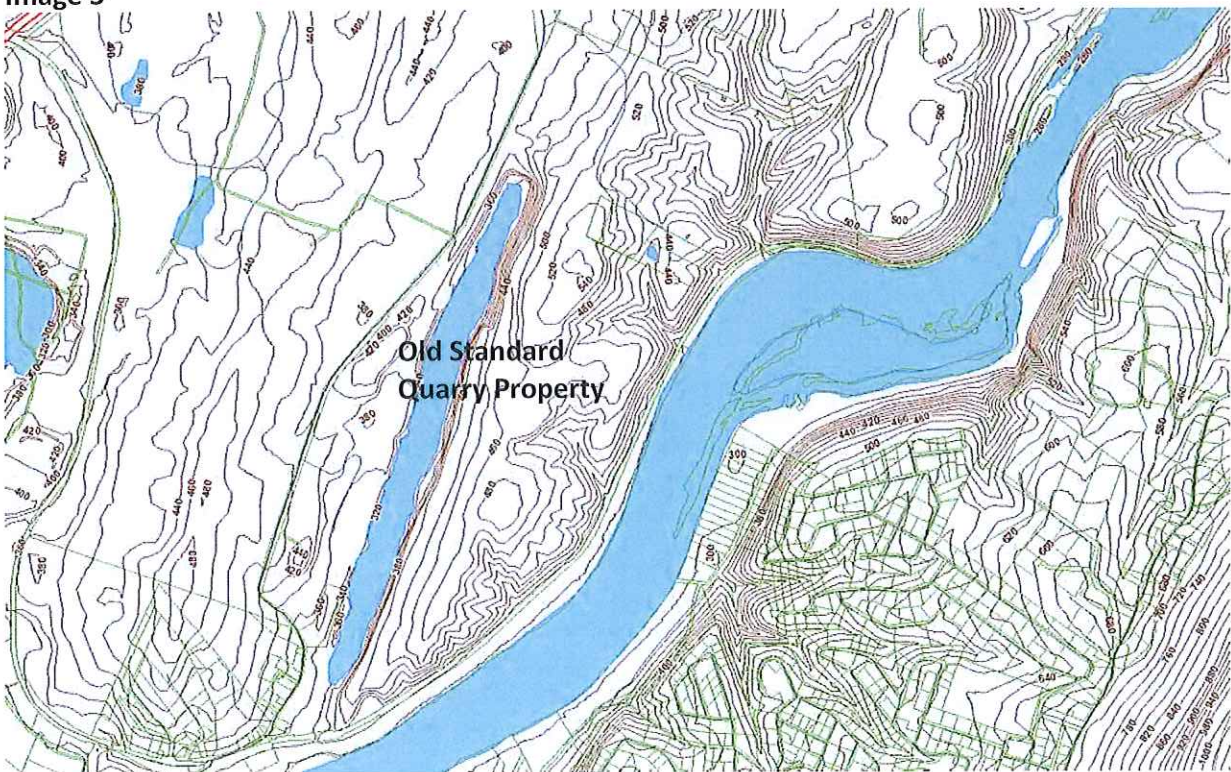
Jefferson County Planning Commission Meeting
February 10, 2015

Image 4



Source: Google Maps view from US 340 headed East

Image 5



STAFF REPORT

Jefferson County Planning Commission Meeting

February 10, 2015

Statutory Authority and Requirements

The West Virginia State Code, Section 8A-7-9, and the Jefferson County Zoning and Land Development Ordinance, Section 12.2 (b), detail the process by which boundaries of zoning districts may be amended in response to a petition of 50% or more of the property owners. Both state that before amending the Zoning Ordinance text or map, “the governing body, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan”, or if it is inconsistent, “then the governing body with the advice of the Planning Commission, must find that there have been major changes of an economic, physical or social nature within the area involved, which were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristics of the area[See WVC 8A-7-9(c)].” 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.

The role of the Planning Commission in considering a Zoning Map Amendment request is to review the relevant portions of the Comprehensive Plan and receive public testimony related to the request to enable the Planning Commission to advise the County Commission as to whether the requested Zoning Map Amendment is consistent with the relevant Comprehensive Plan. It is important for the Planning Commission and County Commission to be aware and consider that while the applicant may have an overall development plan that is presented as a part of this request, if the Zoning Map Amendment is approved, any use within the Residential-Light Industrial-Commercial zone will become a permitted use. It is therefore important to consider consistency of the zoning district itself, not the potential development, with the Comprehensive Plan.

The timing of this request also makes it difficult to know which Plan this request should be evaluated against due to the imminence of the approval of the *Envision Jefferson 2035 Plan*. This report will note some relevant portions of both Plans for consideration in this recommendation.

Issues with the Residential-Light Industrial-Commercial Zoning Category

In 2014, the County Commission, upon recommendation of the Planning Commission, adopted seven (7) new non-residential zoning categories because the breadth and inclusiveness of the Residential-Light Industrial-Commercial (R-LI-C) zone typically caused many concerns for neighbors during rezoning application hearings. While the R-LI-C zone does allow for a large amount of flexibility for the potential development of property, the flexibility also provides uncertainty. The breadth of the marketing options for R-LI-C properties can also create issues with compatibility between the various potential user groups in these areas based on traffic, lighting, and design issues between the light industrial or commercial uses and residential neighborhoods that would also be allowed within this zoning category. It would appear that the option of requesting one or more than one of the new non-residential zoning categories on this 404.69 acre parcel configured in a manner that would reflect the applicant’s intent would help to prevent opening the property to such a wide variety of uses that the R-LI-C zoning category allows. This was discussed with the applicant and he chose to continue with the R-LI-C request and that is the focus of this staff report.

STAFF REPORT

Jefferson County Planning Commission Meeting
February 10, 2015

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)* and also provides a review of the *Envision Jefferson 2035 Plan*. Staff finds that the request is not consistent with the *2004 Comprehensive Plan* and that while the *Envision Jefferson 2035 Plan* supports redevelopment of the quarry property, the R-LI-C zoning category is not supported.

The format for this assessment is split into two sections, the first of which includes references to specific provisions of the *2004 Comprehensive Plan* and the second of which includes references to specific sections of the *Envision Jefferson 2035 Plan*. Citations generally include relevant page numbers where these provisions can be found in the relevant Plan allowing 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."* Therefore, 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 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 of both plans. The recommendation should be considered the professional opinion of staff. As the Planning and Zoning staff has no statutory authority to make decisions in this regard, the final recommendation is deferred to the Planning Commission, and subsequently the County Commission, with respect to the subject application.

Relevant 2004 Comprehensive Plan Elements and Commentary

A. Proposed Zoning District – Residential-Light Industrial-Commercial (R-LI-C)

The *2004 Plan* Comprehensive Plan provides the following comments on the Residential-Light Industrial-Commercial zoning district, which the applicant is requesting:

"This zone, commonly referred to as the "mixed use" zone, permits uses of a light industrial and commercial nature, as well as a spectrum of residential and institutional uses ranging from single-family dwelling units to multi-family apartments and group homes. Residential uses must conform to the standards set forth in the Residential Growth District, but industrial and commercial uses are required to conform to a set of specific performance criteria, which include numerical measurements of several factors for uses that may have nuisance effects on adjacent uses.

There are two issues regarding this district that should be studied as part of planned amendments to the Zoning Ordinance. First, most ordinances that have "mixed use"

STAFF REPORT

Jefferson County Planning Commission Meeting

February 10, 2015

zones require certain minimum percentages of land usage in residential, commercial and dedicated open space. Jefferson County's Ordinance doesn't. Land in this district can be developed entirely for commercial or residential use or any combination thereof." (p.71)

The 2004 Plan details some of the potential benefits of the Residential-Light Industrial-Commercial District as well as a number of concerns with the district. While this district is defined as mixed used, it does not require any mixing of uses, it merely allows for the possibility. The district allows all densities of residential uses and a large variety of commercial uses, including office, retail and personal services, as well as light industrial uses, which are essentially defined by uses that are not heavy industrial or commercial uses. The breadth of the variety of uses in this zoning category causes some concern when requested for such a large property on a narrow two lane road in a historically and environmentally sensitive area. With the variety of uses that could be proposed on the subject property, each of which could have very different impacts, it is hard to analyze the potential impact of the proposed zoning. It is the very broadness of this zoning category that generated the interest in developing the new commercial zoning categories adopted in 2014.

B. Natural Resources:

The 2004 Plan includes a section entitled "Jefferson County – A Vision", excerpts of which are noted below:

"Ironically, the natural beauty and rural setting of Jefferson County, the qualities that are so attractive to new residents, are the very qualities that are most threatened by a rapid pace of growth. . . . With houses coming at a far faster pace than jobs, Jefferson County is facing a future as just another bedroom community in the larger metropolitan area.

The intent of this plan is not to recreate or recapture the past but to shape future growth in a manner that preserves the most important features of Jefferson County: the rural landscape, the natural beauty of the rivers, the rolling terrain and the strong sense of community (pg. 8)."

This Vision for the 2004 Plan illustrates that the historic and scenic viewsheds of Jefferson County were being threatened by the rate of growth occurring within the County in the early 2000's. The intent of this Vision is to shape growth in a manner that preserves these important features, while allowing for growth where appropriate.

The 2004 Plan discusses the need to acknowledge and protect the critical Natural Resources in the County and along the US 340 Corridor. It states:

"In terms of environmental resources, Jefferson County suffers from an embarrassment of riches. . . . If we are not careful, we could squander these resources. Effective planning is essential to preserving these resources for use and enjoyment of future generations (pg. 48)."

STAFF REPORT

Jefferson County Planning Commission Meeting

February 10, 2015

The *2004 Plan* discusses the rivers, streams, and drainage divides of the County as well as the impact of sinkholes and other natural resources. Additionally the plan discusses unique natural features in the County and the need to protect the resources as well as the scenic vistas.

"Caves, scenic vistas, wildlife corridors and cliff areas are just several examples of additional forms of natural resources that contribute to the environmental and cultural mix that is Jefferson County. The topography, geology, hydrology, and biological diversity of the environment is one of the hallmarks that makes Jefferson County the beautiful environment that it is. Unfortunately, not every form of natural resource can be discussed in detail within the context of a Comprehensive Plan. . . .

The protection of scenic vistas has been the subject of public comment during this process. . . . The County should identify the protection of scenic vistas as an issue to address, this is best done through the adoption of standards within the ordinances, so that all parties are aware of their rights and responsibilities in this regard (pg. 52)."

C. Historic Resources:

In addition to the Natural Resources of the community, the *2004 Plan* discusses the County's Historic Resources in depth. As noted above, the property that is the subject of this rezoning request, and its environs, were a critical part of the Siege of Harpers Ferry in September 1862. The *2004 Plan* discusses the history of the County and states that Jefferson County "has arguably been referred to as the most historic rural county in America" (p. 55). The County was a part of our country's first western frontier, settled by Europeans before 1720, and inhabited by Native Americans for several thousand years before. Its history includes properties which were surveyed by a young George Washington, seven Washington family homes, the site of the John Brown Insurrection, and being one of the crossroads of a number of Civil War battles.

The *2004 Plan* includes discussion of the importance of these historic resources to the economic viability of the County through the following excerpts from the Historic Preservation section (p. 55-56):

Given its size and population, Jefferson County has been fortunate in the amount of historic preservation projects that have been implemented around the County. . . . From Harpers Ferry National Historical Park to the historic districts of Shepherdstown and Middleway, Jefferson Countians can be proud of the number of historic resources that have been preserved here. . . .

History tourism is a significant element of Jefferson County's economy. Harpers Ferry, the Appalachian Trail, Shepherdstown, Antietam and the C&O Canal all serve to draw visitors to the County and surrounding area. . . .

Regardless of the successes of the past, as an increasing number of tracts are developed for residential, commercial or industrial uses, existing unprotected

STAFF REPORT

Jefferson County Planning Commission Meeting

February 10, 2015

historic resources become endangered. Existing processes should be evaluated for their ability to address this growing issue."

Historic and natural features are given a significant priority in the *2004 Plan*. These sections of the *Plan* underscore the importance of heritage tourism to the economy and notes the cultural and scenic features that drive locally based tourism's economic engine. The text substantially supports the need to protect the "scenic vistas" both in this plan and in the 1994 Comprehensive Plan.

It is important to note that recreational tourism, heritage tourism, scenic tourism, and eco-tourism are part of Jefferson County's pro-business and pro-economic development ventures. Potentially impacting that significant, valuable and irreplaceable part of the county and the affected economic generators is unsystematic. Staff notes that care should be taken when reviewing rezonings that might jeopardize the efforts to nurture the tourism economy or reduce interest in visitation to tourist offerings.

D. Transportation Impacts:

The *2004 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)."

"During the Comprehensive Plan process, citizens have expressed concerns with some of the roads in the County. The County has reached a critical turning point as undeveloped land is becoming committed to new subdivision and development. As more and more land is developed future transportation improvements may become more difficult and more costly. Therefore, it is prudent for the State and County to plan for the future needs now, while the land is available and the improvements can be more easily made, or at least the land can be reserved during the development process for future improvements (pg. 27)."

Continued inadequate transportation funding and increased transportation demands are conditions the County is likely to continue to face. A key issue, particularly in recent years, is an existing bottleneck along US 340 as it enters Virginia between the Shenandoah and Potomac bridges, which impacts this major transportation route through the County.

Rezoning this 400+ acre parcel of land, located in close proximity to the US 340 bottleneck, to Residential-Light Industrial-Commercial zoning may aggravate this condition. While this development by itself may or may not generate a lot of traffic, without a coordinated transportation planning analysis for this property and surrounding parcels, it is difficult to anticipate the cumulative effect on US 340. The intersection of Bakerton/Millville and US 340, which has recently been signalized, would also see an increase in traffic pressure from this

STAFF REPORT

Jefferson County Planning Commission Meeting
February 10, 2015

rezoning, other rezonings in the area, and accumulated development pressures. Millville Road is a narrow two-lane that will also need to handle the increased traffic to the new signalized intersection with US 340. Any development in this area needs a thorough transportation analysis and implementation of required improvements to prevent negative impact to safe and convenient access at this intersection.

E. Water and Sewer Proximity:

The *2004 Plan* 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."

"Promote growth and development that are both economically and environmentally sound."

The principal sanitary sewer provider in the US 340 Corridor is the Jefferson County Public Service District (JCPSD), which is authorized to service all unincorporated areas of Jefferson County. Jefferson Utilities is the primary water provider for properties not served by private wells in this area. A wastewater plant owned by Old Standard, LLC is located near the south end of the Old Standard Quarry Lake. It currently serves the Sheridan Estates subdivision and has capacity to serve additional customers. Water service is in the vicinity of this property as well. The *2004 Plan* encourages proposed urban level developments, which the requested zoning would allow, to be on a central water and sewer system, whether public or privately owned.

F. Implications of National Park Service Property

Since 2004, there have been substantial acquisitions by the National Park Service (NPS) surrounding this property that were not anticipated in 2004. If the Commission determines the proposed rezoning is not consistent with the *2004 Plan*, it 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"* in order to recommend approval of the request. One of the significant major changes to the US Route 340 Corridor area that were not anticipated when the *2004 Plan* was written is these NPS acquisitions. The acquisitions by the NPS have had major economic, physical or social change in this specific corridor. The amount of property purchased by the NPS has limited the size and scope of private physical development in the area and by extension the amount of traditional economic activity at this intersection. The social change is from development to preservation and a community expectation of historic and open space preservation in this area.

As the Planning Commission determines the merits of this rezoning, the amount of land protected by the NPS in this area, which was not anticipated in the Plan when it was written in 2004 is a factor for consideration, but does not support the rezoning request.

STAFF REPORT

Jefferson County Planning Commission Meeting
February 10, 2015

G. Importance of US 340 in 2004 Plan:

The *2004 Plan* (page 72) includes specific discussion and a recommendation regarding the importance of the US 340 corridor between the Shenandoah River and Charles Town which it refers to as a "historic gateway special study area". This stretch of US 340 is located approximately ½ mile north of the Old Standard Quarry site which is the subject of this rezoning request. The labeling of this stretch of road as a "historic gateway special study area" is in part due to the panoramic view of the rest of the County from Allstadt's Hill as you enter from the east and in part it is because this is a major transportation spine that is experiencing significant development pressures impacting the flow of traffic and the viewsheds. The 2004 Plan states that:

"Without effective study and management, this corridor (US 340) could deteriorate into strip of housing developments indistinguishable in character, and commercial development rivaling "strips" in nearby larger cities. . . .

. . . . the purpose of this study is not to turn US 340 into an undeveloped parkway. Rather, it is stated here that the purpose of this study is to identify ways to ensure that the residential and commercial development that occurs along this corridor is designed and constructed in such a way where the development does not cause visual blight and major traffic problems along the eastern entrance corridor to the State. Buffers, landscaping requirements, traffic and access design, sign regulation and aesthetic highway improvements are all examples of issues that could be discussed as part of this study (pg. 73)."

The *2004 Plan* includes data on this heavily travelled route that reflects the growth in traffic volumes along the Route 340 Corridor from 1996 to 2002. The 2008 West Virginia Department of Transportation traffic counts show 38,000 average daily trips (ADT) at WV 26 (Keys Ferry Road) and 29,400 near Bakerton Road.

Based on this *2004 Plan* recommendation, in 2011-12, the County's Departments of Planning and Zoning undertook a detailed land use and transportation study of the US 340 East Gateway corridor in collaboration with the West Virginia Department of Highways (DOH) and Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO). DOH and HEPMPPO both have the jurisdiction to address transportation issues and funding mechanisms and have incorporated recommendations from this study into their planning efforts. While the 340 East Gateway Plan was never adopted by the County Commission, the data and input received during those public outreach meetings have impacted recommendations and the development of the *Envision Jefferson 2035 Plan* and should be considered when reviewing rezonings in this corridor.

Additionally, the state of West Virginia has initiated a collaborative effort with the states of Virginia and Maryland to study and address the traffic movements along the corridor from Charles Town, WV to Frederick, MD. While road improvements may not happen quickly, a study of the traffic and plan for improvements is a positive move in the right direction and will begin a priority for future funding.

STAFF REPORT

Jefferson County Planning Commission Meeting
February 10, 2015

It is often pointed out that considerable development has occurred along the 340 East corridor over the last few decades and that this development should be considered an unanticipated change when considering rezonings. However, any development that has occurred along the US 340 corridor between Charles Town and the Shenandoah River was a result of the zoning that was in place when Zoning was established in Jefferson County. Until 2011, there were no rezonings along this corridor. As the current zoning existed for these properties, the *2004 Plan* recognized the potential development in those locations and made no recommendations for change in the corridor, so this development was clearly anticipated. On the other hand, the *2004 Plan* also discussed the area surrounding the battlefields near Harpers Ferry as an important County and State resource worthy of protection and recommended the development of a US 340 corridor study that provided a balance between development and preservation pressures.

It is, therefore, important to carefully consider this wide variety of issues when considering a rezoning request in the 340 East corridor. While a single more intense non-residential development may not have a significant negative impact on US 340, setting a precedent for allowing this type of development without a comprehensive corridor management plan in this area, sets the stage for an accumulation of minor negative effects that could result in a major problem. The goal of the *2004 Plan* and the 340 East Gateway planning effort was not to predetermine what is going to occur along the corridor, but to plan how components of corridor mesh as a unit.

H. Development Implications:

While the *2004 Plan* does not include a land use component or map, it does provide some guidance as to where future growth should occur (p. 79):

“Two goals of this Plan are to have an appropriate balance of land uses, and an appropriate balance between private property rights and growth management. As that balance is found, it then becomes important to assure that community services are available to serve the needs of the population. One of the primary indicators of the quality of life of residents of an area is the sufficiency of essential public services in the community. Schools, roads, recreational facilities, and fire and police protection are some of the more obvious examples of these services. Communities with poor schools, inadequate police protection and failing infrastructure do not draw investment.

RECOMMENDATION 4.01: It is the vision of this Comprehensive Plan that development will be concentrated within the designated growth areas.”

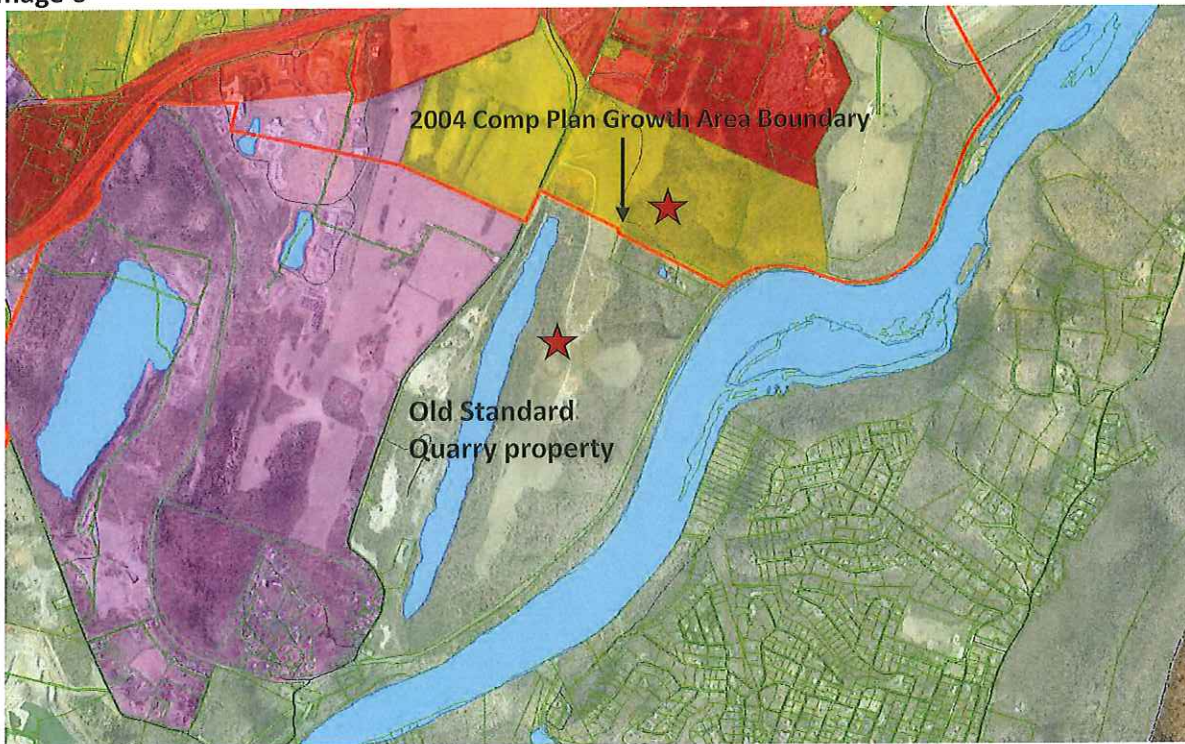
Image 6 depicts an aerial of the Old Standard property with the existing zoning indicated as well as the *2004 Plan* designated growth area boundary. While the northern portion of the Old Standard property, zoned Residential Growth, is within the growth area boundary, most of the Old Standard property is not included within this growth area.

STAFF REPORT

Jefferson County Planning Commission Meeting

February 10, 2015

Image 6



The *2004 Plan* emphasizes that employment centers can be provided in a number of alternative County locations, where it is appropriate for more intense uses. While providing economic opportunities, the Plan also recognizes the importance of protecting natural and historic resources. There are a variety of permitted uses in the proposed R-LI-C zoning category which allow for more intense uses. The need to balance economic growth and key natural and historic features, including scenic vistas needs to be carefully considered when analyzing this rezoning request.

Below is a partial "...list of general goals [that were] adopted as guidelines for the preparation of the 1986 Comprehensive Plan. These goals were readopted, unchanged and incorporated into the 1994 Comprehensive Plan (pg. 19)." These goals were also adopted in the *2004 Plan*:

- *Promote growth and development that are both economically and environmentally sound.*
- *Encourage and support commercial, industrial, and agriculture activities to provide a diversified and sound local economy.*
- *Promote the conservation of the natural, cultural, and historical resources and the preservation of its scenic beauty.*
- *Advocate the maintenance and improvements of transportation systems so that people and goods can move safely and efficiently throughout the County.*
- *Promote pedestrian friendly, livable communities.*

STAFF REPORT

Jefferson County Planning Commission Meeting

February 10, 2015

One of the goals mentioned above is to *"Encourage and support commercial, industrial, and agriculture activities to provide a diversified and sound local economy."* Tourism is a vital component of Jefferson County's economy and brings in considerable revenues to the County. Jefferson County is number one in tourism dollars captured by any county in the state of West Virginia, capturing \$729,000,000 in 2008. The proposed rezoning is within the area that visitors to the State and County experience their first impression of the scenic views. Visitors to Jefferson County expect to see open vistas that welcome vacationers to the County and the State of West Virginia. Protecting our resources is pro-economic development that provides *"...a diversified and sound local economy."*

When considering any rezoning in this corridor it is critical to consider the potential impact on traffic and the potential visual impact of potential development for the Corridor as a whole. It is imperative that the activity on this Corridor be reviewed very closely as it is the "most identifiable and visible artery in the County."

Relevant Envision Jefferson 2035 Plan Elements and Commentary

The *Envision Jefferson 2035 Plan* has a Vision statement that provides broad direction for all components of the Plan and should help guide land development decisions in Jefferson County for the next 20 years:

"We envision Jefferson County in the year 2035 as a place of natural beauty and historic value. It is an active, vibrant place to live, work, and play. The county has economic growth potential as a result of its location in the Washington, D.C. and Baltimore, MD Metropolitan Areas, as well as its skilled workforce. There is a well-diversified economic base of manufacturing, services, government, tourism, and agriculture that is not reliant on any single business type. The County's rich historic, cultural and natural resources are preserved and are an integral part of its economy. Excellent infrastructure, public facilities and services are available to all residents and employers. It is a community with well-defined rural, village, and urban areas. Residents enjoy a countywide system of well-programmed parks, as well as recreational opportunities serving all ages. Safe, congestion free, and convenient transportation access is available throughout the County." (p. 3)

This broad vision statement supports the development of a well-diversified economy while protecting the County's historic, cultural, and natural resources. It guides future development to occur in areas where the infrastructure, public facilities and services, and transportation facilities can support the development in a safe and efficient manner.

A. Proposed Zoning District – Residential-Light Industrial-Commercial (R-LI-C)

The *Envision Jefferson 2035 Plan (2035 Plan)* includes a recommendation that states all future commercial/industrial zoning map amendment requests should be required to utilize the new zoning categories and should be discouraged from using the existing Residential-Light Industrial-Commercial (R-LI-C) District as a zoning category for zoning map amendment requests. Additionally, it recommends that any development in a zone that permits mixed use should be encouraged to be developed according to the Mixed Residential/Commercial or

STAFF REPORT

Jefferson County Planning Commission Meeting February 10, 2015

Mixed Office/Commercial ratios found in the land use category recommended by this Plan, unless otherwise provided in the Zoning Ordinance. (p. 36)

Based on these recommendations, the *2035 Plan* does not support the use of the R-LI-C zoning category for future Zoning Map Amendment requests. A variety of the new zoning categories could be utilized to identify various proposed uses where the topography and natural resources complement the proposed uses.

B. *Envision Jefferson 2035 Plan Policies:*

The *2035 Plan* is the first Jefferson County plan to include a future land use element with accompanying maps and recommendations to help guide the location of new development within the County. The Future Land Use Element identifies four broad land use activity types which are intended to guide where different intensities of land use will occur. These include two designated Urban Growth Boundaries (UGB) and seven Preferred Growth Areas (PGA) for urban level development; eight identified Villages; and the Rural/Agricultural areas for non-urban development. The Future Land Use Guide and recommendations will be utilized by the Planning Commission and County Commission to guide the decision making related to changes to the Zoning Map, such as this land-owner initiated petition.

One of the seven PGAs is the US 340 East PGA, which includes Quarry Redevelopment Areas described below. The *2035 Plan* specifically identifies the two old quarries along US 340 as areas appropriate for unique redevelopment opportunities. Old Standard Quarry, which is the subject of this rezoning request, is identified as appropriate for tourist friendly recreational or commercial redevelopment, provided that any proposed site development be designed in a manner that reflects and protects the topography, hillsides, steep slopes, and other natural features. The *2035 Plan* reflects the concept that, while the quarry property is appropriate for redevelopment, it is also a resource worthy of protection and that development and preservation pressures need to be carefully balanced. Specifically, the *2035 Plan* states the following:

“Quarry Redevelopment Areas (QRA) within the US 340 Corridor

There are two QRAs along US 340 and they consist of Old Standard Quarry (Millville Road) and Shenandoah Quarry (US 340 and Blair Road). These quarries have unique site features that provide for different redevelopment opportunities. Both sites have a large reservoir of water from quarries that are no longer actively used (please note that while there is an active quarry on Blair Road, the Shenandoah Quarry is inactive). Both quarries could be used for mixed used developments, office and commercial uses, technology companies that have a need for water, and recreational activities. Since each of these potential uses has a different future land use classification, it was determined to show the existing areas as “Quarry Redevelopment Areas”. Old Standard Quarry, which is zoned Rural, would be appropriate for tourist friendly recreational or commercial redevelopment under the QRA. Redevelopment should consider site development that incorporates the design

STAFF REPORT

Jefferson County Planning Commission Meeting

February 10, 2015

of the structures with the topography and other natural features. Redevelopment of Old Standard Quarry should occur in a manner that protects the hillside and steep slopes while allowing recreational development near the quarry. . . .”(p. 24)

Staff Recommendations

Staff finds the proposed Zoning Map Amendment request for the 404.69 acre parcel is not consistent with the 2004 Comprehensive Plan. The majority of the property is not located within the identified Growth Area in the 2004 Comprehensive Plan. The property is in an area identified as an important County and State natural and historic resource worthy of protection, where development and preservation pressures need to be carefully balanced. While the property does have access to water and sewer, it is located on a two lane road that has no improvements planned.

Staff finds that while the *Envision Jefferson 2035 Plan* does support redevelopment of the quarry property for a tourist friendly recreational or commercial redevelopment, it does not support a rezoning to the R-LI-C zoning category. It further requires that such development be designed in a manner that reflects and protects the topography, hillsides, steep slopes and other natural features. Staff recommends that in order to find the proposed Zoning Map Amendment fully consistent with the *2035 Plan*, alternative zoning categories and development plans that reflect the recommendations of the *2035 Plan* should be considered.

From: Al & Allison [<mailto:hfg@comcast.net>]

Sent: Monday, February 02, 2015 2:06 PM

To: 'Karan Townsend'; Betsy Bainbridge; Charlotte Thompson; 'Dan Riss'; Greg Vaughn; Hap Becker (Home); Jerry Hutton; Kevin Carden

Cc: 'Barbara Humes'

Subject: RE: Re-Zoning of Quarry site

Greg, Karen, and Town Council

Here is my input on the inappropriate attempt to rezone the old standard quarry property.

I no longer know who best to forward this to.

You are welcome to forward this to whomever you wish.

Throughout Jefferson County, there are already many areas that are zoned for, and should be used for residential and commercial development. However, in the *entire United States of America*, there are but a handful of undeveloped landmark battlefields that have not already been destroyed or greatly diminished by sprawl. The few that are left are still valuable resources for heritage tourism which according to the US Chamber of Commerce, is one of the current growth industries in the US.

To get a true understanding of what is being proposed, please see the [attached battle map](#) of the Siege of Harpers Ferry. You will notice that the map shows that AP Hills troop fought right through the quarry area that is being proposed for rezoning.

The National Park Service has installed wayside exhibits and worm fences on School House Ridge and is well on its way to conducting interpretive tours of this battlefield.

Please remember, this fight was no minor skirmish. General Lee assigned Stonewall Jackson, arguably his most able commander and fully two thirds of his army, six divisions (24,000 men) to attack the 14,000 union soldiers that were garrisoned at Harpers Ferry. After this battle,

these same confederates immediately marched to Antietam where thousands of them became the dead and wounded of the subsequent Battle of Antietam.

In West Virginia Code, Chapter 8 titled Land Use Planning,

A subset of Section 8A-1-1 contains the following legislative findings.

(3) A plan and a vision for the future is important

(4) That sprawl is not advantageous to a community;

(8) Promoting growth that is economically sound, environmentally friendly and supportive of community livability to enhance quality of life is a good objective ...

Promoting development at this location is contrary to, and ignores these legislative findings. Allowing increased building in the middle of a developing national heritage tourist destination does not look to the future . Encouraging development that is not contiguous to existing towns and villages only increases sprawl. Devaluing this view shed and thus the ability of guides to perform accurate interpretation of a national battlefield for thousands of yearly visitors is definitely not economically sound.

Tourism dollars are a very efficient source of income that causes relatively little stress on our infrastructure. Given that the financial value of this battlefield as a cultural tourist destination is just now starting to materialize, if Jefferson County is truly trying to plan for and create a broad based economy, encouraging expanded development in the midst of a major historical battlefield is short sighted. It would be better to protect this area and allow it to continue to develop as a long term heritage tourism resource.

Respectfully,

Al Alsdorf

Harpers Ferry

From: Karan Townsend [<mailto:karantownsend@gmail.com>]
Sent: Monday, February 02, 2015 12:39 PM
To: Greg Vaughn - Mayor of Harpers Ferry (hfmayor@frontier.com); Greg & Lynn Vaughn
Cc: Barbara Humes; Al & Allison Alsdorf
Subject: Re-Zoning of Quarry site

Greetings...

I'm so sad that i wasn't able to attend the January meeting of the JCDA but so glad that you were able to attend!

As mentioned in my email to you, my understanding is that the JCDA plans to send a letter of support regarding re-zoning of the Quarry — which i don't think is a good idea.

Could you please let me know what action the Board took in regard to the proposed letter of support for re-zoning the Quarry?

Have you talked with Barbara Humes, Al Alsdorf, or others about this re-zoning request?

I understand that a hearing before the Planning Commission has been scheduled for 10 February — and we Harpers Ferry residents should probably make our opinions known since this is our "back yard."

My initial thought is that the zoning should remain as it is and that the current or future owners should request a specific waiver if they want to develop a specific business on this site because with a general re-zoning, any developer would have a huge "green flag" to develop any kind of business on the property, in spite of the concerns and opposition of the citizens about the nature of the business

Waiver work! For example, i understand that the Morgan Grove business complex was developed on property that is zoned rural because they were granted a waiver for their specific development.

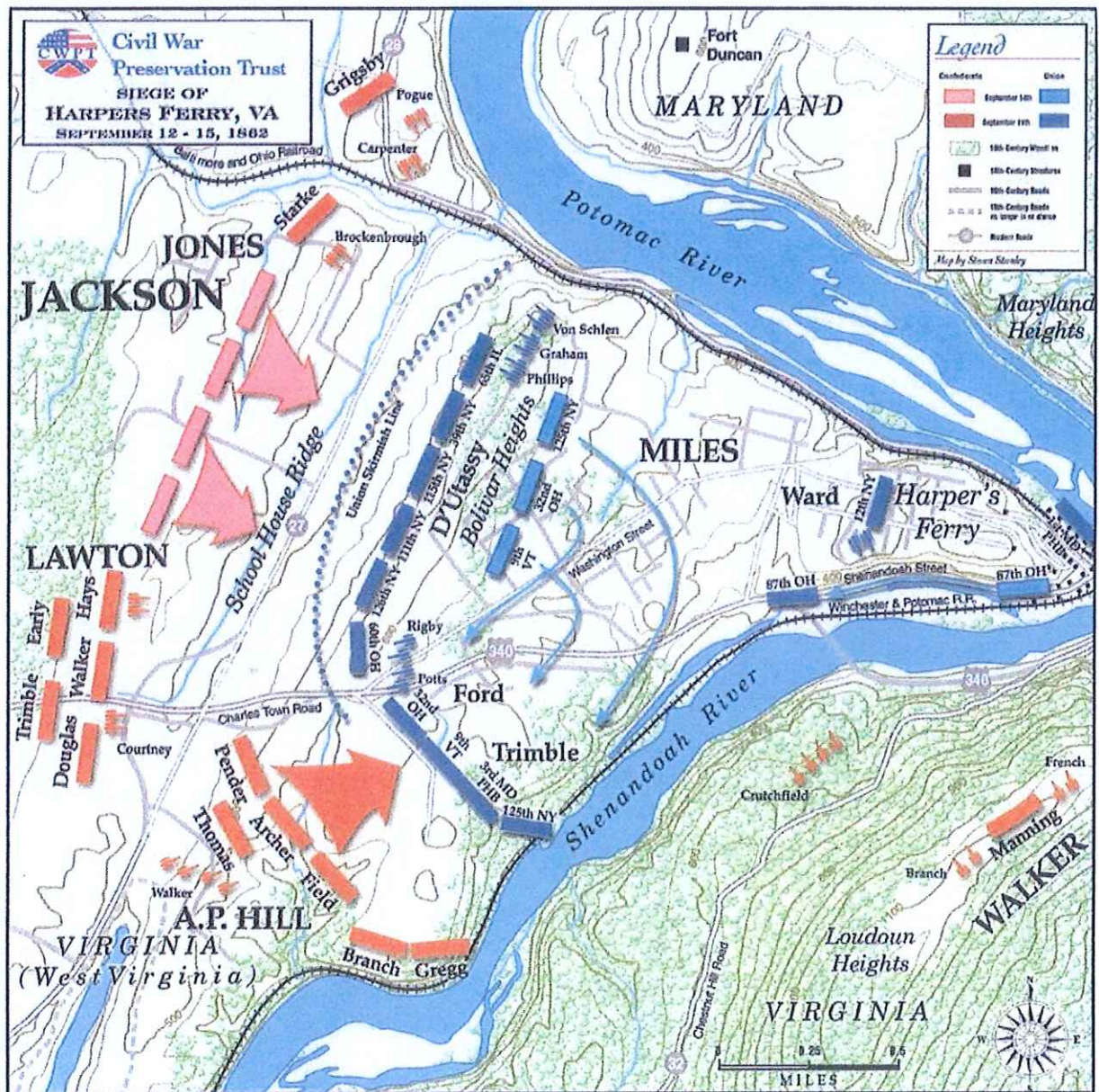
Your answers to my questions would be very much appreciated.

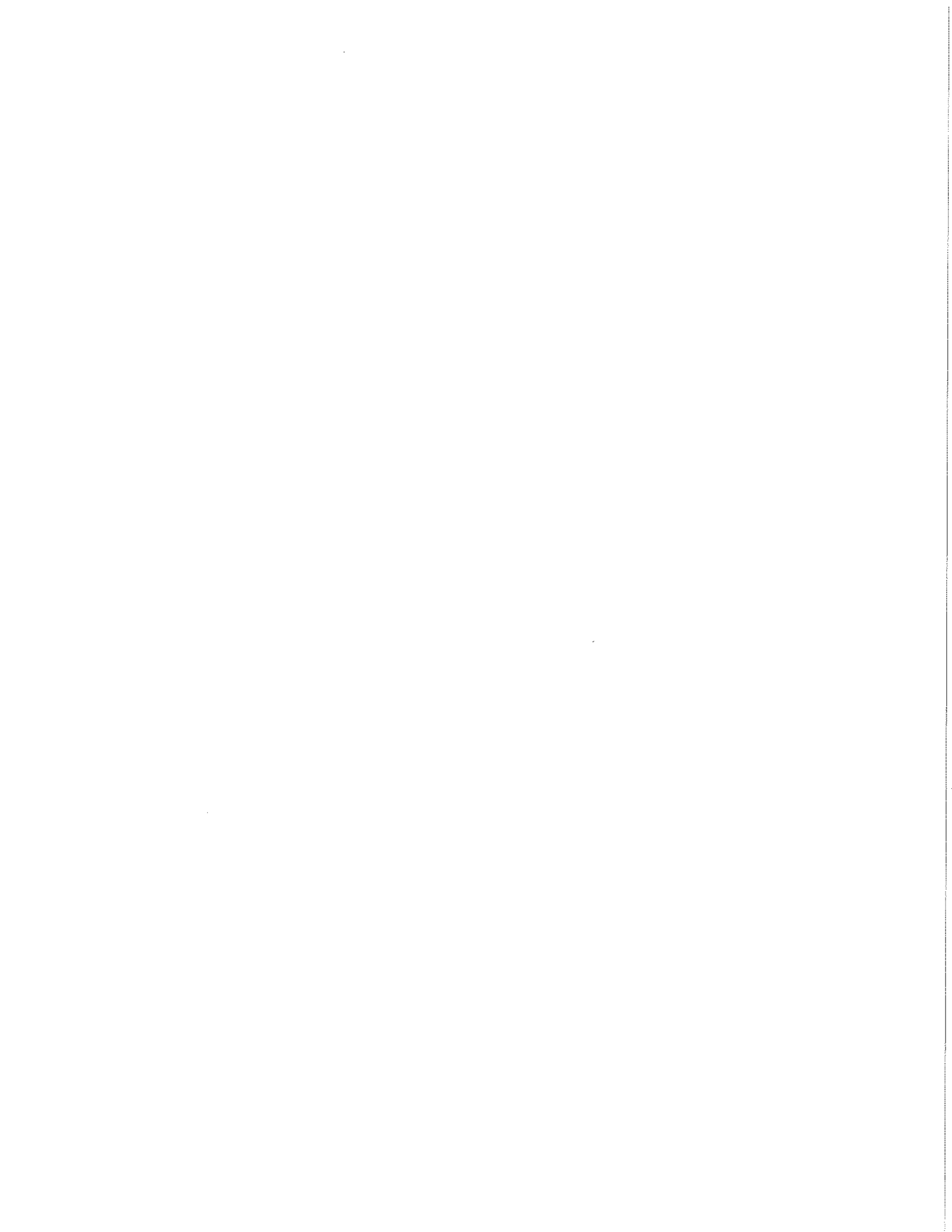
Sincerely,

Karan

Development of the Old Standard Property will cause the loss of another portion of the 1862 Battle Field which is a West Virginia Historical Treasure.

Below is a battle map showing the positions and flow of the attacking Confederate forces of Generals Jackson, Lawton and AP Hill during the battle of Harpers Ferry. General Hill's path of attack was through fields currently owned by Harpers Ferry National Park and across what is now the old standard property. Continued development on or near this battlefield defiles a national historical treasure and ignores its great potential as a West Virginia heritage tourist destination. Development of the quarry area would be shameful for Jefferson County and another piece of West Virginia's Civil War history will be lost forever.







IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE

HARPERS FERRY NATIONAL HISTORICAL PARK
P. O. BOX 65
HARPERS FERRY, WEST VIRGINIA 25425

RECEIVED

FEB 09 2015

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

I.B (HAFE-L30)

February 9, 2015

Mr. Steve Stolipher, President
Jefferson County Planning Commission
P.O. Box 338
Charles Town, WV 25414

FOR HAND DELIVERY

Dear Mr. Stolipher:

I am writing with regards to the petition to rezone the 400+ acre property commonly referred to as the Old Standard property (Harpers Ferry Tax District, Map 11, Parcel 24.1). Currently two-thirds of the property is zoned Rural and the remainder is zoned Residential Growth. The owner has requested a change of the entire property to Residential - Light Industrial - Commercial. Due to the overly broad nature of this zoning designation and the potential significant adverse impact on the historic values of this and adjoining properties, the National Park Service (NPS) opposes the rezoning and respectfully requests you deny the petition.

The NPS believes that such a change is inconsistent with the goals and objectives set forth in the County's 2004 Comprehensive Plan. The Old Standard property is located in the heart of the 1862 School House Ridge Battlefield, site of Major General "Stonewall" Jackson's greatest victory. Two historic areas of the Park – the Murphy Farm and School House Ridge – each has commanding views of large portions of the Old Standard property. The intensive development that would be permitted under the most permissive zoning category would devastate the views from these historic lands where the Park has walking trails, interpretive exhibits, and outdoor programs. The Comprehensive Plan speaks clearly to the importance of "*promoting the conservation of the natural, cultural, and historical resources and the preservation of the scenic beauty.*" Rezoning the Old Standard property would run counter to that goal.

The Comprehensive Plan acknowledges that history tourism is a significant element of Jefferson County's economy. The NPS and other preservation-minded groups have spent tens of millions of dollars to transform the Harpers Ferry area into a premier tourist destination. Park visitors come here seeking an authentic experience of our nation's heritage and beauty. They travel here not only to learn about America's Civil War, civil rights, industrial and transportation history, they also visit the area's other unique attractions. They spend a night or more at an area motel, eat meals at local restaurants, engage a local outfitter for a memorable outdoor experience, and otherwise contribute to the region's heritage and eco-tourism economy. A recent report estimates that in 2010 the National Park generated more than \$10 million for the local economy. Inappropriate development at the very

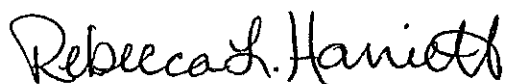
gateway to Jefferson County will have a negative impact on the local tourism industry with long-lasting implications to its economy.

Concerns about inappropriate development on the Old Standard property are nothing new. Over the last decade the property has been the subject of several controversial rezoning and annexation requests, made with the intent of intensely developing the property. Most recently, in 2007, the previous owners petitioned Jefferson County authorities to rezone the property to allow 2,000,000 square feet of commercial/office/flex space, a development comparable in size to 13 big-box stores. As stewards of the Harpers Ferry Battlefield, we opposed the rezoning request, as did an overwhelming majority of local citizens and community groups. Our opposition then, as it is now, was based on potential effects on traffic, cultural and scenic values, historic tourism, and a number of other related issues. If not adequately addressed, these impacts will be detrimental to the area's economic development.

Also, it is imperative that the County's zoning categories provide a level of predictability for current and future property owners, business owners, and investors. Unfortunately, the Residential - Light-Industrial - Commercial category of zoning sought under this petition is poorly construed. If approved, it would allow any number of uses that would be out of scale and context with the character of the historical setting. While some limited development compatible with the surrounding area may be appropriate on a portion of the property, a wholesale zoning change would not promote the kind of predictability required to make thoughtful land use decisions. Furthermore, while the current owner may intend to develop the property in a manner compatible with adjacent National Park properties, once "up-zoned," there is no requirement that any future owner do the same. The Old Standard property, while outside the boundaries of Harpers Ferry National Historical Park, is very much a part of the battlefield landscape. It was the scene of decisive troop movements pivotal to the outcome of the battle. As such, it deserves careful consideration when decisions are made with the potential to dramatically alter that landscape. Fortunately, the County's Comprehensive Plan promotes growth and development that does not compromise the historic resources and scenic beauty that we all agree makes Jefferson County special. Rezoning Old Standard would be inconsistent with the Plan's goals. As an adjacent property owner with significant holdings, the NPS urges you to deny this request.

Thank you for the opportunity to comment on this important issue.

Sincerely,



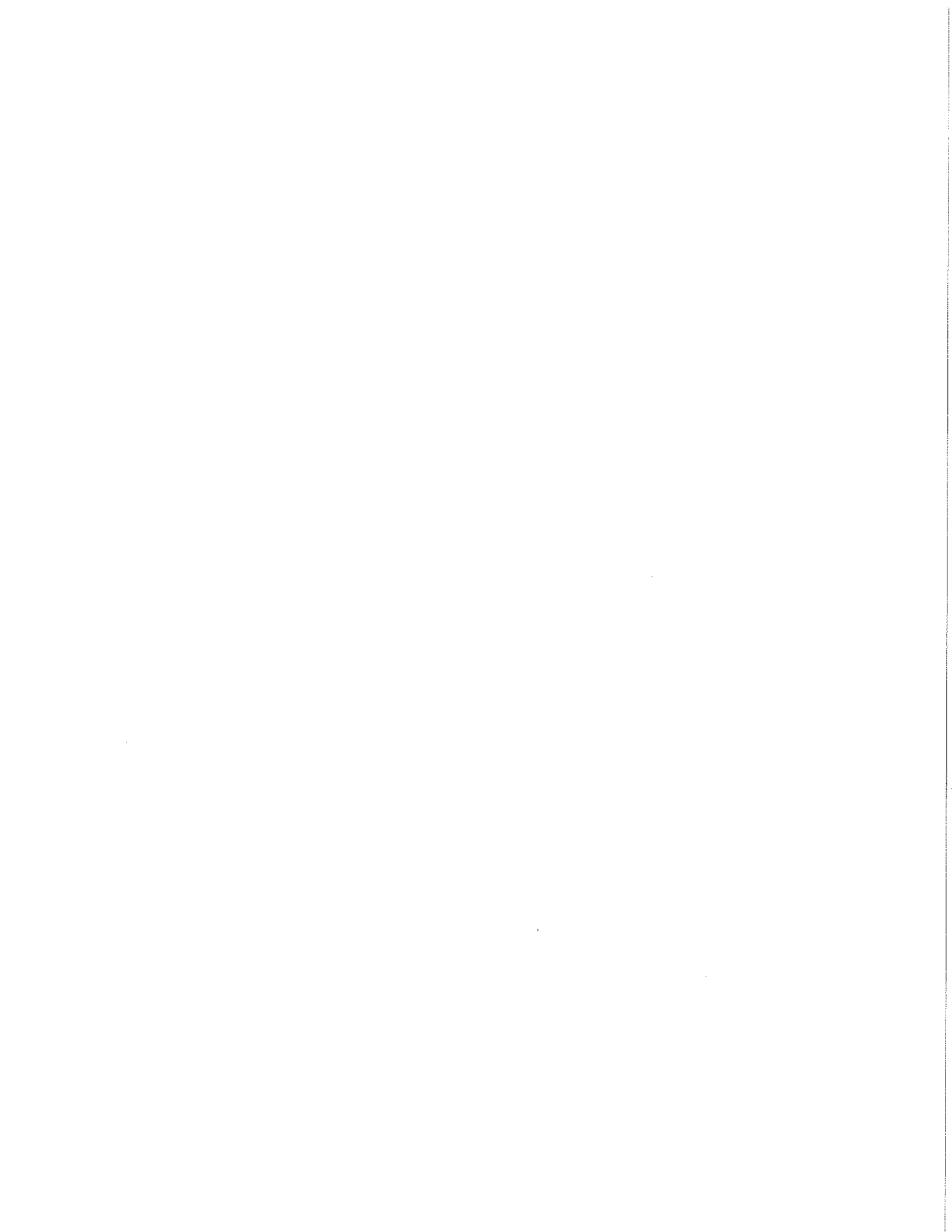
Rebecca L. Harriett
Superintendent, Harpers Ferry National Historical Park

cc:

Wade Louthan, Vice President
Clifford Taylor, Secretary
Peter Fricke
Gary Phalen

Donnie Fisher
Mike Chapman
Richard Childs
Dale Manuel, County Commission Liaison

HAFE: ALee



Jefferson County Planning Commission
Meeting Minutes
February 10, 2015

The Jefferson County Planning Commission met on February 10, 2015 with the following Commission members present: Steve Stolipher, President; Wade Louthan, Vice President; Gene Taylor, Secretary; Dale Manuel, Gary Phalen, Mike Chapman, Donnie Fisher, Peter Fricke, and Dick Childs . Staff members present included Jennifer Brockman, Director of Planning and Zoning; and Rhonda Greenholtz; Planning Clerk.

Mr. Stolipher called the meeting to order at 7:00 p.m.

1. Approval of the minutes from the following Planning Commission Meetings:

- January 13, 2015
- January 27, 2015

Mr. Stephen Stolipher asked if there were any objections to the approval of the meeting minutes. No objections were raised. Minutes were approved.

2. Citizens Communications: None

3. Request for postponements: None

4. Public Hearing: Zoning Map Amendment Petition by property owner Standard Land Company, LLC (File # Z14-03) for a 404.69 +/- acre property located on the east side of Millville Road (Route 27), south of the intersection with Route 340 , to change the current Rural (R) and Residential Growth (RG) zoning designation to Residential-Light Commercial-Industrial (R-LI-C).

Mr. Stephen Stolipher recused himself from this portion of the meeting, citing conflict of interest.

Mr. Wade Louthan presided over the meeting.

Ms. Jennie Brockman provided a brief overview of the location and history of the property pointing out neighboring zoning classifications. She also stated that some of these properties are owned and in permanent use by the Federal Government.

Ms. Jennifer Brockman stated the role of the Planning Commission is to advise the County Commission if this request is consistent with the 2004 Comprehensive Plan. She also stated that a Public Hearing would be held by the County Commission to take final action.

Mr. Mark Dyck, Gordon Associates, presented the request on behalf of Standard Land Company, LLC. Mr. Mark Dyck stated the Comprehensive Plan does not specifically address re-zoning applications; however the zoning ordinance requires the proposal to address the compatibility with the 2004 Comprehensive Plan. Mr. Dyck presented a Comprehensive Goal Plan and Rezoning Assessment handout to the Planning Commission outlining how the application is in conformance with the 11 objectives of the 2004 Comprehensive Plan. (A copy of this handout is included in these minutes.)

Ms. Jennie Brockman presented the Staff Report which included recommendations for both the 2004 Comprehensive Plan and the Envision Jefferson 2035 Comprehensive Plan. Ms. Jennie Brockman stated that the 2004 Comprehensive Plan does not support development of this area outside of the area identified for growth in the Plan. She further stated that while the Envision Jefferson 2035 Comprehensive Plan calls for redevelopment in this area encouraging recreation and tourism type venues and protecting slopes and natural resources, it does not support the use of the Residential-

Light Industrial-Commercial zoning category. The Envision Jefferson 2035 Comprehensive Plan recommends utilizing the new zoning categories adopted by the County Commission in June 2014. Staff recommended use of the new Zoning Categories.

Mr. Wade Louthan opened the floor to public comment.

Mr. Paul Rosa spoke on behalf of the Harpers Ferry Conservancy. Mr. Paul Rosa cited Land Use Covenants recorded in the Jefferson County Land Records Liber 986 Folio 676 and in Liber 995 Folio 465 restricting the use of the property to Non-Residential Use. No revocation of this has been recorded. Mr. Rosa also cited a Plat recorded among the Land Records in Plat Book 25, Pages 235-235D that allow the construction of 40 Lots. No revocation of this recorded Plat has been recorded. The Conservancy's primary concerns are that scenery and historic resources be preserved. The Conservancy would have no objections to structures that are below grade and not seen from the Battlefield.

Ms. Jennie Brockman addressed the statement by Mr. Paul Rosa regarding a recorded Plat showing the 40 approved lots. It is legal counsel's opinion that the said Plat has been voided due to lack of action. This Plat was not approved by the Planning Commission. At present there is no document recorded among the Land Records voiding this plat.

The following public comments were heard:

Christy Huddle – Ms. Huddle would like to see the narrower zoning categories of the Envision Jefferson 2035 Comprehensive Plan used.

William Cornwell – Mr. Cornwell is a property owner at the southern end of property and is opposed to any development.

Lyn Widmyer – Ms. Widmyer supports the Planning and Zoning staff's report and recommendations. Ms. Lyn Widmyer stated she would like to see a plan showing proposed areas designated for preservation and development. Traffic and public utilities were of concern. Ms. Widmyer entered into the record a letter from Todd E. Hooker, West Virginia Development Office noting the expiration of the Brownfield designation of this property.

Nicola Bastia – Ms. Nicole Bastia stated that she will provide written comments.

Kelly Baty – Mr. Kelly Baty voiced concerns related to floodplain, sinkhole/karst topography, and inadequate infrastructure issues.

Matt Knott – Owner, River Riders. Mr. Matt Knott is in support of this rezoning request as it will make it more financially viable for the property to be cleaned up. Commercial use would be the best fit for the property.

Mr. Wade Louthan closed the floor to Public comment.

Mr. Noah Mehrkam, Standard Land Company, LLC. Mr. Noah Merkhams took this opportunity to introduce himself and to state reasons how the R-LI-C (Residential-Light Industrial-Commercial) zoning designation would provide for more flexible uses of the property.

Mr. Mark Dyck of Gordon Associates, rebutted with the following:

- The Envision Jefferson 2035 Comprehensive Plan is used as a reference point and doesn't believe it can be used as a basis for approving or denying this application as it has not been approved at this time.

- The Zoning Ordinance amendments related to the new zoning categories state that the new zones can only be used in areas that are defined in the 2004 Comprehensive Plan. Mr. Mark Dyck went through the list of new zoning categories and explained why these weren't feasible options.
- Creating employment within the 340 corridor may alleviate traffic congestion at the "bottleneck area" at the bridges leading into and out of the area.
- An application will be submitted to void the Plat recorded in Plat Book 25 Pages 235-235A.
- A majority of concerns expressed at this meeting will be addressed with the submittal of the Concept Plan.
- The bulk of the development will occur on the north side of the property.
- The proposed development will meet all FEMA setback requirements, as well as the County Zoning and Subdivision Hillside Development and Riparian Buffer requirements.
- Infrastructure improvements will be at the cost of the developer, not the public.

Mr. Wade Louthan opened up the floor for discussion.

Mr. Peter Fricke inquired about the water rights of the Old Standard Quarry as they relate to a Certificate of Need issued by the Maryland Department of Natural Resources for the Catoctin Power Plant.

Mr. Paul Rosa spoke regarding the water rights agreement. The agreement was put in place by a power company based in California for a Catoctin Power Plant project located in Frederick County. The last record of renewal for the agreement has expired.

Mr. Dick Childs inquired about affordable housing on the property.

Mr. Mark Dyck responded that a mix of residential property would be the anticipated use of the property. No specific plans are in place at this time, but high end residential properties are not proposed.

Mr. Dale Manuel made a motion to leave the record open.

Mr. Mike Chapman addressed Mr. Dale Manuel's motion reiterating the Planning Commission's role in this request and that further public comments will be heard at a required County Commission public hearing.

Mr. Gary Phalen asked Ms. Jennie Brockman for clarification on the Planning Commission's role with respect to this request.

Ms. Jennie Brockman restated that the Planning Commission's role is to determine if this request is in conformance with the 2004 Comprehensive Plan. The local Zoning and Land Development Ordinance requires the County Commission to hold a Public Hearing on this request.

Mr. Dale Manuel made a motion to leave the record open for written public comments and moved to finalize action at the next scheduled Planning Commission meeting.

A vote was taken and failed 2-6. Mr. Peter Fricke and Mr. Dale Manuel in favor.

Mr. Peter Fricke made a motion that the request is not consistent with the 2004 Comprehensive Plan nor the draft Envision Jefferson 2035 Comprehensive Plan as it does not support zoning the R-LI-C (Residential-Light Industrial-Commercial) categories.

Mr. Donnie Fisher spoke to the track record of the applicant working with the community. Groups with concerns have praised the discussion and the dialogue with the applicant. Mr. Donnie Fisher believes the information given meets the requirements of the 2004 Comprehensive Plan.

Mr. Peter Fricke stated that the Planning Commission is not supposed to make a recommendation based on the applicant's quality of business, but whether or not the proposal is consistent with the 2004 Comprehensive Plan.

Mr. Gary Phalen stated that a project like this does have merit when an applicant such as this has demonstrated the ability to perform in this county.

Mr. Mike Chapman cited the Scope of Assessment in the Staff Report. The 2004 Plan itself states that its recommendations are general and that there may be internal conflicts within its recommendations and that all of them need to be considered in considering zoning map amendments. The fact that the Envision Jefferson 2035 Comprehensive Plan proposes different uses for this area of the county indicates that there have been major changes since the 2004 Plan that are addressed in the 2035 Plan. He believes that this change between the Plans further supports the proposed rezoning at this time.

Mr. Dale Manual stated the development of this property is an opportunity to clean up this brownfield area and the requested rezoning would enable some control of the property.

A vote was taken and failed by a vote of 1-7. Mr. Peter Fricke in favor.

Mr. Dick Childs made a motion that the request is consistent with the 2004 Comprehensive Plan and recommended the request be sent to the County Commission for approval.

A vote was taken and passed 7-1. Mr. Peter Fricke opposed.

Jefferson County GIS/Addressing Office

DEPARTMENTAL MEMORANDUM

TO: Jefferson County Commission
Stephanie Grove, County Administrator

FROM: Todd Fagan, GIS Director

DATE: March 13th, 2015

SUBJECT: GIS/Addressing Office Quarterly Update Report- 2015, 1st Quarter



With CAD implementation complete and CAD mapping support humming along, staff found time to work on the backlog of customer service requests that developed while we were dedicated to CAD in late 2014.

1. PROJECTS COMPLETED

- a. Emergency Communications -CAD – completed various GIS-related CAD tasks such as data editing, planning, installation, development, dispatcher training bulletins, troubleshooting, and quickest routing.
 - i. Performed 3 scheduled, monthly mapping data updates to CAD
 - ii. Closed 11 CAD Mapping Support tickets
 - iii. Added 2012 base aerial photo and Pictometry viewer to CAD map
 - iv. Updated 200+ Common Place Names to make address searches for known landmarks easier
- b. General Staff Support – Numerous requests for maps, data or analysis as summarized below:

Agency	Request for service
Public	Handled normal volume of phone calls, e-mails, and walk-in requests for address verification or mapping support
US Census Bureau	updated Boundary Annexation Survey & census geography
JC Commission	FY16 Department budget hearings
JC P&Z	Updated Zoning Map, Future Land Use Guide, and digital map readers for staff
JC WAC	Furnace Run watershed map for water quality monitoring
JCEDA/Engineering	Burr Business Park map
JCPRC	Comp Plan mapping and data support, Sam Michaels Trail Map
JCSO	Road and Home construction report
JCSWA	Mapped Adopt-a-Highway routes
JHSEM	COOP training, Mass Evacuation, and Shelter maps
Bolivar	resolved address issue with apartments, Address Compliance (see attached map)
Charles Town	provided digital map reader application, DoH streets inventory support
CT Utility Board	provided hydrant location data
Shepherdstown	resolved significant addressing issue
Citizens Fire Co.	Traffic Incident Management training maps
Independent Fire Co.	Hydrants per fire box response area report
Cacapon Institute	provided data for Urban Tree Canopy studies in Jefferson Co.

2. PROJECTS IN PROGRESS

- a. 911 CAD - Ongoing technical support for CAD and continued adjustments to modelled data extraction, compilation workflows, mapping content, quickest routing services, etc.
- b. Bolivar Address Compliance Program – Inspected 582 addresses, raised compliance rate from 74% to 81% in first review phase (see attached map)
- c. Base Map Data Maintenance – 50% complete on base map data clean-up project to align address points, access lines and driveway entrances for consistent cartography and routing analysis. 31 new addresses added this quarter due to new construction permits.
- d. General Staff Support – Zoning map amendments, Hazard mapping for JCHSEM, and long term strategic planning and prioritizing future growth maps/analysis for JCESA. Prioritize new customer service requests as needed.

3. COMMISSION SHOULD BE AWARE OF:

- a. Content Management Systems – Staff are still researching alternative, low or no-cost methods to begin scanning and indexing archival paper records.

Jefferson County Address Compliance Program - Town of Bolivar

Initial Grade

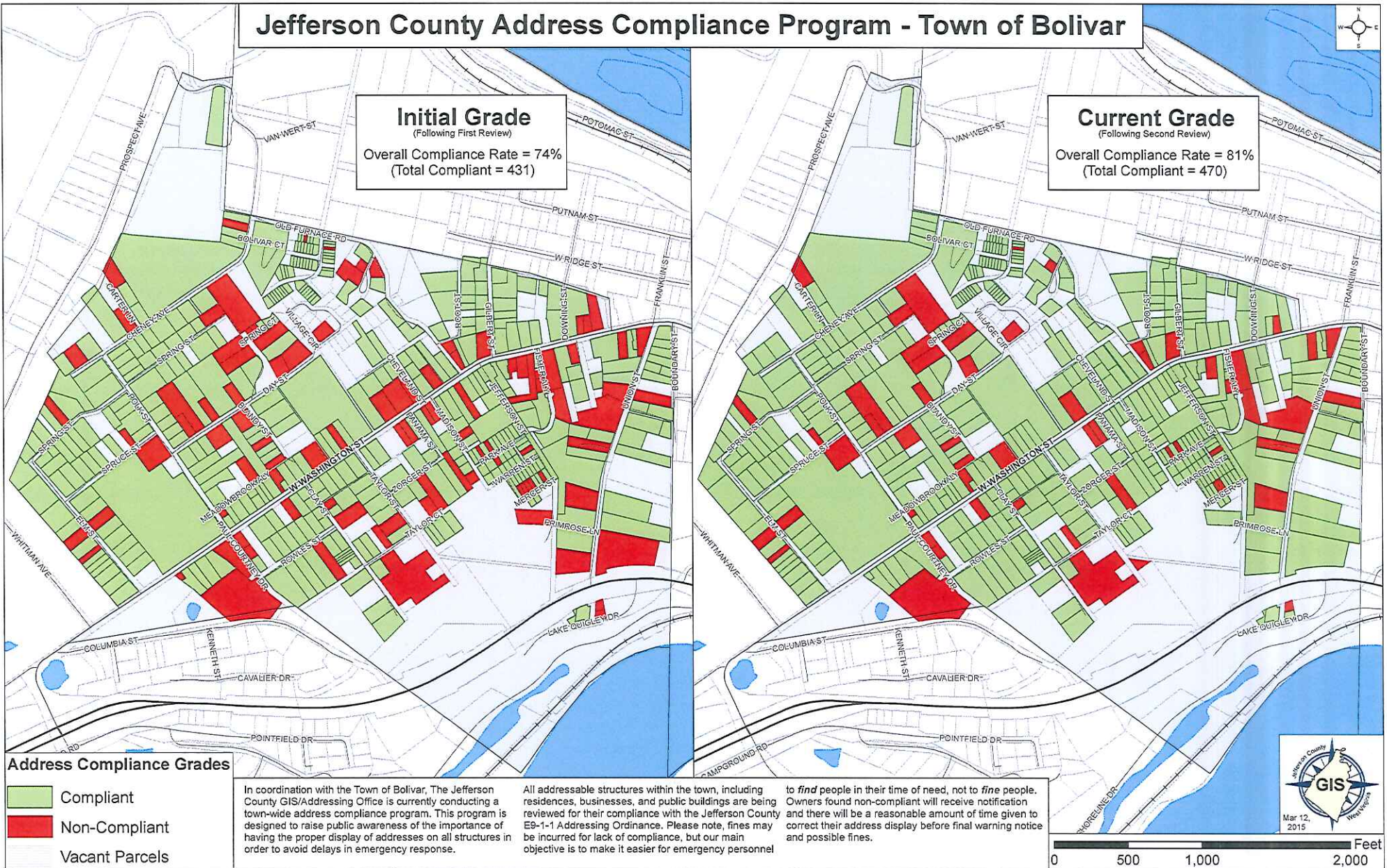
(Following First Review)

Overall Compliance Rate = 74%
(Total Compliant = 431)

Current Grade

(Following Second Review)

Overall Compliance Rate = 81%
(Total Compliant = 470)



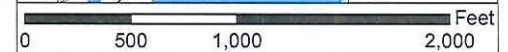
Address Compliance Grades

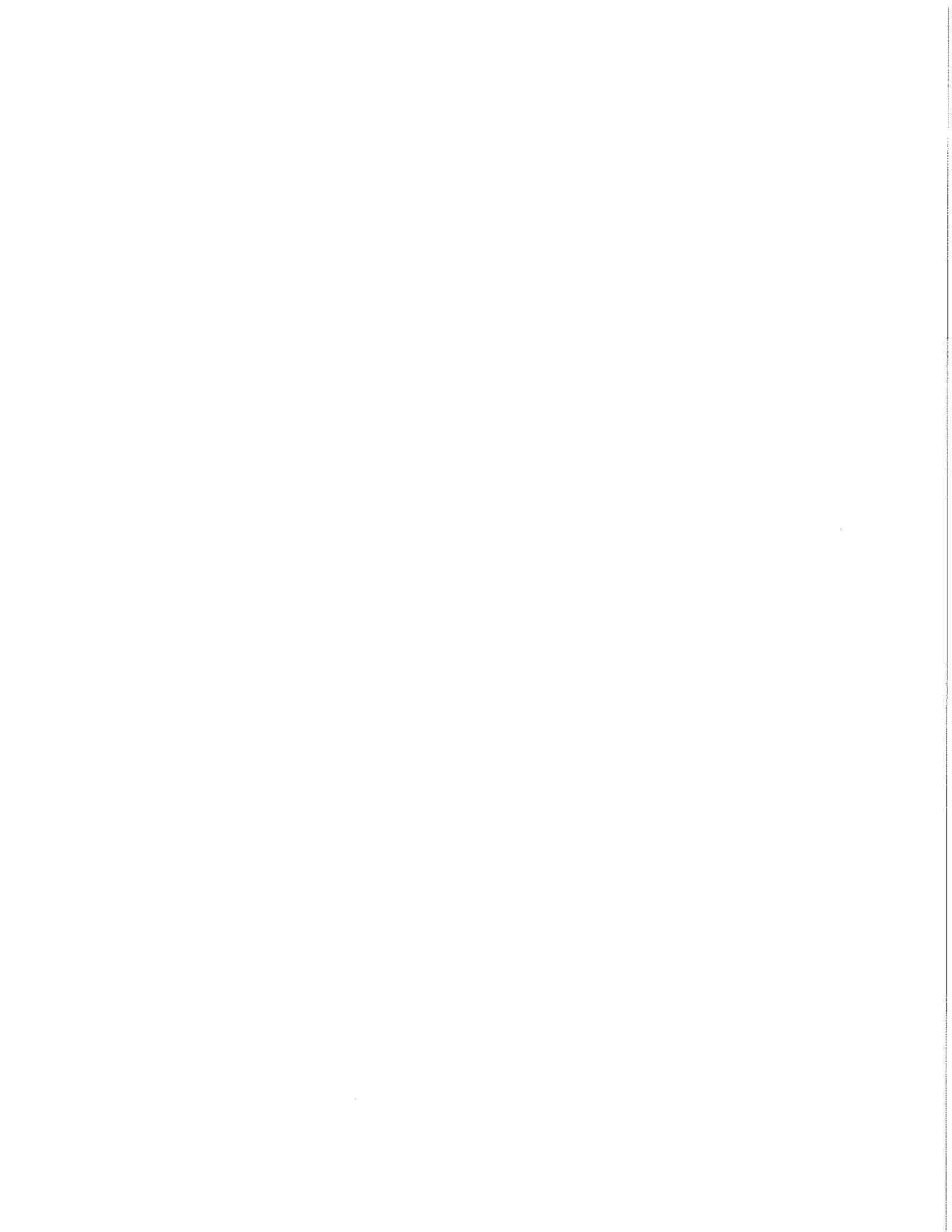
- Compliant
- Non-Compliant
- Vacant Parcels

In coordination with the Town of Bolivar, The Jefferson County GIS/Addressing Office is currently conducting a town-wide address compliance program. This program is designed to raise public awareness of the importance of having the proper display of addresses on all structures in order to avoid delays in emergency response.

All addressable structures within the town, including residences, businesses, and public buildings are being reviewed for their compliance with the Jefferson County E9-1-1 Addressing Ordinance. Please note, fines may be incurred for lack of compliance, but our main objective is to make it easier for emergency personnel

to find people in their time of need, not to fine people. Owners found non-compliant will receive notification and there will be a reasonable amount of time given to correct their address display before final warning notice and possible fines.





The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, April 2, 2015, or as soon thereafter as the Commission may decide:

Planning Commission - two (2) three-year terms ending March 31, 2018

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, prior 12:00 pm on the Monday prior to the proposed date of appointment.

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

SPIRIT OF JEFFERSON:

PLEASE ADVERTISE ON:

March 11, 18, 25 - 2015

THANKS - JEFFERSON COUNTY COMMISSION

Impact Fee Status Report

February 2015

Office of Impact Fees

Summary

Date Range: Sunday 1 through Saturday 28 February 2015

Report Date: 2 March 2015

Process Number Range: 1500021 - 1500028

Total Applications: 8

Total Non-Exempt: 19

Of which:

Commercial: 0

Residential: 8

Of which:

County: 4

Municipal: 4

Total Exempt: 0

Of which:

Commercial: 0

Residential: 0

Of which:

County: 0

Municipal: 0

Tables 1 through 7 summarize impact fee processing for February 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 – 28 February 2015	0	0	8	8
Fees collected		\$0.00	\$90,704.00	\$90,704.00
<i>Of which</i>				
School Impact Fee			\$79,672.00	\$79,672.00
Law Enforcement Fee		\$0.00	\$800.00	\$800.00
Parks & Recreation Fee			\$5,308.00	\$5,308.00
Fire & EMS Fee		\$0.00	\$4,924.00	\$4,924.00

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

Description	Amount
Opening Statement Balance (1 February 2015)	\$239,762.67
February Deposits (1 – 28 February 2015)	\$90,704.00
School Jan. Transactions (withdraws via transfer on 18 February 2015)	(\$210,406.91)
Law Jan. Transactions (withdraws via transfer on 18 February 2015)	(\$2,494.65)
Parks & Rec Jan. Trans. (withdraws via transfer on 18 February 2015)	(\$13,930.88)
Fire & EMS Jan. Trans. (withdraws via transfer on 18 February 2015)	(\$12,930.23)
Interest Earned (28 February 2015)	\$78.44
Ending Statement Balance (28 February 2015)	\$90,782.44
<i>Outstanding Credits (deposits through 1 March 2015)</i>	<i>\$0.00</i>

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

Description	Amount
Opening Balance (1 February 2015)	\$1,311,003.30
January Transactions (deposits via transfer on 18 February 2015)	\$210,406.91
Interest Earned (28 February 2015)	\$534.55
Ending Balance (28 February 2015)	\$1,521,944.76

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

Description	Amount
Opening Balance (1 February 2015)	\$42,642.39
January Transactions (deposits via transfer on 18 February 2015)	\$2,494.65
Interest Earned (28 February 2015)	\$16.73
Ending Balance (28 February 2015)	\$45,153.77

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

Description	Amount
Opening Balance (1 February 2015)	\$486,089.86
January Transactions (deposits via transfer on 18 February 2015)	\$13,930.88
Interest Earned (28 February 2015)	\$188.55
Ending Balance (28 February 2015)	\$500,209.29

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

Description	Amount
Opening Balance (1 February 2015)	\$121,185.14
January Transactions (deposits via transfer on 18 February 2015)	\$12,930.23
Interest Earned (28 February 2015)	\$48.43
Ending Balance (28 February 2015)	\$134,163.80

Table 7. Total Impact Fees as of 1 March 2015 /1

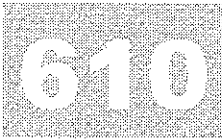
Description	Amount
Office of Impact Fees General Account	\$90,782.44
School Impact Fee Account	\$1,521,944.76
Law Enforcement Fee Account	\$45,153.77
Parks & Recreation Impact Fee Account	\$500,209.29
Fire & EMS Impact Fee Account	\$134,163.80
Total Impact Fees	\$2,292,254.06

/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 March 2015 Fee Transfers /1

Account	28 Feb. 2015 Account Totals	Pending Impact Fee Transfers	Account Totals
School Impact Fee Account	\$1,521,944.76	\$79,741.03	\$1,601,685.79
Law Enforcement Fee Account	\$45,153.77	\$800.78	\$45,954.55
Parks & Recreation Impact Fee Account	\$500,209.29	\$5,312.71	\$505,522.00
Fire & EMS Impact Fee Account	\$134,163.80	\$4,927.92	\$139,091.72
Total Impact Fees	\$2,201,471.62	\$90,782.44	\$2,292,254.06

/1 This table represents each of the impact fee category account totals as of 28 February 2015 listed in tables 3 – 6. Pending fee transfer amounts, excluding interest and any outstanding credits, collected in February 2015 are listed in table 1 of the General Account (3111776); these transactions will be processed in March 2015. Any outstanding credits, as listed in table 2, will be added to the next month's Impact Fee transfer amounts.



Form 100 Transaction Summary
Jefferson County Government – Office of Impact Fees

Impact Fee Applications Processed between dates Sunday 1 through Saturday 28 February 2015

Process Number	Date	Last Name	First Name	Tax District	Deed Book	Deed Page	Tax Map	Parcels	Impact Fees Collected	Date	Exempt Reason
----------------	------	-----------	------------	--------------	-----------	-----------	---------	---------	-----------------------	------	---------------

Exempt Applications

Category Count: 0 **Category Total \$0.00**

Net Exempt Applications

1500021	02/04/2015	Heather	Arcadia	03 Charles Town	23	67	12A	182	\$12,808.00	02/04/2015	N/A
1500022	02/04/2015	Heather	Arcadia	03 Charles Town	23	67	12A	186	\$12,808.00	02/04/2015	N/A
1500023	02/05/2015	Pete Kubic	Kubic	02 Charles Town	962	349	13A	86	\$9,868.00	02/05/2015	N/A
1500024	02/05/2015	Pete Kubic	Kubic	02 Charles Town	962	349	13A	86	\$9,868.00	02/05/2015	N/A
1500025	02/05/2015	Pete Kubic	Kubic	02 Charles Town	962	349	13A	86	\$9,868.00	02/05/2015	N/A
1500026	02/05/2015	Pete Kubic	Kubic	02 Charles Town	962	349	13A	86	\$9,868.00	02/05/2015	N/A
1500027	02/23/2015	Charles	Ryan Homes	08 Ranson Corp	982	137	8D	17G	\$12,808.00	02/23/2015	N/A
1500028	02/23/2015	K Hovnanian		03 Charles Town	1095	342	11B	297	\$12,808.00	02/23/2015	N/A

Category Count: 8 **Category Total \$90,704.00**

TOTAL APPLICATIONS: 8 **Grand Total \$90,704.00**

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: Monday, 2 March 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 February 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500021** through **1500028**, inclusive. Within this range there were 4 non-exempt impact fee payments. This amounts to **\$800.00**.
- Interest earned by the Office of Impact Fees General Account in February 2015 amounts to **\$79.44**, of which **\$0.78** is attributed to fees collected for Law Enforcement.

As per the attached invoice, the total amount of this transfer is \$800.78.

Check # 985

Jefferson County Commission

P.O. Box 250
Charles Town, WV 25414

Invoice

Number: 15010
Date: 3/2/2015

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 February 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).

\$800.00

Interest earned by the Office of Impact Fees General Account February 2015.

\$0.78

Impact Fee Process Numbers 1500021 through 1500028, inclusive. Within this range, there were 4 non-exempt impact fee payments.

Total: \$800.78

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

Check Number: 985



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Law Enforcement

Check Number 985

Trace 20150302:59828.81

Date 3/2/2015 Series 2

Recipient Sheriff of Jefferson County

Account 3120120

Amount \$800.00

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 February 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
2/5/2015	1500021	2005-1	3/22/2005	\$0.00
2/5/2015	1500022	2005-1	3/22/2005	\$0.00
2/6/2015	1500023	2005-1	3/22/2005	\$200.00
2/6/2015	1500024	2005-1	3/22/2005	\$200.00
2/6/2015	1500025	2005-1	3/22/2005	\$200.00
2/6/2015	1500026	2005-1	3/22/2005	\$200.00
2/24/2015	1500027	2005-1	3/22/2005	\$0.00
2/24/2015	1500028	2005-1	3/22/2005	\$0.00
Total amount for this withdraw				\$800.00
Total amount for this account				\$800.00
Total amount all accounts				\$800.00

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: Monday, 2 March 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 February 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500021** through **1500028**, inclusive. Within this range there were 8 non-exempt impact fee payments. This amounts to **\$79,672.00**.
- Interest earned by the Office of Impact Fees General Account in February 2015 amounts to **\$78.44**, of which **\$69.03** is attributed to fees collected for Schools.

As per the attached invoice, the total amount of this transfer is \$79,741.03.

Check # 984

Jefferson County Commission

P.O. Box 250
Charles Town, WV 25414

Invoice

Number: 15009
Date: 3/2/2015

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 February 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).

\$79,672.00

Interest earned by the Office of Impact Fees General Account February 2015.

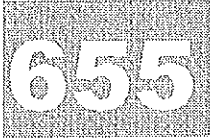
\$69.03

Impact Fee Process Numbers 1500021 through 1500028, inclusive. Within this range, there were 8 non-exempt impact fee payments.

Total: \$79,741.03

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

Check Number: 984



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Schools

Check Number 984

Trace 20150302:59739.83

Date 3/2/2015

Series 1

Recipient Sheriff of Jefferson County

Amount \$79,672.00

Account 3107582

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 February 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
2/5/2015	1500021	2003-3	11/24/2005	\$11,358.00
2/5/2015	1500022	2003-3	11/24/2005	\$11,358.00
2/6/2015	1500023	2003-3	11/24/2005	\$8,560.00
2/6/2015	1500024	2003-3	11/24/2005	\$8,560.00
2/6/2015	1500025	2003-3	11/24/2005	\$8,560.00
2/6/2015	1500026	2003-3	11/24/2005	\$8,560.00
2/24/2015	1500027	2003-3	11/24/2005	\$11,358.00
2/24/2015	1500028	2003-3	11/24/2005	\$11,358.00
Total amount for this withdraw				\$79,672.00
Total amount for this account				\$79,672.00
Total amount all accounts				\$79,672.00

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: Monday, 2 March 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 February 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500021** through **1500028**, inclusive. Within this range there were 8 non-exempt impact fee payments. This amounts to **\$5,308.00**.
- Interest earned by the Office of Impact Fees General Account in February 2015 amounts to **\$78.44**, of which **\$4.71** is attributed to fees collected for Parks & Recreation.

As per the attached invoice, the total amount of this transfer is \$5,312.71.

Check # 986

Jefferson County Commission

P.O. Box 250
Charles Town, WV 25414

Invoice

Number: 15011
Date: 3/2/2015

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

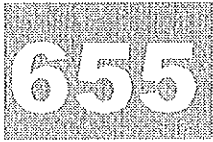
P.O. Number

Vendor Number

Description	Amount
Impact Fee payments collected for month of February 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).	\$5,308.00
Interest earned by the Office of Impact Fees General Account February 2015.	\$4.71
Impact Fee Process Numbers 1500021 through 1500028, inclusive. Within this range, there were 8 non-exempt impact fee payments.	
Total:	\$5,312.71

Notes/Comments Transfer of funds into Parks & Recreation Impact Fee Account (3122808).

Check Number: 986



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Parks & Rec

Check Number 986

Trace 20150302:59876.61

Date 3/2/2015 Series 3

Recipient Sheriff of Jefferson County
Amount \$5,308.00

Account 3122808
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 February 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
2/5/2015	1500021	2005-2	5/12/2005	\$752.00
2/5/2015	1500022	2005-2	5/12/2005	\$752.00
2/6/2015	1500023	2005-2	5/12/2005	\$575.00
2/6/2015	1500024	2005-2	5/12/2005	\$575.00
2/6/2015	1500025	2005-2	5/12/2005	\$575.00
2/6/2015	1500026	2005-2	5/12/2005	\$575.00
2/24/2015	1500027	2005-2	5/12/2005	\$752.00
2/24/2015	1500028	2005-2	5/12/2005	\$752.00
Total amount for this withdraw				\$5,308.00
Total amount for this account				\$5,308.00
Total amount all accounts				\$5,308.00

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: Monday, 2 March 2015
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's 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 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 February 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500021** through **1500028**, inclusive. Within this range there were 8 non-exempt impact fee payments. This amounts to **\$4,924.00**.
- Interest earned by the Office of Impact Fees General Account in February 2015 amounts to **\$78.88**, of which **\$3.92** is attributed to fees collected for EMS.

As per the attached invoice, the total amount of this transfer is \$4,927.92.

Check # 987

Jefferson County Commission

P.O. Box 250
Charles Town, WV 25414

Invoice

Number: 15012

Date: 3/2/2015

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 February 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County EMS Impact Fees Bank Account (3122816). \$4,924.00

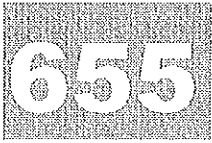
Interest earned by the Office of Impact Fees General Account February 2015. \$3.92

Impact Fee Process Numbers 1500021 through 1500028, inclusive. Within this range, there were 8 non-exempt impact fee payments.

Total: \$4,927.92

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

Check Number: 987



Account Withdraws
Office of Impact Fees - Jefferson County Government

Account 3111776

Fire & EMS

Check Number 987

Trace 20150302:59916.13

Date 3/2/2015

Series 4

Recipient Sheriff of Jefferson County

Amount \$4,924.00

Account 3122816

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 February 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
2/5/2015	1500021	2005-3	5/12/2005	\$698.00
2/5/2015	1500022	2005-3	5/12/2005	\$698.00
2/6/2015	1500023	2005-3	5/12/2005	\$533.00
2/6/2015	1500024	2005-3	5/12/2005	\$533.00
2/6/2015	1500025	2005-3	5/12/2005	\$533.00
2/6/2015	1500026	2005-3	5/12/2005	\$533.00
2/24/2015	1500027	2005-3	5/12/2005	\$698.00
2/24/2015	1500028	2005-3	5/12/2005	\$698.00
Total amount for this withdraw				\$4,924.00
Total amount for this account				\$4,924.00
Total amount all accounts				\$4,924.00

Jefferson County Public Service District

Received

MAR 06 2015

Jefferson County Public Service District Regular Board Meeting February 2, 2015

Jefferson County Commission

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, February 2, 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; from Thrasher Engineering, Wayne Morgan; and Liaison for the County Commission, Commissioner Jane Tabb.

CALL TO ORDER

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

Approval of agenda

The Board approved the agenda after removing the item to approve resolution #10 for the water project.

Action: No action required by the Board.

Public Comments

None.

OLD BUSINESS

Review Minutes of January 5 regular board meeting

The minutes of the January 5, 2015 regular board meeting were approved as presented.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to accept the January 5, 2015 regular board meeting minutes as presented. Unanimously approved.

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

- Approval of change order no. 4 for additional customer service line expenses to be paid with project budget contingency funds
- Presentation of change order no. 5 for additional customer service line expense exceeding presently available project funding
- Approval of change order no. 6 extending time for contractors to complete construction by 120 days, with commencement of the extension retroactive to January 29, 2015
- Discuss and consider approval of cost overrun

Ms. Lawton and Ken Beldin from Gwin Dobson & Foreman (GDF) walked both systems which are now substantially complete, except for a few minor issues that will be dealt with in the spring. Mr. Beldin explained to the Board the budget overrun issue of about \$79,000 from the contractor. He stated that the Bureau for Public Health agreed with giving the contractor the rest of the money in the contingency which totals \$39,841.50, leaving \$39,183.37 owed to the contractor. The budget overrun was due to problems the contractor had with the connections of twelve customers. Mr. Beldin is working with District staff and other state agencies to resolve the balance owed to the contractor. Mr. Beldin would like the Board to consider approving change order #4 and #5, but table #6.

Action: Motion by Mr. Strider and seconded by Mr. Weese to approve change order #4. Unanimously approved.

Action: Motion by Mr. Strider and seconded by Mr. Weese to approve change order #5. Unanimously approved.

Action: Motion by Mr. Strider and seconded by Mr. Weese to table the approval of change order #6. Unanimously approved.

Action: Motion by Mr. Strider and seconded by Mr. Weese to authorize Region 9, the administrator for the project, to pursue additional grant funding for the budget overrun. Unanimously approved.

Update on sewer collection and transmission project

Wayne Morgan from Thrasher Engineering is working with the Department of Environmental Protection and the Public Service Commission to revise the Preliminary Engineering Report. Mr. Kelsh informed the Board of the legal services agreement which needs to be revised per the RUS format.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to approve the revised legal services agreement for the sewer project in RUS format. Approved 2-1. Mr. Appignani voted against the motion.

Consider applying for RUS funding for acquisition of water and sewer utility assets of Jefferson Utilities, Inc., Shenandoah Junction, Inc. and East Jefferson Sewer, LLC and water project to replace and upgrade Keyes Ferry Acres, Westridge Hills, and Harpers Ferry Campsites

Mr. Kelsh sent a letter to Janna Lowery of USDA RUS regarding their policy that a majority of its funds on a project cannot be used for an acquisition. Mr. Kelsh would like to wait for a response from Ms. Lowry's office before making any decisions on this project.

Action: This item was tabled until next month.

Update on strategic plan

Ms Lawton informed the Board that Dunn Engineering is working on the strategic plan, but they have not yet submitted their update.

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 \$99,000 in payments to cover the disbursements for this month.

Action: No action required by the Board.

NEW BUSINESS

Consider Renewal of Generator Maintenance Agreement with Apparatus Repair & Engineering, Inc.

The past few years the District has entered into an agreement with Apparatus Repair & Engineering, Inc. (AR&E) for an annual preventative maintenance program for 20 of the District's generators. The staff would like to renew the annual contract.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to renew the contract with Apparatus Repair & Engineering, Inc. for generator maintenance with the annual cost of \$10,952.00. Unanimously approved.

Consider revision to annual leave policy in District handbook

Ms. Lawton requested a revision to the annual leave policy to eliminate the hours given to employees in the 20 years of service or more tier. Due to staffing issues, she would like to modify or eliminate this section of the policy. Given that no employee has 20 years of service Mr. Appignani stated that this would not solve the problem. The Board would like Ms. Lawton and Mr. Freeze to come back next month with further options.

Action: No action required by the Board.

Consider revision to recently approved Rule 42 for sewer project to allow portion for current rate increase to meet bond and cash flow needs and to be resubmitted

Ms. Lawton stated that due to coverage concerns, a revision may need to be made to the Rule 42 which was approved by the Board two months ago. This revision would be submitted to the Public Service Commission separate from the sewer project submission to initiate a rate increase to assist in the monthly cash flow shortage and assure bond coverage. Ms. Lawton stated that if the Board wishes to do so, staff will work with the Districts accountant to determine how much of an increase is needed. Mr. Appignani was concerned that the financial information for the month, provided to the Board, indicated bond coverage of 130% and if coverage was determined to be above 115% the District would not be granted a rate increase. Given the Districts current financial situation, the District should first determine if coverage would actually be below 115% before pursuing a Rule 42 rate increase.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to authorize staff and professionals to prepare a rate analysis for a non-project related Rule 42 for sewer bond coverage needs and request to see the details at the March board meeting so the Board can assess if a rate increase is needed. Motion was amended by Mr.

Strider and seconded by Mr. Weese to not exceed \$2500 for CoxHollida and Professionals to complete the Rule 42 if the analysis showed one was needed. Unanimously approved.

Discuss Post-Issuance Compliance of Bonds

Ms. Lawton informed the Board of a new requirement from the West Virginia Water Development Authority (WDA) to comply with the post-issuance compliance requirements of the Internal Revenue Code of 1986 as amended for all tax-exempt bonds issued by WDA. The District has two bonds that were listed for this requirement. Ms. Lawton stated that the District must adopt the new policy and appoint a compliance officer to complete annual forms and other documentation.

Action: Motion made by Mr. Weese and seconded by Mr. Strider to appoint Ms. Lawton as the compliance officer. Unanimously approved.

Update on Status of Current Public Service Commission Cases

PSC case # 12-0513 -PSD-PC (2012 sewer rate case) – Mr. Kelsh filed a motion with the Public Service Commission to reopen the case and file a four month extension for submitting the strategic plan.

PSC case # 13-1175-S-C (Old Standard, LLC complaint) & Circuit Court case # 14-C-51 – Ms. Lawton informed the Board that the PSC closed the case, but Mr. Rodecker filed a request for the PSC to reopen the case and clarify unanswered questions. Mr. Hammer filed an extension in the circuit court case and was granted 180 days.

Action: No action required by the Board.

Request from Mr. Cheezum for more information on the Old Standard, LLC and East Jefferson Sewer System cases

Mr. Cheezum requested more information on the Old Standard, LLC and East Jefferson Sewer System cases. Mr. Kelsh gave a brief overview of the cases and their current status. Mr. Cheezum also requested the letter addressed to him from Mr. Kelsh regarding ethical obligations of board members be posted on the Districts website. The Board agreed to his request.

Action: No action required by the Board.

Report on legislation of possible interest to the District by Jim Kelsh

Mr. Kelsh informed the Board of two legislative bills that may be of interest to them. The first bill, House Bill 2238, would require that the PSC be composed of one member from each of the federal legislative districts. The second bill, Senate Bill 234, would amend portions of Chapter 16 and 24 to revise the PSC jurisdiction over utilities.

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 \$5,890.02. 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 \$174,479.58. Unanimously approved.

Approve transfer of \$3,600.00 from the renewal & replacement account to the sewer operating account for driveway improvements at pump station 4-5

Approve transfer of \$5,321.02 from the renewal & replacement account to the sewer operating account for a pump repair at pump station 5-1

Approve transfer of \$6,696.66 from the sewer security deposit account to the sewer operating account for security deposit refunds

Action: Motion made by Mr. Strider and seconded by Mr. Weese to approve transfer of \$3,600.00 from the renewal & replacement account to the sewer operating account for driveway improvements at pump station 4-5; approve transfer of \$5,321.02 from the renewal & replacement account to the sewer operating account for a pump

repair at pump station 5-1; approve transfer of \$6,696.66 from the sewer security deposit account to the sewer operating account for security deposit refunds. Unanimously approved.

General Manager's Report

Ms. Lawton updated the Board on activities since last month's meeting.

Action: No action required by the Board.

Other staff reports

None discussed.

Action: No action required by the Board.

Correspondence

None discussed.

Public Comment

Jacquelyn Milliron, Breckenridge resident, had questions about the sewer project and raising the rates. She questioned if consolidation was still being explored as an alternative. Ms. Milliron was also concerned why Ranson has agreements with developers for them to cover project costs, but the District developers do not help cover project costs.

Mr. Freeze and Commissioner Tabb exited the meeting. Mr. Morgan 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. Strider and seconded by Mr. Weese to return to public session. Unanimously approved.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to adjourn. Unanimously approved.

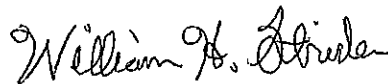
There being no further business at this time, the meeting was adjourned at 8:36PM.

The next regular meeting is scheduled for Monday, March 2, 2015 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Peter L. Appignani
Chairman



William H. Strider
Treasurer

March 5, 2015

County Commissioners:

I am against All Good getting a letter of endorsement from the County Commissioners for a beer and wine license. While I do not like the idea of these festival goers being on the road and it may appear it will be safer to keep the festival goers inside the fence instead of on the road, I would rather put every obstacle possible in front of All Good so they will think twice before coming back to this county.

The more that comes out about this festival and how it came about in Jefferson County, the more upset I am with our elected officials and those they appoint. You should have considered the taxpayer, the environment, and the effect all this will have on the roads and property values and not just how it will benefit a few.

After all is said and done, you will see that it did not benefit Jefferson County as a whole as was advertised. If it is so All Good, why have they had such a hard time finding a place to hold this festival?

Last meeting I had a chance to tell Mr. Pellish that I did not want this in my backyard and he concurred. He wouldn't want it in his backyard either, but Commissioners, Jefferson County is your backyard.

You have a chance to show the County that you are not in favor of this festival by not endorsing this beer and wine license.

Rose Ann Glover
Quail Run



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

811 Commerce Road
Staunton, VA 24401-9029
www.VirginiaDOT.org

Charles A. Kilpatrick, P.E.
Commissioner

February 25, 2015

Mr. Tim Walther
Walther Productions Presents
P.O. Box 116
Jefferson, Maryland 21755

Dear Mr. Walther:

I am writing in regards to the proposed All Good Music Festival which is proposed from July 9-11, 2015 on the Berry Hill Farm in Summit Point, West Virginia. Although comments were not officially solicited from the County of Clarke, County of Clarke Sheriff's Office, Virginia State Police, and Virginia Department of Transportation in the approval process for this event, the aforementioned entities need to be involved in finalizing the logistics of this event due to the impacts that the event will have on the County of Clarke and Commonwealth of Virginia.

This office was able to obtain a "Draft" version of a document from Mr. Kenneth W. Wersted, P.E. of Creighton Manning, Engineers, Planners dated September 24, 2014 titled Event Transportation Sketch Plan: All Good Music Festival, Charles Town, Jefferson County, WV. In reviewing the Route Map included with this document, it is noted that the two most direct routes into the venue in West Virginia, Lewisville Road and Larue Road, have been designated as restricted access. The restriction of these two routes forces a majority of southbound traffic on Route 340 from points north of the site in West Virginia to detour into Clarke County, Virginia via VA Routes 340, VA Route 611, Summit Point Road as the General Admission route and via VA Route 340 and VA Routes 641, Lewisville Road and VA Route 639, Allen Road as an alternate General Admission route. The restriction of the WV Lewisville Road and WV Larue Road also forces all event traffic traveling from Virginia into the site to utilize the same two aforementioned secondary routes to reach the site venue.

Due to the anticipated traffic impacts that this event will cause within Clarke County, Virginia, a maintenance of traffic plan designed by a professional engineer licensed in the Commonwealth of Virginia will need to be submitted for review and approval. Other "unofficial" directional signage which is not part of an approved maintenance of traffic plan will not be allowed on VDOT's right of ways. A back of queue analysis for Virginia Routes 340 and 7 (if necessary to handle the anticipated queue) will need to be performed along with all traffic control needed (signage, message boards, contractor provided traffic control and/or law enforcement traffic control provided). All traffic control is to be designed in accordance with the 2011 Edition of the Virginia Work Area Protection Manual. A

land use permit, which requires fees and bonding, will be required to implement the maintenance of traffic plan in Virginia once the plan has been reviewed and approved.

The proposed use of VA Routes 611, 641 and 639 to move this event traffic is unacceptable based on the information reviewed to date. These two lane secondary routes are not designed to handle the traffic volumes that this event is anticipated to generate and creates logistical issues for providing adequate levels of emergency response to residents who live adjacent to these routes and motorists queued for the site venue. VDOT has the authority to restrict all or certain classes of traffic on routes for the safety of the traveling public in accordance with 33.2-238 of the Code of Virginia. Access to Routes 641 and 639 for event traffic will be restricted by VDOT and/or law enforcement. Access to Route 611, Summit Point Road may be considered for event traffic if the Maintenance of Traffic plan prepared by a licensed Virginia Professional Engineer can demonstrate that traffic can be handled in a safe manner while maintaining emergency response capabilities to adjacent properties and event traffic. The routes that are definitely acceptable for moving this event traffic in Virginia are Route 7, Harry Bryd Highway, and Route 340, Lord Fairfax Highway. The event traffic queues on Routes 340 and Route 7 in Virginia will need to be restricted to a single lane of traffic in order to provide a clear access path for emergency vehicles in the remaining lane of the multi-lane sections of the facilities.

The Virginia Department of Transportation, in cooperation with the County of Clarke, County of Clarke Sheriff's Office and Virginia State Police also requests to be invited to any additional coordination meetings regarding this event involving West Virginia local government officials, law enforcement officials and transportation officials.

VDOT looks forward to working with you to address your traffic management needs within jurisdictions of the Commonwealth of Virginia.

Please advise if you have any additional questions.

Sincerely,



Jeffery A. Lineberry, P.E.
Transportation and Land Use Director

JAL:jal

cc: Jennifer M. Brockman, AICP, Director, 116 East Washington Street, PO Box 338
Charles Town, WV 25414
J. Tyler Quynn, Chair, Jefferson County Board of Zoning Appeals, 124 East Washington Street
Charles Town, West Virginia 25414
Jefferson County Commission, P. O. Box 250, Charles Town West Virginia 25414
David Ash, Clarke County Administrator, 101 Chalmers Court, Berryville, Virginia 22611
Sheriff Anthony W. Roper, Clarke County Office of the Sheriff, 100 N. Church Street, Berryville,
Virginia 22611
West Virginia State Police, Attn: Sergeant Craig Morton, 409 Industrial Boulevard
Kearneysville, WV 25430-2779
Sergeant J. E. Smith, Virginia Department of State Police, 3680 Valley Pike, Winchester, Virginia
22602



Received

FEB 27 2015

STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305
(304) 558-2000

Jefferson County Commission

EARL RAY TOMBLIN
GOVERNOR

MEMORANDUM

TO: Mayors and County Commissioners, State Agencies,
Regional Planning and Development Councils, and Interested Parties

DATE: February 19, 2015

RE: **NDRC PHASE 1 APPLICATION**
Notification of Public Hearing & Invitation to Comment on Phase I Application

The U.S. Department of Housing and Urban Development (HUD) announced a Notice of Funding Availability (NOFA) to award nearly \$1 billion in supplemental disaster recovery funds to eligible applications through the National Disaster Resilience Competition (NDRC). The NDRC provides supplemental disaster recovery Community Development Block Grant (CDBG) funds for resilient recovery activities throughout the nation.

The Office of Governor Earl Ray Tomblin, in conjunction with the West Virginia Development Office (WVDO) and the West Virginia Division of Homeland Security and Emergency Management (DHSEM), have jointly endeavored to apply for grant funding through the NDRC. In addition to other state agencies, the Governor's Office, the WVDO, and the DHSEM are reaching out to county, local and community officials, nonprofit organizations, private businesses, and others to support completion of the grant application.

You are invited to attend a public hearing concerning the State of West Virginia's proposed Phase I application. A copy of the Notice of Public Hearing is attached for review and display. Further details concerning the NDRC are provided in the attached Executive Summary. The Executive Summary is based upon HUD's Notice of Funding Availability. The complete NOFA is available online at <http://portal.hud.gov/hudportal/documents/huddoc?id=2014ndrc-nofa.pdf>.

A public comment will begin on Monday, March 2, 2015 and will conclude on Tuesday, March 17, 2015 at 5:00 p.m. The State's draft application will be available for review on the West Virginia Governor's Office website under the Announcements tab at www.governor.wv.gov, at the Governor's Office, and at the offices of the state's 11 Regional Planning and Development Councils. To be considered in the Phase 1 application, written comments must be received by the West Virginia Governor's Office at the address below or submitted via email to govofficecomm@wv.gov by the 5:00 p.m. on Tuesday, March 17, 2015. For additional information, contact:

Governor, State of West Virginia
c/o Brittany Vascik, Deputy General Counsel
State Capitol
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305
Phone: 304-558-2000 Fax: 304-558-1962
Email: govofficecomm@wv.gov or governor@wv.gov

These meetings are an opportunity to gain highly valued input as part of the State's application. Please feel free to share this notice with other interested parties and encourage them to attend. Our team looks forward to seeing you at the public hearing.

Executive Summary

In 2011, 2012 and 2013, the President declared major disasters in more than 2,100 counties and 48 states. There were five Presidentially Declared Disasters in West Virginia during between 2011 and 2013. These include:

1. FEMA-4059-DR3/16/2012 Mudslides and Landslides
2. FEMA-4061-DR3/12/2012 Severe Storms, Flooding, Mudslides, Landslides
3. FEMA-4071-DR7/23/2012 Severe Storms and Straight-Line Winds
4. FEMA-4093-DR11/27/2012 Hurricane Sandy
5. FEMA-4132-DR7/26/2013 Severe Storms and Flooding

In response to Hurricane Sandy, the Disaster Relief Appropriations Act of 2013, Public Law 113-2, provided \$15 billion for recovery. As the administrator of this funding, HUD has allocated approximately \$14 billion in disaster recovery funds, by formula and to Rebuild by Design projects.

Remaining disaster recovery funds will be awarded through the NDRC. Through this program, HUD will allocate remaining funds, approximately \$1 billion, for additional disaster recovery. Nationwide, 67 eligible applicants will compete for this funding. The State of West Virginia is an eligible applicant.

The application includes two phases: Phase 1: Framing Unmet Recovery Needs, Vulnerabilities and Community Objectives, and Phase 2: Design and Implementation. The Phase 1 application due date is March 16, 2015.

Successful completion of Phase 1 is a *requirement* for Phase 2. HUD will evaluate and score eligible applications received under Phase 1 and will extend invitations to submit an application under Phase 2. At the end of Phase 2, HUD will award grant funds. The entire process is designed to promote planning for long-term community resiliency through the various stages.

Phase 1 is the framing phase, in which applicants must demonstrate a logical tieback to unmet recovery needs from disasters in 2011, 2012 and 2013. Phase 1 does not require a complete and fully designed project. This phase focuses on meeting the threshold requirements and framing a large scale approach to resiliency in specific target areas and throughout the state. Successful applicants will engage in a planning process and engage stakeholders, following the framework outlined by HUD. This flexibility permits the expansion of the application in Phase 2 with Phase 1 serving as the foundation and framework.

Key Dates

Phase 1 Application Deadline	March 16, 2015 (Deadline extended to March 27, 2015)
Phase 1 Winners Announced	June 2015
Phase 2 Application Deadline	October 2015
Phase 2 Winners Announced	December 2015
Obligation of Funds Deadline	September 2017
Expenditure Deadline	September 2019

**NOTICE OF PUBLIC HEARING
HUD NATIONAL DISASTER RESILIENCE COMPETITION
PHASE 1 APPLICATION**

The West Virginia Governor's Office, West Virginia Development Office and West Virginia Division of Homeland Security and Emergency Management will conduct a public hearing regarding the State of West Virginia's Phase 1 application to the U.S. Department of Housing and Urban Development (HUD), National Disaster Resilience Competition (NDRC). This application will establish a resiliency plan for the State, identify specific target areas, and meet initial threshold requirements. The NDRC is a two-phase grant application. HUD will invite the top Phase 1 applicants to compete in Phase 2. Additional target areas and projects may be added in Phase 2. Funding allocations will be determined by HUD following Phase 2. The Phase 1 application will be available on the Governor's Office website under the Announcements tab at www.governor.wv.gov, at the Governor's Office and at the State's 11 Regional Planning and Development Councils. The complete Notice of Funding Availability is available online at <http://portal.hud.gov/hudportal/documents/huddoc?id=2014ndrc-nofa.pdf>.

A public comment will begin on Monday, March 2, 2015 and will conclude on Tuesday, March 17, 2015 at 5:00 p.m. Public comments may be submitted to the West Virginia Governor's Office at the address below or via email to govofficecomm@wv.gov by the 5:00 p.m. on March 17, 2015.

AGENCY CONTACTS

<p>Brittany Vascik Deputy General Counsel WV Governor's Office State Capitol 1900 Kanawha Boulevard, East Charleston, WV 25305 Phone: 304-558-2000 www.governor.wv.gov</p>	<p>Kelly Workman CDBG-Small Cities WV Development Office 1900 Kanawha Blvd., East Building 6, Room 553 Charleston, WV 25305 Phone: 304-558-2234 www.wvcommerce.org</p>	<p>Al Lisko WV Division of Homeland Security & Emergency Management State Capitol 1900 Kanawha Boulevard, East Charleston, WV 25305 Phone: 304-558-5380 www.dhsem.wv.gov/</p>
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MEETING DATES AND LOCATIONS

<p>March 6, 2015 (6:00-7:00 pm) Southern West Virginia Community and Technical College Building A, Room 111 2900 Dempsey Branch Road Mount Gay, WV 25637</p>	<p>March 10, 2015 (6:00-7:00 pm) Fairmont State University Falcon Center, Room 302/303 1201 Locust Ave Fairmont, WV 26554</p>
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All meeting sites are accessible to individuals with disabilities. Other special accommodations will be available with advanced notice. Contact the Development Office for directions.





Eastern Panhandle Conservation District

151 Aikens Center, Suite 1

Martinsburg, WV 25401

(304) 263 - 4376 ~ Fax 263 - 4986

**M
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To:

Jefferson County Commission

City of Ranson

City of Charles Town

EPCD Board of Supervisors

From: Sherry Duncan, Administrative Officer

Re: 2015 Evitts Run Inspection Schedule

Date: March 2, 2015

The West Virginia Conservation Agency will be inspecting the Evitts Run Channel on **April 2, 2015**. If you are interesting in attending, please contact Sherry Duncan (sduncan@wvca.us) by March 23. The meeting time and place will be decided closer to the date.

If you would prefer to be contacted by email, please forward the proper contact information to sduncan@wvca.us.

Don J. Orser

250 Blue Ridge Loop, Harpers Ferry, West Virginia 25425

djorser@comcast.net

March 10, 2015

The County Commission of Jefferson County,
124 E. Washington Street
Charles Town, West Virginia 25414

Subject: TischlerBise Impact Fee Study

Dear President Noland and Honorable Commissioners:

Attached please find a copy of a document I have written regarding the TischlerBise Impact Fee Study. I believe it may be helpful to your response to the Action brought against you by the Jefferson County Board of Education. More particularly, while more fact finding is needed, it hope it shows the inadequacy of the argument in favor of maintaining the current impact fee due to playing fast and loose with what appears to be the actual student enrollment numbers.

Thank you for your time and effort to read this.

Respectfully,



Don J. Orser

Received

MAR 11 2015

Jefferson County Commission

A Flawed TischlerBise Impact Fee Study?

Don J. Orser

Retired Mathematician

Harpers Ferry, WV

3/10/2015

A Flawed TischlerBise Impact Fee Study?

Don J. Orser, Retired Mathematician, Harpers Ferry, WV

The Jefferson County Impact Fee was and is arguably justified by the need to fund additional County infrastructure resulting from a spiking residential growth rate in excess of the additional real estate tax assessments such improvements bring. Just such an argument was and continues to be contracted for and made by TischlerBise in response to the need to periodically revisit the issue with the implied intent of maintaining the justification of an Impact Fee. A draft of the latest such study is that dated February 10, 2015 at a cost of \$60,000, a large portion of which was underwritten by the Jefferson County Board of Education, also the largest beneficiary of the Impact Fee.

We have reviewed portions of it, and in particular, the Jefferson County Student Enrollment projections made by TischlerBise as part of their factual basis for arguing for continuing the current impact fee. According to TischlerBise, these projections are based, not on projections of Student Enrollment, but rather on TischlerBise’s projections of residential construction of mixed types of housing, which mix of housing results in various assumptions which are not identified by TischlerBise, but appear to project an additional level of complexity into their Student Enrollment future projections.

As a result, we decided not to look at projected residential construction, but rather at Actual Student Enrollment as provided to us by the Jefferson County Board of Education. We obtained the Student Enrollment figures shown in Table 1 under the column “Actual Student Enrollment”. (This enrollment data is entitled “2nd Month Enrollment – Trend Data: Head Count:

**TischlerBise Impact Fee Study
School Impact Fees Section, pg. 13
Public School Student Projections
(Feb 10, 2015 Draft)**

School Year	TischlerBise Projection	Actual Student Enrollment
2006		8043
2007		8299
2008		8398
2009		8595
2010		8845
2011	8842	8842
2012	8958	8958
2013	9061	9061
2014	9210	9066
2015	9360	
2016	9523	
2017	9687	
2018	9850	
2019	10013	
2024	10773	
2029	11485	
2034	12147	

Table 1

All Grades” Jefferson County, School Years 2006-07 through 2014-15, from Dr. Sheri Hoff’s Office of Attendance at the Jefferson County Board of Education.)

Correspondingly, we found TischlerBise’s calculated Student projections based on their residential “growth” projections on page 13 of their document entitled “Draft – School Impact Fees”, dated February 10, 2015. (A copy is available online as part of the February 19, 2015 County Commission Agenda and Packet.)

We note that these two sets of Student Enrollment data, as shown, overlap for school years 2011 through 2014. In fact, looking at TischlerBise’s data, we see that the overlap is for only school year 2014. However, as it would appear

TischlerBise has also used school years 2011 through 2014

for their projection, we have copied Actual School Enrollment data for school years 2011 and 2012 over to the TischlerBise data.

TischlerBise does not describe their numerical methodology for calculating the projected Student Enrollment figures for school years 2013 through 2033. However, we can graph the two data sets and projections as squares and circles as shown on the graph in Figure 1 below.

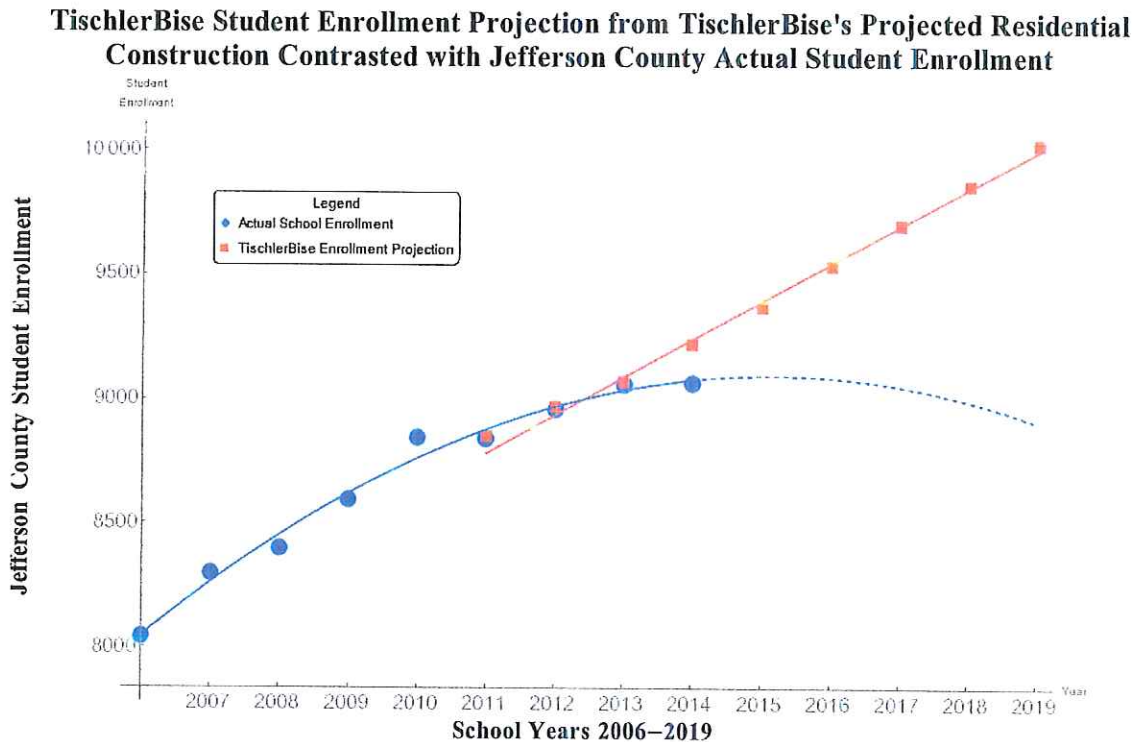


Figure 1

We have fitted quadratic models using regression to both data sets and have superimposed them on their respective data points. The dashed Actual School Enrollment is an extrapolation using the corresponding quadratic least squares fit.

It seems clear that TischlerBise has used school years 2011, 2012 and 2013 to linearly project these three years Student Enrollments to the values in their Study without benefit of the Actual School Enrollment data and is overly simplistic and in fact just incorrect.

Setting $t = 0$ at year 2006, the quadratic regression model for the 2006 through 2014 Actual School Enrollment data is

$$Student Enrollment = 8045 + 229.6t - 12.6t^2.$$

Taking the first derivative and setting it to zero, $229.6 - 25.2t = 0$ yields the value $t = 9.1$ at which *Student Enrollment* is a maximum, for a maximum *Student Enrollment* of 9094

students for school year 2015. The significance of this maximum value is that, based on the limited data herein, it points to a time in 2015 in which Jefferson County *Student Enrollment* growth is expected to fall to zero. This value contrasts with TischlerBise's *Student Enrollment* projection for year 2015 of 9360, a value too high by 266 Students and results from their projection of *Student Enrollment* increasing by approximately 150 per year for the indefinite future.

While our values have some unknown margin of error, that error must pale against TischlerBise's enrollment projection values. TischlerBise's is clearly incorrect with respect to Enrollment for year 2014 and beyond as is projected from Jefferson County's Board of Education's Actual Student Enrollment and not from TischlerBise's residential construction extrapolation.

Given that TischlerBise's student enrollment projections have exceeded Actual Student Enrollment where they overlap, it would seem appropriate that TischlerBise be given an opportunity to explain how this is possible. More particularly, TischlerBise should be asked to do the following:

1. Utilize Actual Student Enrollment as a basis for confirming their assumptions regarding student enrollment projections based on their residential construction projections to arrive at an alternative projected student enrollment.
2. Revisit and describe the method they use to calculate their projected student enrollment from residential construction.
3. Assuming TischlerBise's February 10, 2015 projected student enrollment is correct, how have they arrived at a recommended reduction of the impact fee for a single family detached from \$11,358 to \$8,143?

On February 19, 2015 the Jefferson County Commission voted to reduce the then current Jefferson County Board of Education portion of the Impact Fee for single family detached residence from \$8,143 to \$5,700 effective March 1, 2015. On February 27, 2015 the Jefferson County Board of Education filed complaint 15-C-40 in Jefferson County Circuit Court citing, "The potential for serious financial injury to the Jefferson County Board of Education", and requesting a restraining order against the imposition of the new much lower Impact Fee.

We believe the mathematical methodology used by TischlerBise to be flawed in favor of maintaining the current Impact Fee as against the facts suggested by the Jefferson County's Board of Education's Actual Student Enrollment data. We recommend that a competent outside statistician familiar with regression modeling be hired to supplement the TischerBise Impact Fee Study.

I welcome your comments addressed to djorser@comcast.net.

Appendix A

West Virginia Department of Education

as Provided by the

Jefferson County Board of Education

2nd Month Enrollment – Trend Data

Headcount – All Grades

March 6, 2015

2nd Month Enrollment - Trend Data Headcount All Grades

Name	All Grades	PK	EC	OK	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12
	FTE	Adjusted FTE	Excel	Back												
	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	Change	% Change					
BARBOUR	2,551	2,552	2,496	2,478	2,499	2,455	2,441	2,454	2,449	-5	-0.20%					
BERKELEY	16,322	16,868	17,214	17,446	17,720	18,002	18,171	18,221	18,668	447	2.39%					
BOONE	4,600	4,601	4,622	4,672	4,545	4,553	4,526	4,541	4,449	-92	-2.07%					
BRAXTON	2,366	2,291	2,289	2,230	2,220	2,157	2,156	2,128	2,127	-1	-0.05%					
BROOKE	3,586	3,521	3,423	3,404	3,363	3,314	3,332	3,246	3,131	-115	-3.67%					
CABELL	12,302	12,346	12,522	12,552	12,700	12,880	12,979	13,085	13,204	119	0.90%					
CALHOUN	1,153	1,151	1,126	1,104	1,122	1,137	1,083	1,069	1,066	-3	-0.28%					
CLAY	2,064	2,037	2,026	2,043	2,071	2,047	2,031	1,975	1,978	3	0.15%					
DODDRIDGE	1,240	1,234	1,206	1,169	1,169	1,146	1,161	1,159	1,160	1	0.09%					
FAYETTE	6,858	6,825	6,810	6,759	6,827	6,874	6,867	6,810	6,788	-22	-0.32%					
GILMER	973	942	941	939	943	933	945	903	904	1	0.11%					
GRANT	2,003	1,999	1,975	1,935	1,887	1,873	1,839	1,819	1,800	-19	-1.06%					
GREENBRIER	5,328	5,227	5,248	5,285	5,247	5,302	5,223	5,191	5,159	-32	-0.62%					
HAMPSHIRE	3,772	3,747	3,727	3,653	3,590	3,592	3,499	3,422	3,418	-4	-0.12%					
HANCOCK	4,291	4,305	4,327	4,311	4,308	4,332	4,202	4,181	4,170	-11	-0.26%					
HARDY	2,343	2,360	2,353	2,307	2,297	2,279	2,348	2,321	2,352	31	1.32%					
HARRISON	11,279	11,235	11,192	11,196	11,128	11,005	10,935	10,913	10,947	34	0.31%					
JACKSON	5,051	5,061	5,067	5,040	5,046	4,997	4,965	4,914	4,902	-12	-0.24%					
JEFFERSON	8,043	8,299	8,398	8,595	8,845	8,842	8,958	9,061	9,066	5	0.06%					
KANAWHA	28,104	28,350	28,465	28,481	28,458	28,429	28,548	28,378	27,936	-442	-1.58%					

Appendix B
TischlerBise Impact Fee Study

DRAFT – School Impact Fees
Prepared for Jefferson County, WV

February 10, 2015



DRAFT - School Impact Fees

Prepared for:

Jefferson County, WV

February 10, 2015

TischlerBise
Fiscal, Economic & Planning Consultants

4701 Sangamore Road, Suite S240
Bethesda, MD
301.320.6900
www.tischlerbise.com

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
Annual Increase	149	149	163	163	163	163	149	141	130



20 Yr- Increase	2,936
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Jessica Carroll

From: Melissa Payne [mpayne@contactsolutions.com]
Sent: Monday, March 02, 2015 4:29 PM
To: jcarroll@jeffersoncountywv.org; sandy@jeffersoncountywv.org
Subject: Impact fee decrease

Your submission:

Your Name: Melissa Payne

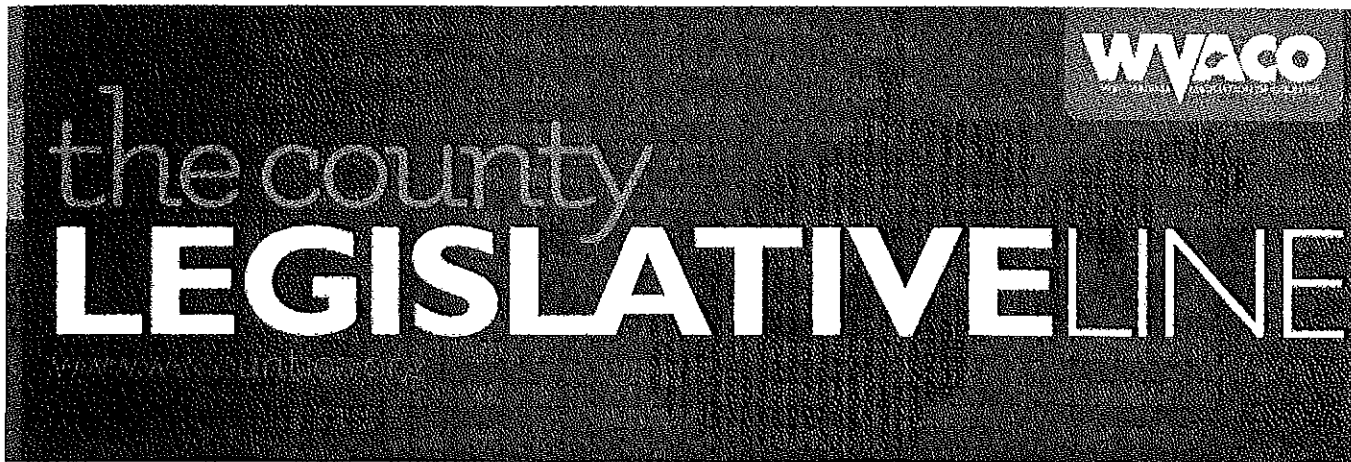
Your Email Address: mpayne@contactsolutions.com

Subject: Impact fee decrease

Message: My fiancée and I were ecstatic to hear about the reduction of the impact fee for single family homes. We have been dreaming of buying some land and building our forever home in Jefferson County. However, now we hear that the school board is trying to block this decrease. Please don't back down on this. It is nearly impossible for the average family to come up with \$13000 upfront, in addition to down payments and all of the other upfront costs. Reducing this to \$6300 would mean that we could afford to stay and build in this county rather than moving elsewhere to build.

Patti Hamilton

From: "Patti Hamilton patti@wvaco.org [WVACO Listserv - Circuit Clerks]" <circuitclerks@listserv.wvaco.org>
To: "WVACO Listserv - Circuit Clerks" <circuitclerks@listserv.wvaco.org>
Sent: Sunday, March 01, 2015 6:05 PM
Subject: [wvaco_circuit] County Legislative E-Line



SUNDAY, MARCH 1ST, 2015

CAPITOL QUOTES:

"How many states have this law?" Del. Caputo during discussion of HB 2881 that would preempt and prohibit counties & municipalities from "How many states have this law?" Del. Caputo during discussion of HB 2881 that would preempt and prohibit counties & municipalities from enacting nondiscrimination ordinances, policies, rules or regulations that are broader than state law (Answer: Arkansas & Tennessee)

"Most communities look at the diversity of an environment." A business representative answering questions about HB 2881, noting that 89% of Fortune 500 companies prohibit discrimination based on sexual orientation

"If this thing ends up destroying our education system in certain counties, would the legislature be able to do anything?" Del. Manchin in House Judiciary discussing HJR 13, a constitutional county option homestead exemption amendment

"If you want to sleep well, vote for this amendment." Sen. Romano on an amendment to the gun bill, SB 347, that would continue the training requirement (it failed)

3/2/2015

"I grew up in a country where I couldn't be a Boy Scout of America but I have three daughters who are Girl Scouts and my wife is a scout leader. I have cookies." Del. Bates during discussion of the boy scout constitutional amendment's enabling legislation

"Would that have the effect of shifting the tax burden for schools from a county who enacts it to those who do not?" Del. Canterbury asking a question in House Finance about HJR 13

"If county commissions want to be Santa Claus, that's fine, but they have to be accountable for it." Del. Anderson, commenting on an amendment to HJR 13 that would require the county to make up the loss of school funds if they enact a higher homestead exemption

HJR 13 passed out of House Judiciary earlier this week and out of House Finance on Saturday. I was questioned for about 15 minutes about the impact to counties and thanks to Assessors had some good information. I think the concerns at least influenced the passage of an amendment that changed the increase from "up to \$50,000" to \$30,000. In an ironic twist, another amendment was passed that would cause county commissions to make up any school funding that their county lost if they increased the homestead exemption. So...the Legislature is giving county commissions an option they didn't ask for and don't want and then will punish them if they act on the option!! There are constitutional concerns about inequity in property taxation that will result and also constitutional questions about the school funding amendment.

A few bills we opposed died this week: R.I.P.:

SB 570 – a bill that would preempt county towing policies in certain circumstances, based on disagreement in one county about a policy

SB 2744 – a bill that would preempt and supercede any county or municipal ordinance or regulation regarding any utility regulated by the PSC

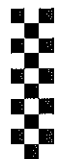
HB 2932 – a bill that would give funding and authority to state police for administering statewide interoperable network, taking it out from under Homeland Security

SB 347, the permitless concealed carry bill, passed the Senate by a 32-2 vote with Senators Miller & Palumbo voting against. The bill is now in House Judiciary. Sheriffs and other law enforcement have actively opposed this bill out of concern for public safety and their own safety. Additionally, Sheriffs expect that their concealed weapons fund will reduce by 50% or more. This also affects funding for the Courthouse Facilities Improvement Authority. If this bill passes, we will join only four other states that don't require permits. There is some discussion that other states will rescind their reciprocity agreements with WV if this passes. This bill came from the National Gun Rights Association.

The County Commissioners' Association has announced that they will not pursue their bill to allow county commissioners to set salaries for themselves and other elected officials. This bill received opposition from many county officials. The WV Association of Counties had no position on this bill and it was not presented nor discussed at our fall board meeting where we adopt legislation.

The legislature met last Sunday, both bodies met in floor session this Saturday and the Senate met again today. I'm heading over to a Senate Judiciary committee meeting right now! Just as an example of issues taking many hours of time is the prevailing wage bill. It was discussed for almost 3 hours in the House floor session on Saturday. It began as a total repeal of prevailing wage but due to intense opposition from contractors, labor, and others, it is now a recalculation of prevailing wage with assistance from the Schools of Economics of both WVU and Marshall. Also, prevailing wage would not kick in for projects under \$500,000.

That's all for now! No long list of introduced bills for your reading pleasure anymore! "Crossover day" when bills must pass their house of origin is Wednesday, March 4th (2nd favorite day) and the session ends March 14th (another favorite day!).

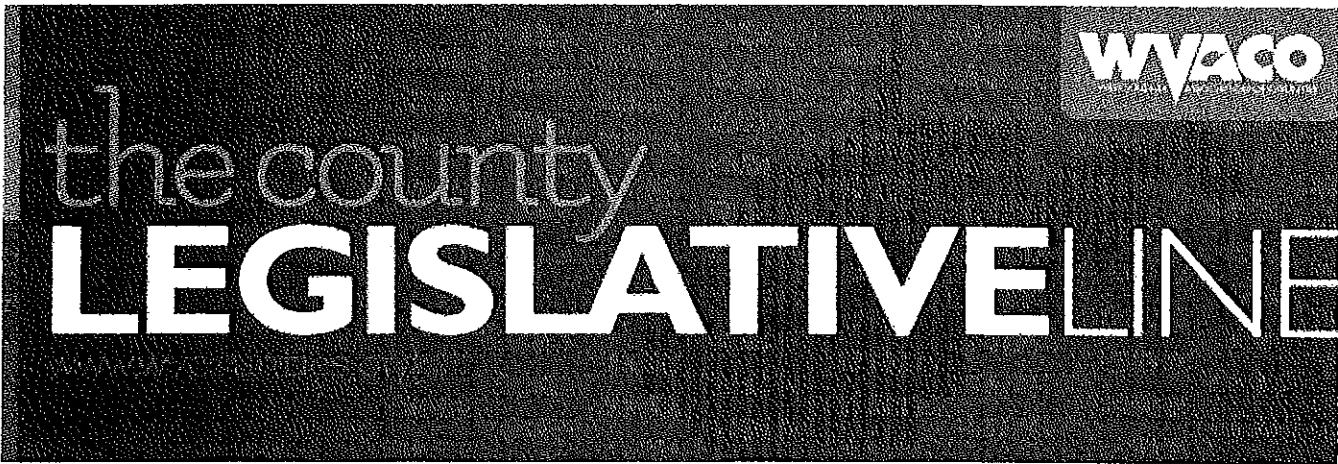


Patti Hamilton

From: "Patti Hamilton" <patti@wvaco.org>
To: <patti@wvaco.org>
Sent: Friday, March 06, 2015 8:20 AM
Subject: Fw: [wvaco_comm] County Legislative E-Line

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

From: Patti Hamilton patti@wvaco.org [WVACO Listserv - Commissioners]
To: WVACO Listserv - Commissioners
Sent: Thursday, March 05, 2015 6:48 PM
Subject: [wvaco_comm] County Legislative E-Line



Friday, March 6th, 2015

CAPITOL QUOTES:

"I'm looking for a nod or shake of the head from the parliamentarian...or perhaps I'm getting a lecture." Chairman Trump as the parliamentarian walked towards him to answer a question about reporting a bill to the floor and then taking it back to committee

"I'm not sure we even have an amendment." Chairman Shott after a long and confusing discussion about elimination of straight ticket voting

"Would it be fair to characterize your group as having a left-wing agenda?"

Sen. Karnes to a representative of Citizens Action Group who was speaking to the committee about the election finance bill (Sen. Trump responded that it was not an appropriate question)

"Typically, we want to understand major election law changes before we support them." County Clerk Susan Thomas voicing the County Clerks' Association's concerns about the major revisions to election financing in SB 541

"Counsel, get your pencil & notepad ready." Chairman Trump, as he was about to start going through 10 amendments on SB 541

"The chair has to confess that he's not sure if unions give contributions directly to candidates or not because he's never seen one." Chairman Trump on the SB 541 which initially allowed corporations to donate directly to a candidate but instead was amended to continue to prohibit corporations and add unions so neither can contribute directly to candidates

"You can't erase the smell." Sen. Kirkendoll, referring to the large monetary contributions that SB 541 in its original form would have allowed

"You've shown a willingness to roll up your sleeves and work on contentious issues with courtesy & civility." Chairman Trump after several hours of work on the election finance bill

"I'm thinking a group hug is in order." Sen. Gaunch after the bipartisan congrats all around for coming up with a compromise on the election finance bill

"Why do we not trust our Sheriffs, our police, and our other law enforcement when they say they oppose this bill?" Commissioner Carper at the public hearing on SB 347, the firearms bill

"It's about the money. Don't fool yourself." A proponent of SB 347 saying Sheriffs were against it because of their concealed weapons fund

"Burning couches would become the least of our worries." An opponent of SB 347 from Morgantown regarding concern about 18 year olds being able to carry concealed

"There is no training required and no background checks (in SB 347). Those are minimal standards for concealed weapons." Sheriff Kisner speaking for WV Sheriffs' Association

"That probably indicates that those people have never seen our committee at work." Chairman Shott after the public hearing on SB 347, noting that he's received many emails asking for the bill to pass without amendments, a situation that rarely occurs in House Judiciary

"I bid 30." Finance Chairman Nelson during a floor session amendment of HJR 13, the homestead exemption constitutional amendment, when the amendments began sounding like an auction. Amendments for \$60,000; \$55,000; \$50,000; and \$45,000 were all voted down but \$40,000 passed

I think several of the above quotes show the story of this next to last week of the legislative session. Both bodies were on the floor for long sessions & long committee meetings in order to get bills out of their house of origin on Wednesday, crossover day.

As an organization, County Clerks voted to oppose **SB 541, major revisions to election finance laws**. The bill as introduced would have allowed unlimited donations from persons or corporations to candidates. Then there was a subcommittee report that reduced unlimited to \$25,000 for statewide office, \$15,000 for state senate, \$10,000 for house of delegates, \$5,000 for circuit & family judges and \$2600 (federal level) for all others. Testimony from County Clerks and others started a flow of amendments that greatly revised the bill. As it stands now, the \$1,000 current limit would be increased to match the federal level of \$2600 for all offices. "Election hopping" was a concern with the tiered approach that made it possible to pre-file for a higher tier office, get contributions, and then run for an office that had a lower contribution limit.

With SB 249 moving along the legislative process, it appears that straight-ticket voting will be a thing of the past.

Of huge concern to counties is **HJR 13 which would raise the homestead exemption to \$40,000**. This would be a constitutional amendment on the 2016 ballot and then would need to have enacting legislation. The loss of revenue to counties & schools statewide would be over \$35 million, according to the State Tax Dept. The average tax

savings to a person on homestead exemption for the additional \$20,000 would be \$164. The average value of houses in WV range from a high of \$227,556 to a low of \$21,661. The resolution has passed the House and has been referred to Senate Gov Org (Chairman Craig Blair) and then Senate Finance (Chairman Mike Hall). We will be providing information that shows each county's loss and average home value to every member of the Senate.

SB 347 is a controversial firearms bill that would allow permitless concealed carry in WV. We would join the states of Wyoming, Alaska, Arizona & Vermont. We have found that Wyoming, Alaska, & Arizona have several restrictions that are not included in SB 347, including age requirement of 21, residency requirement in Wyoming, and law enforcement interaction requirements as well as disclosure requirements when within someone else's home. We would also be the *only* state as far as we can find that makes the Sheriff liable to pay legal fees and court costs if a denial of permit is appealed and overturned. We have heard so many legislators say "This is a crazy bill but I've got to support it." Therefore, it will most likely pass in some form.

County Clerks' revisions probate issues are all now incorporated into HB 2266. The Sheriffs Professional Standards Bureau has completed legislative action and awaits the Governor's signature.

It has been an interesting session of procedural maneuvers and unusual actions. On Wednesday, the House overrode the Governor's veto (on 20 week abortion ban), an action that hasn't occurred in 28 years. On House bill 2881, a bill that prohibited counties & municipalities from adopting any nondiscrimination ordinance, rule, regulation or policy, passed out of House Gov Org and then a public hearing was held which is kind of backwards. Due to the 150 people or so that packed the hearing, the bill was recommitted to committee where it was then unanimously postponed indefinitely. In the Senate, the charter schools bill was discharged out of committee after the Education Committee postponed it indefinitely, which is usually the coffin nail.

Every bill that didn't pass its house of origin is now dead unless it can

3/2/2015

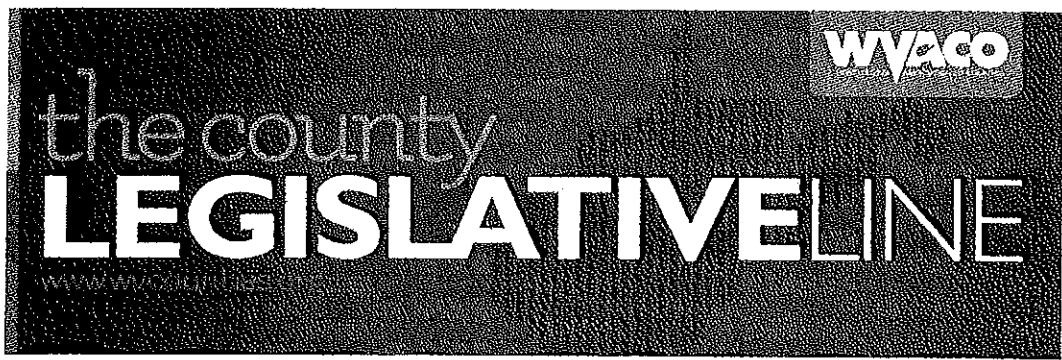
Page 5 of 5

be rolled into a bill of the same topic, such as we did with the County Clerks' probate issues. I'll be sending out a list of bills of county interest that are still alive as soon as I get it completed!



Patti Hamilton

From: "Patti Hamilton patti@wvaco.org [WVACO Listserv - Sheriffs]" <sheriffs@listserv.wvaco.org>
To: "WVACO Listserv - Sheriffs" <sheriffs@listserv.wvaco.org>
Sent: Sunday, March 08, 2015 5:46 PM
Subject: [wvaco_sheriffs] County Legislative E-Line



Update Edition: Monday, March 9th, 2015

CAPITOL QUOTES:

"It possibly could but I'm still trying to fathom the amendment." House Judiciary counsel struggling to answer whether a proposed amendment to SB 347, the firearms bill, would affect reciprocity

"It seems to imply that alcohol and cigarettes are more dangerous than guns." Del. Shott, in support of amending SB 347 to allow permitless concealed carry for age 21 and over rather than age 18, making it consistent with legal drinking age

"The original bill is much better. It's not limited to 21 & over." Del. Foster opposing the amendment raising age from 18 to 21 for carrying concealed weapon without a permit

"This bill does kind of bother me. Quite frankly, I've struggled with this thing." Del. Ireland, explaining that he was an NRA lifetime member and gun owner but thought there should be some training and some background check

A very lengthy discussion took place on Saturday in House Judiciary regarding SB 347, the Firearms Protection Act. After hours of questions, debate, amendments & discussion, the bill passed out on a 21-3 roll call vote with three amendments that make the bill more in line with 3 of the 4 other states that allow permitless concealed carry. Wyoming, Arizona & Alaska still have more limitations such as interaction with law enforcement, bringing concealed weapon into a person's home, & residency requirement, for example. Amendments are:

Age 21 instead of 18, consistent with age allowed to apply for concealed weapons permit

Enhanced penalties for crimes committed with firearm

Changing that the Sheriff is liable for legal fees & court costs if a denial is overturned on appeal to *may be liable*.

As I write this on Sunday, House Judiciary Committee is meeting on the Juvenile Justice

Reform bill and SB 541, the election finance bill. I'm listening now and heading over to Capitol soon! The Senate is now in floor session and Senate Judiciary is meeting afterwards. Monday is expected to be a busy day as bills must be out of committees by end of day Wednesday to have three full days to read without suspending constitutional rules.

The following bills of interest to counties have passed their house of origin and are still active bills (I need to add SB 109, smoking regs, which has passed Senate and is in House Health & Human Resources):

HJR 13	The Homestead Exemption Increase Amendment	03/05/15 - To Senate Government Organization	House Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Government Organization Senate Reference 2 - Finance	to \$40,000
HB 2010 (None)	Requiring the elections of justices of the West Virginia Supreme Court of Appeals, circuit court judges, family court judges and magistrates be nonpartisan and by division	SA SB 10 03/03/15 - To House Governor 3/2/15 - Journal	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	
HB 2053 (None)	Relating to the form of trust deeds	03/08/15 - To Senate On 2nd reading 2nd Reading	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	permit recording of memorandum in lieu of deed of trust
HB 2099 (None)	Extending the time of meetings of local levying bodies when meetings are delayed	03/02/15 - To House received message	House Reference 1 - Political Subdivisions House Reference 2 - Judiciary Senate Reference 1 - Government Organization	

HB 2157 Relating to absentee ballot <u>(None)</u> fraud	03/04/15 - To House received message	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	
HB 2161 Adopting the Uniform Act on <u>(None)</u> Prevention of and Remedies for Human Trafficking	02/28/15 - To Senate Judiciary	House Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Judiciary Senate Reference 2 - Finance	
HB 2200 Revising, rearranging, <u>(None)</u> consolidating and recodifying the laws of the State of West Virginia relating to child welfare	SA 02/19/15 - To SB House Approved 253 by Governor 2/19/15	House Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Judiciary	
HB 2212 Changing the amount of <u>(None)</u> severance tax revenue annually dedicated to the West Virginia Infrastructure General Obligation Debt Service Fund	SA 03/03/15 - To SB House Approved 264 by Governor 3/3/15	House Reference 1 - Finance Senate Reference 1 - Finance	Governor's bill; cut \$1/2 million
HB 2213 Reducing the distributions to <u>(None)</u> the West Virginia Infrastructure Fund	SA 03/08/15 - To SB House Message 265 received Conference	House Reference 1 - Finance Senate Reference 1 - Finance	Governor's bill; cut \$10 million; increase grants to 50% of fund
		House Reference 1 -	members

HB 2227 <u>(None)</u>	Relating to the National Coal Heritage Area Authority	SA 02/19/15 - To SB House Approved 282 by Governor 2/18/15 - Journal	Government Organization Senate Reference 1 - Government Organization	appointed by county commissions instead of Governor
HB 2234 <u>(None)</u>	Requiring a court to permit a party in a divorce proceeding to resume using the name he or she used prior to the marriage	03/03/15 - To House Approved by Governor 3/3/15 - Journal	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	
HB 2240 <u>(None)</u>	Providing that an act of domestic violence or sexual offense by strangling is an aggravated felony offense	SI SB 02/26/15 - To 396 Senate Judiciary	House Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Judiciary	
HB 2263 <u>(None)</u>	Providing guidance for prosecuting attorneys in cases involving abused and neglected children	03/05/15 - To Senate Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	
HB 2266 <u>(None)</u>	Relating to the publication requirements of the administration of estates	03/05/15 - To Senate Finance	House Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Judiciary Senate Reference 2 - Finance	other probate issues in SB 376 amended in
HB 2366	Relating generally to the	03/05/15 - To	House Reference 1 - Judiciary Senate	

<u>(None)</u>	solicitation of minors	Senate Judiciary	Reference 1 - Judiciary
HB 2457 <u>(None)</u>	Prohibiting the use of the name or likeness of elected or appointed officials on publicly-owned vehicles	02/27/15 - To House received message	House Reference 1 - Judiciary
HB 2479 <u>(None)</u>	Relating to the powers and authority of state and local law enforcement to enforce underage drinking laws at private clubs	03/05/15 - To Senate Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary
HB 2505 <u>(None)</u>	Relating to retirement system participation and concurrent employment provisions	SA 03/08/15 - To SB Senate On 2nd 305 reading 2nd Reading	House Reference 1 - Pensions and Retirement House Reference 2 - Finance Senate Reference 1 - Pensions
HB 2586 <u>(None)</u>	Allowing for an alternative form of service of process in actions against nonresident persons by petitioners seeking domestic violence or personal safety relief	03/09/15 - To Senate On 2nd reading 2nd Reading	House Reference 1 - Judiciary Senate Reference 1 - Judiciary
HB 2606 <u>(None)</u>	Clarifying the potential sentence for disorderly conduct	02/18/15 - To Senate Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary
HB 2607 <u>(None)</u>	Relating to the violation of interfering with emergency services communications and clarifying penalties	02/20/15 - To Senate Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary

House

HB 2608 <u>(None)</u>	Cleaning up redundant language in the statute relating to misdemeanor offenses for violation of protective orders		02/18/15 - To Senate Judiciary	Reference 1 - Judiciary Senate Reference 1 - Judiciary	
HB 2628 <u>(None)</u>	Changing the date of filing announcements of candidacies		02/26/15 - To Senate Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	1st Monday after Jan. 1st
HB 2636 <u>(None)</u>	Exempting information contained in a concealed weapon permit application from the Freedom of Information Act	SA SB 275	03/05/15 - To Senate Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	limits any fee to copy charge only for FOIA requests
HB 2664 <u>(None)</u>	Creating "Andrea and Willy's Law"; increasing certain penalties for driving under the influence of alcohol, controlled substances or drugs		03/05/15 - To Senate Judiciary	House Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Judiciary	
HB 2810 <u>(None)</u>	Implementing the West Virginia Property Rescue Initiative to reduce the number of properties posing a threat to public health and safety		03/06/15 - To Senate On 2nd reading to Finance	House Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Finance	Fund thru counties & municipalities
HB 2828 <u>(None)</u>	Modifying the requirements that allow a child witness to testify by closed circuit television	SI SB 460	03/06/15 - To Senate On 2nd reading to Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	

HB 2914 <u>(None)</u>	Providing for voluntary dissolution of resort area district	03/09/15 - To Senate On 2nd reading 2nd Reading	House Reference 1 - Finance Senate Reference 1 - Judiciary	
HB 2968 <u>(None)</u>	Exempting from property tax certain properties in this state owned by nonprofit youth organizations	03/05/15 - To Senate Finance	House Reference 1 - Finance Senate Reference 1 - Finance	Boy Scout amendment enabling legislation
HB 3019 <u>(None)</u>	Requiring official business and records of the state and its political subdivisions be conducted in English	03/06/15 - To Senate On 2nd reading to Government Organization	House Reference 1 - Judiciary Senate Reference 1 - Government Organization Senate Reference 2 - Judiciary	
SB 12 <u>(None)</u>	Relating to payment of separated employee's outstanding wages	SI SB 102 sa HB 2012	02/19/15 - To House Finance	Next regular payday
SB 17 <u>(None)</u>	Permitting all-terrain vehicle operation on roadway under certain conditions; defining off-road motorcycle	03/02/15 - To House Roads and Transportation	House Reference 1 - Roads and Transportation House Reference 2 - Judiciary Senate Reference 1 - Natural Resources Senate	Counties & municipalities regulate

			Reference 2 - Government Organization	
			House Reference 1 - Judiciary	
SB 63 <u>(None)</u>	Redefining facilities eligible for funding assistance from Courthouse Facilities Improvement Authority	02/27/15 - To House Judiciary	House Reference 2 - Finance Senate Reference 1 - Judiciary Senate Reference 2 - Finance	
SB 89 <u>(None)</u>	Providing Prosecuting Attorneys Institute's council establish Executive Director's salary	03/09/15 - To House On 2nd reading, Special Calendar 2nd Reading, Special Calendar	House Reference 1 - Finance Senate Reference 1 - Finance	Legislative priority
SB 94 <u>(None)</u>	Establishing driver's license restoration program	03/02/15 - To House Roads and Transportation	House Reference 1 - Roads and Transportation House Reference 2 - Judiciary Senate Reference 1 - Judiciary Senate Reference 2 - Finance	
SB 234 <u>(None)</u>	Exempting certain water and sewer utilities owned by political subdivisions from PSC jurisdiction	03/05/15 - To House Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Government Organization Senate Reference 2 - Finance	

<p>SB 242 <u>(None)</u></p>	<p>Creating criminal penalties for certain automated telephone calls during state of emergency or preparedness</p>	<p>SA HB 2117</p>	<p>02/12/15 - To House Judiciary</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Judiciary Senate Reference 2 - Finance</p>	
<p>SB 248 <u>(None)</u></p>	<p>Requiring certain insurance and owner information be provided following car accident</p>		<p>03/06/15 - To House Judiciary</p>	<p>House Reference 1 - Banking and Insurance House Reference 2 - Judiciary Senate Reference 1 - Banking and Insurance Senate Reference 2 - Judiciary</p>	<p>Law enforcement distribute information</p>
<p>SB 249 <u>(None)</u></p>	<p>Prohibiting straight party voting</p>		<p>03/09/15 - To House On 2nd reading, Special Calendar 2nd Reading, Special Calendar</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Judiciary</p>	
<p>SB 254 <u>(None)</u></p>	<p>Relating to Fire, EMS and Law-Enforcement Officer Survivor Benefit Act</p>	<p>SA HB 2525</p>	<p>03/03/15 - To House Finance</p>	<p>House Reference 1 - Finance Senate Reference 1 - Pensions Senate Reference 2 - Finance</p>	<p>Clarify process; transfer oversight from Governor's ofc to Dept of Military Affairs & Public Safety</p>
<p>SB</p>	<p>Eliminating certain</p>		<p>03/05/15 - To</p>	<p>House Reference 1 - Government Organization Senate</p>	

<p>255 <u>(None)</u></p>	<p>boards, councils, committees, panels, task forces and commissions</p>	<p>SA HB 2177</p>	<p>House Approved by Governor 3/3/15 - Journal</p>	<p>Reference 1 - Government Organization Senate Reference 2 - Judiciary</p>	<p>Governor's bill; includes Sheriffs Bureau</p>
<p>SB 284 <u>(None)</u></p>	<p>Relating to chief law-enforcement officer's requirement to certify transfer or making of certain firearms</p>		<p>02/05/15 - To House Judiciary</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Judiciary</p>	
<p>SB 294 <u>(None)</u></p>	<p>Eliminating certain unnecessary, inactive or redundant councils, committees and boards</p>	<p>SA HB 2469</p>	<p>03/04/15 - To House Message received</p>	<p>House Reference 1 - Government Organization Senate Reference 1 - Government Organization Senate Reference 2 - Judiciary</p>	<p>Includes eliminating Statewide Intrastate Mutual Aid Committee</p>
<p>SB 312 <u>(None)</u></p>	<p>Relating to disqualification of general election nominees for failure to file campaign finance statements</p>		<p>02/05/15 - To House Judiciary</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Judiciary</p>	<p>Sec of State bill; add deadline</p>
<p>SB 318 <u>(None)</u></p>	<p>Relating to payment of wages by employers</p>		<p>02/09/15 - To House Judiciary</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Judiciary</p>	<p>twice a month</p>
<p>SB 322 <u>(None)</u></p>	<p>Eliminating mandatory electronic recount of ballots in recounts</p>		<p>03/09/15 - To House On 2nd reading, Special Calendar 2nd Reading, Special Calendar</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Judiciary</p>	<p>Sec'y of State bill</p>

SB 325 <u>(None)</u>	Relating to filing of candidates' financial disclosure statements		03/05/15 - To House Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	Sec'y of State bill; set deadline
SB 335 <u>(None)</u>	Creating Access to Opioid Antagonists Act	SA HB 2543	03/03/15 - To House Governor 3/3/15 - Journal	House Reference 1 - Judiciary Senate Reference 1 - Health and Human Resources	Governor's bill
SB 347 <u>(None)</u>	Creating Firearms Act of 2015		02/27/15 - To House Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	repeals exceptions to prohibitions against carrying concealed handguns and exemptions from license fees
SB 350 <u>(None)</u>	Establishing criminal penalties for assault or battery on utility workers	SA HB 2554	02/20/15 - To House Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	
SB 360 <u>(None)</u>	Repealing code sections relating to book indexes and claims reports required by court clerks		02/25/15 - To House Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	Circuit Clerks legislative priority
SB 361 <u>(None)</u>	Eliminating prevailing hourly wage requirement for construction of public improvements	SI SB 245 SI HB 2206	03/06/15 - To House Governor 3/6/15	House Reference 1 - Government Organization Senate Reference 1 - Government Organization	

House

<p>SB 370 <u>(None)</u></p>	<p>Reorganizing Governor's Committee on Crime, Delinquency and Correction and its subcommittees</p>	<p>SA HB 2565</p>	<p>02/24/15 - To House Judiciary</p>	<p>Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Judiciary Senate Reference 2 - Finance</p>	
<p>SB 374 <u>(None)</u></p>	<p>Permitting in absentia parole hearings in certain instances</p>	<p>SA HB 2703</p>	<p>03/08/15 - To House Message received</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Judiciary</p>	<p>inmate suffering from terminal condition,etc.</p>
<p>SB 375 <u>(None)</u></p>	<p>Specifying who receives parole hearing notices via regular or certified mail</p>	<p>SA HB 2721</p>	<p>03/08/15 - To House Message received</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Judiciary</p>	<p>law enf-regular mail; prosecutor-certified/return receipt</p>
<p>SB 393 <u>(None)</u></p>	<p>Reforming juvenile justice system</p>	<p>SA HB 2641</p>	<p>02/27/15 - To House Judiciary</p>	<p>House Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Judiciary</p>	<p>Governor's bill</p>
<p>SB 395 <u>(None)</u></p>	<p>Modifying definitions of "battery" and "domestic battery"</p>		<p>03/03/15 - To House Judiciary</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Judiciary</p>	
				<p>House Reference 1 - Health and Human Resources</p>	

<p>SB 399 <u>(None)</u></p>	<p>Relating to hospitals owned or operated by nonprofit corporations or associations or local governmental units</p>	<p>03/03/15 - To House Judiciary</p>	<p>House Reference 2 - Judiciary Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary</p>	<p>have only 1 governing body</p>
<p>SB 415 <u>(None)</u></p>	<p>Relating to circuit judges</p>	<p>02/23/15 - To House Judiciary</p>	<p>House Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Judiciary Senate Reference 2 - Finance</p>	<p>Add to 5th, 10th, 23rd & 26th circuits</p>
<p>SB 416 <u>(None)</u></p>	<p>Relating to hotel occupancy tax</p>	<p>SI HB 2851 SI HB2893 03/06/15 - To House Finance SI SB 512</p>	<p>House Reference 1 - Political Subdivisions House Reference 2 - Finance Senate Reference 1 - Finance</p>	<p>eliminate 30 day exemption except for fed & state officials on officials business and retroactively exempt tax on complimentary rooms provided at no charge</p>
<p>SB 421 <u>(None)</u></p>	<p>Relating to punitive damages in civil actions</p>	<p>03/09/15 - To House On 3rd reading, Special Calendar 3rd Reading, Special Calendar</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Judiciary</p>	<p>1% of 1/3 of state's amount above \$500,000 kept by circuit clerk for county general revenue</p>
<p>SB</p>	<p>Creating WV</p>	<p>03/05/15 - To</p>	<p>House Reference 1 - Government Organization Senate</p>	

<p>435 Sheriffs' Bureau of <u>(None)</u> Professional Standards</p>	<p>House received message</p>	<p>Reference 1 - Government Organization Senate Reference 2 - Judiciary</p>	<p>WVACo supports</p>	
<p>SB Relating to 445 investment of <u>(None)</u> RJCFA excess funds</p>	<p><i>03/09/15 - To</i> House On 2nd reading, Special Calendar 2nd Reading, Special Calendar</p>	<p>House Reference 1 - Finance Senate Reference 1 - Finance</p>	<p>invest in WV Bd of Treasury Investments</p>	
<p>SB 454 Criminalizing <u>(None)</u> trademark counterfeiting</p>	<p>SA HB 2779 SA SB 406</p>	<p><i>03/09/15 - To</i> House On 2nd reading, Special Calendar 2nd Reading, Special Calendar</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Judiciary</p>	
<p>SB Relating to 484 procedure for <u>(None)</u> removal of certain county, school district and municipal officers</p>	<p>SI HB 2818</p>	<p><i>02/25/15 - To</i> House Political Subdivisions</p>	<p>House Reference 1 - Political Subdivisions House Reference 2 - Judiciary Senate Reference 1 - Government Organization Senate Reference 2 - Judiciary</p>	<p>petition signatures increase from lesser of 50 or 1% to 10%/Commissioners priority</p>
<p>SB Clarifying tax map 498 rules apply to paper <u>(None)</u> and electronic documents</p>	<p>SA HB 2838</p>	<p><i>02/25/15 - To</i> House Judiciary</p>	<p>House Reference 1 - Judiciary Senate Reference 1 - Government Organization</p>	
			<p>House Reference 1 - Judiciary House</p>	

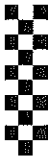
SB 503 (None) Permitting sheriff hire outside attorneys for tax collection assistance
 SI HB 2847 03/02/15 - To House Judiciary
Reference 2 - Finance Senate
Reference 1 - Government Organization Senate share cost of collection with other taxing units; hourly rate, not % of collections
Reference 2 - Judiciary

SB 507 (None) Relating to monitoring inmates' electronic communications
 SA HB 2964 03/08/15 - To House Message received
House Reference 1 - Judiciary Senate for prosecutors; allow email monitoring
Reference 1 - Judiciary

SB 523 (None) Creating Alcohol and Drug Overdose Prevention and Clemency Act
 SA HB 2631 03/06/15 - To House Judiciary
House Reference 1 - Health and Human Resources
House Reference 2 - Judiciary Senate
Reference 1 - Judiciary

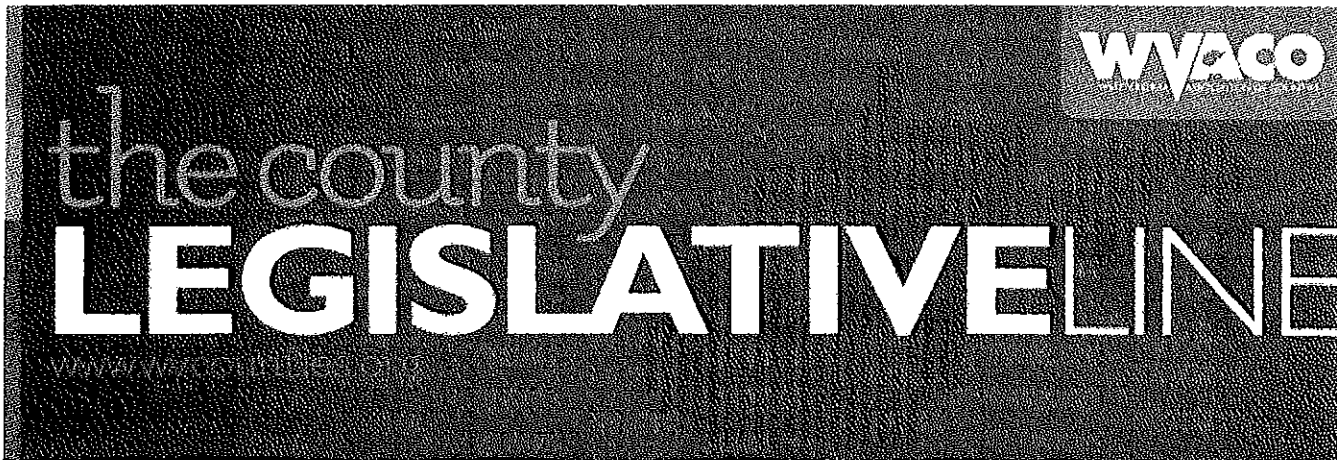
SB 541 (None) Relating to regulation and control of elections
 03/05/15 - To House Judiciary
House Reference 1 - Judiciary Senate Campaign financing, removing contribution limits, other provisions
Reference 1 - Judiciary

SB 550 (None) Authorizing agreements between county commissions and municipalities regarding structures unfit for human habitation
 SA HB 2970 03/04/15 - To House Political Subdivisions
House Reference 1 - Political Subdivisions
House Reference 2 - Judiciary Senate
Reference 1 - Government Organization



Patti Hamilton

From: "Patti Hamilton patti@wvaco.org [WVACO Listserv - County Clerks]" <countyclerks@listserv.wvaco.org>
To: "WVACO Listserv - County Clerks" <countyclerks@listserv.wvaco.org>
Sent: Wednesday, March 11, 2015 6:26 PM
Subject: [wvaco_listserv] County Legislative E-Line



Update Edition: Wednesday, March 11th

CAPITOL QUOTES:

"Good morning, everyone. Long time, no see." House Judiciary Counsel welcoming the committee to a 9:00 a.m. meeting on Monday after their meeting that lasted til midnight on Sunday

"He has bodyguards from the House of Delegate, I see." Chairman Trump to Del. Westfall who came to Senate Judiciary to speak to a bill he sponsored

"Can we have a title amendment and rename this Johnny's Law?" a Senator on Judiciary after discussion of a car insurance bill where the hypothetical teenager Johnny kept wrecking the family car in various ways

"What does this bill really do?" Sen. Snyder asking a question about HB 3019, requiring official business & records of the state & its political subdivisions to be conducted in English

signature.

SB 393, the Governor's bill to reform the juvenile justice system, is on 1st reading in the House.

SB 435, creating the Sheriffs' Bureau of Professional Standards, is awaiting the Governor's signature. This was a Sheriffs' priority.

SB 484, increasing the petition signatures needed to remove county, school and municipal officials from the lesser of 50 or 1% to 10% of registered voters, died in House Political Subdivisions Committee.

Regional jails are beginning to add kiosks allowing inmates to communicate by email. Prosecutors asked for and obtained a bill allowing monitoring of inmates' electronic communications in the same manner as phone calls. SB 507 is pending the Governor's signature.

Election financing could change if SB 541 passes. The County Clerks were instrumental in pointing out the adverse effect that "big money" and negative ads are having on voter turnout. The bill was introduced to allow unlimited contributions but has been reduced to match the federal level, currently \$2700.

HJR 13, raising the homestead exemption to \$40,000, will NOT be on the ballot in 2016. Senator Blair did not run it in committee and prefers to further study means of giving senior citizens property tax relief without devastating county government & school boards. The cost would have been \$35 million statewide. We have 8 counties whose average home value is under \$70,000. Immediately after this proposed constitutional amendment, WVACo provided the lost revenue information along with the average home value in each county to every Senator.

Probate issues that are a priority for County Clerks are contained in HB 2266. It is pending in Senate Finance and is supposed to be on the agenda Friday.

Here is an update on some bills of interest to counties at this middle point of the last week of the session:

SB 89, Salary for Executive Director of Prosecuting Attorneys Institute, has completed legislative action! This was a legislative priority for prosecutors. The bill as introduced would give authority to the Institute's governing Council to set the salary and take it out of statute. As passed, it provides a set increase in statute. Prosecutors and members of the Institute Council, please thank Finance Chairmen Mike Hall and Eric Nelson. *Also, thank lead sponsor Sen. Bill Laird!*

SB 109, giving smoking regulation approval to county commissions, appears to be dead in House Health & Human Resources. It was tabled in committee on Tuesday. However, a fireworks bill, HB 2646, was Christmas treed in Senate Judiciary on Wednesday morning. It was amended to allow racetrack casinos and veterans' establishments to be exempt from county health dept. indoor clean air regulations but does not require county commission approval or action. Additionally, it increases cigarette tax and funds a substance abuse treatment facility. It may have been "loved to death."

Straight ticket voting has been eliminated in WV with the passage of SB 249. It has completed legislative action and awaits the Governor's signature.

SB 335, the Access to Opioid Antagonists Act, or "Naxolone bill" has been approved by the Governor. It will allow broad authority, including to trained law enforcement, to administer the drug to help prevent overdose deaths.

SB 347, the Firearms Act, is on 2nd reading (amendment stage) and has several amendments pending that will be debated in the House this evening. This bill eliminates the need for a permit to carry a concealed weapon in WV and applies to both residents and non-residents.

SB 361 will modify the prevailing wage and exempt projects of \$500,000 or less from the requirement. It is pending the Governor's

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

Week Ending Date	February 28, 2015
To be Deposited on:	March 6, 2015
Amount Played	61,827,133.16
Amount Won	54,954,096.09
Amount Promo	274,316.00
MWAP Contribution	<u>3,566.34</u>
Adjusted Gross Terminal Revenue	<u>6,595,154.73</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>263,806.19</u>
Net Terminal Revenue	<u>6,331,348.54</u>
Surcharge @ 10%	633,134.85
State Share Excess @ 58% & 10% of 42%	393,809.88
Track Share of Capital Reinvestment @ 90% of 42%	<u>239,324.97</u>
<i>Track Share of Capital Reinvestment @ 96%</i>	229751.97
<i>Track Share of Capital Reinvestment @ 4%</i>	9573.00
Adjusted Net Terminal Revenue	<u>5,698,213.69</u>
Racetrack @ 46.50% / 42%	2,393,249.75
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,336,267.60
Excess Lottery Fund @ 12.85% / 9.55%	544,179.42
Race Track Purses @ 90% of 7% / 4%	205,135.69
Employee Pension Fund @ 1% / .5%	28,491.07
Greyhound Development @ 90% of .75%	38,462.94
Thoroughbred Development @ 90% of .75%	38,462.94
County/Municipality @ 2%	<u>113,964.28</u>
	<u>5,698,213.69</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	\$ 20,666.35	\$ 10,023.79
09/13/14	\$ 102,729.92	\$ 51,364.96	\$ 51,364.96	\$ 4,073.24	\$ 20,494.62	\$ 1,114.62	\$ 17,299.72	\$ 8,382.76
09/20/14	\$ 101,329.08	\$ 50,664.54	\$ 50,664.54	\$ 4,017.70	\$ 20,215.15	\$ 1,099.42	\$ 17,063.82	\$ 8,268.45
09/27/14	\$ 100,254.44	\$ 50,127.22	\$ 50,127.22	\$ 3,975.09	\$ 20,000.76	\$ 1,087.76	\$ 16,882.85	\$ 8,180.76
10/04/14	\$ 107,062.56	\$ 53,531.28	\$ 53,531.28	\$ 4,245.03	\$ 21,358.98	\$ 1,161.63	\$ 18,029.34	\$ 8,736.30
10/11/14	\$ 102,254.00	\$ 51,127.00	\$ 51,127.00	\$ 4,054.37	\$ 20,399.67	\$ 1,109.46	\$ 17,219.57	\$ 8,343.93
10/18/14	\$ 112,829.28	\$ 56,414.64	\$ 56,414.64	\$ 4,473.68	\$ 22,509.44	\$ 1,224.20	\$ 19,000.45	\$ 9,206.87
10/25/14	\$ 99,780.40	\$ 49,890.20	\$ 49,890.20	\$ 3,956.29	\$ 19,906.19	\$ 1,082.62	\$ 16,803.02	\$ 8,142.08
11/01/14	\$ 104,484.68	\$ 52,242.34	\$ 52,242.34	\$ 4,142.82	\$ 20,844.69	\$ 1,133.66	\$ 17,595.22	\$ 8,525.95
11/08/14	\$ 105,638.52	\$ 52,819.26	\$ 52,819.26	\$ 4,188.57	\$ 21,074.88	\$ 1,146.18	\$ 17,789.53	\$ 8,620.10
11/15/14	\$ 103,620.64	\$ 51,810.32	\$ 51,810.32	\$ 4,108.56	\$ 20,672.32	\$ 1,124.28	\$ 17,449.72	\$ 8,455.44
11/22/14	\$ 92,457.24	\$ 46,228.62	\$ 46,228.62	\$ 3,665.93	\$ 18,445.22	\$ 1,003.16	\$ 15,569.80	\$ 7,544.51
11/29/14	\$ 111,186.88	\$ 55,593.44	\$ 55,593.44	\$ 4,408.56	\$ 22,181.78	\$ 1,206.38	\$ 18,723.87	\$ 9,072.85
12/06/14	\$ 93,585.00	\$ 46,792.50	\$ 46,792.50	\$ 3,710.64	\$ 18,670.21	\$ 1,015.40	\$ 15,759.71	\$ 7,636.54
12/13/14	\$ 81,809.96	\$ 40,904.98	\$ 40,904.98	\$ 3,243.76	\$ 16,321.09	\$ 887.64	\$ 13,776.80	\$ 6,675.69
12/20/14	\$ 83,201.68	\$ 41,600.84	\$ 41,600.84	\$ 3,298.95	\$ 16,598.73	\$ 902.74	\$ 14,011.16	\$ 6,789.26
12/27/14	\$ 116,229.36	\$ 58,114.68	\$ 58,114.68	\$ 4,608.49	\$ 23,187.76	\$ 1,261.09	\$ 19,573.02	\$ 9,484.32
01/03/15	\$ 136,554.56	\$ 68,277.28	\$ 68,277.28	\$ 5,414.39	\$ 27,242.63	\$ 1,481.62	\$ 22,995.79	\$ 11,142.85
01/10/15	\$ 74,198.68	\$ 37,099.34	\$ 37,099.34	\$ 2,941.98	\$ 14,802.64	\$ 805.05	\$ 12,495.06	\$ 6,054.61
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
02/14/15	\$ 96,262.16	\$ 48,131.08	\$ 48,131.08	\$ 3,816.80	\$ 19,204.30	\$ 1,044.44	\$ 16,210.55	\$ 7,854.99
02/21/15	\$ 75,221.32	\$ 37,610.66	\$ 37,610.66	\$ 2,982.53	\$ 15,006.65	\$ 816.15	\$ 12,667.27	\$ 6,138.06
02/28/15	\$ 113,964.28	\$ 56,982.14	\$ 56,982.14	\$ 4,518.68	\$ 22,735.87	\$ 1,236.51	\$ 19,191.59	\$ 9,299.49
Subtotal	\$ 3,614,449.40	\$ 2,263,256.44	\$ 1,351,192.96	\$ 107,149.60	\$ 539,125.96	\$ 29,320.91	\$ 455,081.81	\$ 220,514.68

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

VIDEO LOTTERY REPORT

FY 2011		FY 2012		FY 2013		FY 2014		FY 2015	
Date	Amount	Date	Amount	Date	Amount	Date	Amount	Date	Amount
7/3/2010	115,402.58	7/1-2/2011	69,824.12	7/7/2012	161,637.92	7/6/2013	123,196.88	7/5/2014	106,819.12
7/10/2010	205,731.64	7/9/2011	171,717.28	7/14/2012	129,458.04	7/13/2013	128,060.40	7/12/2014	111,792.16
7/17/2010	161,386.76	7/16/2011	143,019.52	7/21/2012	130,037.00	7/20/2013	115,128.84	7/19/2014	116,320.32
7/24/2010	160,368.28	7/23/2011	146,508.00	7/28/2012	137,164.44	7/27/2013	123,049.56	7/26/2014	112,502.48
7/31/2010	157,802.08	7/30/2011	144,510.28	8/4/2012	132,931.16	8/3/2013	116,180.80	8/2/2014	117,145.12
8/7/2010	136,494.98	8/6/2011	151,495.28	8/11/2012	134,212.88	8/10/2013	120,078.64	8/9/2014	114,374.60
8/14/2010	78,376.68	8/13/2011	117,350.38	8/18/2012	110,241.90	8/17/2013	124,888.56	8/16/2014	114,105.32
8/21/2010	76,199.02	8/20/2011	71,614.12	8/25/2012	66,209.90	8/24/2013	89,882.12	8/23/2014	116,097.04
8/28/2010	72,460.03	8/27/2011	63,432.14	9/1/2012	67,133.42	8/31/2013	58,913.18	8/30/2014	60,280.02
9/4/2010	76,362.84	9/3/2011	80,837.76	9/8/2012	74,029.40	9/7/2013	67,758.74	9/6/2014	61,420.28
9/11/2010	82,969.36	9/10/2011	84,845.80	9/15/2012	61,838.04	9/14/2013	53,374.22	9/13/2014	51,364.96
9/18/2010	67,638.78	9/17/2011	66,748.62	9/22/2012	56,996.90	9/21/2013	54,277.94	9/20/2014	50,664.54
9/25/2010	70,435.06	9/24/2011	68,929.80	9/29/2012	61,611.40	9/28/2013	54,881.50	9/27/2014	50,127.22
10/2/2010	71,013.86	10/1/2011	68,871.64	10/6/2012	62,715.20	10/5/2013	55,950.74	10/4/2014	53,531.28
10/9/2010	69,311.50	10/8/2011	70,866.90	10/13/2012	60,710.18	10/12/2013	55,837.92	10/11/2014	51,127.00
10/16/2010	75,234.62	10/15/2011	75,262.66	10/20/2012	62,333.08	10/19/2013	61,327.20	10/18/2014	56,414.64
10/23/2010	70,290.80	10/22/2011	68,757.72	10/27/2012	58,073.54	10/26/2013	52,854.06	10/25/2014	49,890.20
10/30/2010	65,615.04	10/29/2011	60,507.98	11/3/2012	56,545.30	11/2/2013	57,543.54	11/1/2014	52,242.34
11/6/2010	61,337.62	11/5/2011	70,673.88	11/10/2012	56,110.96	11/9/2013	54,666.76	11/8/2014	52,819.26
11/13/2010	64,595.28	11/12/2011	67,627.10	11/17/2012	57,432.36	11/16/2013	56,495.96	11/15/2014	51,810.32
11/20/2010	56,010.08	11/19/2011	60,690.60	11/24/2012	65,888.86	11/23/2013	48,628.62	11/22/2014	46,228.62
11/27/2010	71,170.90	11/26/2011	74,140.54	12/1/2012	50,243.34	11/30/2013	59,645.66	11/29/2014	55,593.44
12/4/2010	53,215.08	12/3/2011	59,429.94	12/8/2012	50,770.96	12/7/2013	47,306.24	12/6/2014	46,792.50
12/11/2010	46,944.00	12/10/2011	51,395.44	12/15/2012	47,022.38	12/14/2013	29,229.02	12/13/2014	40,904.98
12/18/2010	42,076.76	12/17/2011	55,981.32	12/22/2012	46,838.96	12/21/2013	44,581.02	12/20/2014	41,600.84
12/25/2010	50,450.28	12/24/2011	54,248.62	12/29/2012	59,697.22	12/28/2013	62,117.14	12/27/2014	58,114.68
1/1/2011	85,152.12	12/31/2011	94,661.00	1/5/2013	71,673.52	1/4/2014	62,963.88	1/3/2015	68,277.28
1/8/2011	54,301.30	1/7/2012	74,863.40	1/12/2013	50,416.30	1/11/2014	37,935.94	1/10/2015	37,099.34
1/15/2011	54,005.90	1/14/2012	58,901.92	1/19/2013	51,211.88	1/18/2014	49,418.64	1/17/2015	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	2/7/2015	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	2/14/2015	48,131.08
2/19/2011	72,018.54	2/18/2012	77,455.88	2/23/2013	64,115.70	2/22/2014	61,523.98	2/21/2015	37,610.66
2/26/2011	75,544.02	2/25/2012	77,611.78	3/2/2013	62,602.74	3/1/2014	57,744.78	2/28/2015	56,982.14
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	2,263,256.44
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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
January, 2015	73,346.66

Total 2014-2015 522,780.67

Table Game Revenue Distribution - Jefferson County School Board

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
July, 2011	425,154.03	July, 2012	415,990.92	July, 2013	297,823.08	July, 2014	235,917.21
August, 2011	412,421.76	August, 2012	399,737.49	August, 2013	334,283.25	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	January, 2015	220,039.98
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	1,568,342.01

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

Week Ending Date

March 7, 2015

To be Deposited on:

March 13, 2015

Amount Played	49,075,799.39
Amount Won	43,767,578.27
Amount Promo	241,952.00
MWAP Contribution	<u>2,562.29</u>
Adjusted Gross Terminal Revenue	<u>5,063,706.83</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>202,548.28</u>
Net Terminal Revenue	<u>4,861,158.55</u>
Surcharge @ 10%	486,115.86
State Share Excess @ 58% & 10% of 42%	302,364.07
Track Share of Capital Reinvestment @ 90% of 42%	<u>183,751.79</u>
<i>Track Share of Capital Reinvestment @ 96%</i>	<i>176401.72</i>
<i>Track Share of Capital Reinvestment @ 4%</i>	<i>7350.07</i>
Adjusted Net Terminal Revenue	<u>4,375,042.69</u>
Racetrack @ 46.50% / 42%	1,837,517.93
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	1,793,767.53
Excess Lottery Fund @ 12.85% / 9.55%	417,816.56
Race Track Purses @ 90% of 7% / 4%	157,501.54
Employee Pension Fund @ 1% / .5%	21,875.21
Greyhound Development @ 90% of .75%	29,531.54
Thoroughbred Development @ 90% of .75%	29,531.54
County/Municipality @ 2%	<u>87,500.84</u>
	<u>4,375,042.69</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	\$ 107,062.58	\$ 53,531.28	\$ 53,531.28	\$ 4,245.03	\$ 21,358.98	\$ 1,161.63	\$ 18,029.34	\$ 8,736.30
10/11/14	\$ 102,254.00	\$ 51,127.00	\$ 51,127.00	\$ 4,054.37	\$ 20,399.67	\$ 1,109.46	\$ 17,219.57	\$ 8,343.93
10/18/14	\$ 112,829.28	\$ 56,414.64	\$ 56,414.64	\$ 4,473.68	\$ 22,509.44	\$ 1,224.20	\$ 19,000.45	\$ 9,206.87
10/25/14	\$ 99,780.40	\$ 49,890.20	\$ 49,890.20	\$ 3,956.29	\$ 19,906.19	\$ 1,082.62	\$ 16,803.02	\$ 8,142.08
11/01/14	\$ 104,484.68	\$ 52,242.34	\$ 52,242.34	\$ 4,142.82	\$ 20,844.69	\$ 1,133.66	\$ 17,595.22	\$ 8,525.95
11/08/14	\$ 105,638.52	\$ 52,819.26	\$ 52,819.26	\$ 4,188.57	\$ 21,074.88	\$ 1,146.18	\$ 17,789.53	\$ 8,620.10
11/15/14	\$ 103,620.64	\$ 51,810.32	\$ 51,810.32	\$ 4,108.56	\$ 20,672.32	\$ 1,124.28	\$ 17,449.72	\$ 8,455.44
11/22/14	\$ 92,457.24	\$ 46,228.62	\$ 46,228.62	\$ 3,665.93	\$ 18,445.22	\$ 1,003.16	\$ 15,569.80	\$ 7,544.51
11/29/14	\$ 111,186.88	\$ 55,593.44	\$ 55,593.44	\$ 4,408.56	\$ 22,181.78	\$ 1,206.38	\$ 18,723.87	\$ 9,072.85
12/06/14	\$ 93,585.00	\$ 46,792.50	\$ 46,792.50	\$ 3,710.64	\$ 18,670.21	\$ 1,015.40	\$ 15,759.71	\$ 7,636.54
12/13/14	\$ 81,809.96	\$ 40,904.98	\$ 40,904.98	\$ 3,243.76	\$ 16,321.09	\$ 887.64	\$ 13,776.80	\$ 6,675.69
12/20/14	\$ 83,201.68	\$ 41,600.84	\$ 41,600.84	\$ 3,298.95	\$ 16,598.73	\$ 902.74	\$ 14,011.16	\$ 6,789.26
12/27/14	\$ 116,229.36	\$ 58,114.68	\$ 58,114.68	\$ 4,608.49	\$ 23,187.76	\$ 1,261.09	\$ 19,573.02	\$ 9,484.32
01/03/15	\$ 136,554.56	\$ 68,277.28	\$ 68,277.28	\$ 5,414.39	\$ 27,242.63	\$ 1,481.62	\$ 22,995.79	\$ 11,142.85
01/10/15	\$ 74,198.68	\$ 37,099.34	\$ 37,099.34	\$ 2,941.98	\$ 14,802.64	\$ 805.05	\$ 12,495.06	\$ 6,054.61
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
02/14/15	\$ 96,262.16	\$ 48,131.08	\$ 48,131.08	\$ 3,816.80	\$ 19,204.30	\$ 1,044.44	\$ 16,210.55	\$ 7,854.99
02/21/15	\$ 75,221.32	\$ 37,610.66	\$ 37,610.66	\$ 2,982.53	\$ 15,006.65	\$ 816.15	\$ 12,667.27	\$ 6,138.06
02/28/15	\$ 113,964.28	\$ 56,982.14	\$ 56,982.14	\$ 4,518.68	\$ 22,735.87	\$ 1,236.51	\$ 19,191.59	\$ 9,299.49
03/07/15	\$ 87,500.84	\$ 43,750.42	\$ 43,750.42	\$ 3,469.41	\$ 17,456.42	\$ 949.38	\$ 14,735.14	\$ 7,140.07
Subtotal	\$ 3,701,950.24	\$ 2,307,006.86	\$ 1,394,943.38	\$ 110,619.01	\$ 556,582.38	\$ 30,270.29	\$ 469,816.95	\$ 227,654.75

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

VIDEO LOTTERY REPORT

FY 2011		FY 2012		FY 2013		FY 2014		FY 2015	
Date	Amount	Date	Amount	Date	Amount	Date	Amount	Date	Amount
7/3/2010	115,402.58	7/1-2/2011	69,824.12	7/7/2012	161,637.92	7/6/2013	123,196.88	7/5/2014	106,819.12
7/10/2010	205,731.64	7/9/2011	171,717.28	7/14/2012	129,458.04	7/13/2013	128,060.40	7/12/2014	111,792.16
7/17/2010	161,386.76	7/16/2011	143,019.52	7/21/2012	130,037.00	7/20/2013	115,128.84	7/19/2014	116,320.32
7/24/2010	160,368.28	7/23/2011	146,508.00	7/28/2012	137,164.44	7/27/2013	123,049.56	7/26/2014	112,502.48
7/31/2010	157,802.08	7/30/2011	144,510.28	8/4/2012	132,931.16	8/3/2013	116,180.80	8/2/2014	117,145.12
8/7/2010	136,494.98	8/6/2011	151,495.28	8/11/2012	134,212.88	8/10/2013	120,078.64	8/9/2014	114,374.60
8/14/2010	78,376.68	8/13/2011	117,350.38	8/18/2012	110,241.90	8/17/2013	124,888.56	8/16/2014	114,105.32
8/21/2010	76,199.02	8/20/2011	71,614.12	8/25/2012	66,209.90	8/24/2013	89,882.12	8/23/2014	116,097.04
8/28/2010	72,460.03	8/27/2011	63,432.14	9/1/2012	67,133.42	8/31/2013	58,913.18	8/30/2014	60,280.02
9/4/2010	76,362.84	9/3/2011	80,837.76	9/8/2012	74,029.40	9/7/2013	67,758.74	9/6/2014	61,420.28
9/11/2010	82,969.36	9/10/2011	84,845.80	9/15/2012	61,838.04	9/14/2013	53,374.22	9/13/2014	51,364.96
9/18/2010	67,638.78	9/17/2011	66,748.62	9/22/2012	56,996.90	9/21/2013	54,277.94	9/20/2014	50,664.54
9/25/2010	70,435.06	9/24/2011	68,929.80	9/29/2012	61,611.40	9/28/2013	54,881.50	9/27/2014	50,127.22
10/2/2010	71,013.86	10/1/2011	68,871.64	10/6/2012	62,715.20	10/5/2013	55,950.74	10/4/2014	53,531.28
10/9/2010	69,311.50	10/8/2011	70,866.90	10/13/2012	60,710.18	10/12/2013	55,837.92	10/11/2014	51,127.00
10/16/2010	75,234.62	10/15/2011	75,262.66	10/20/2012	62,333.08	10/19/2013	61,327.20	10/18/2014	56,414.64
10/23/2010	70,290.80	10/22/2011	68,757.72	10/27/2012	58,073.54	10/26/2013	52,854.06	10/25/2014	49,890.20
10/30/2010	65,615.04	10/29/2011	60,507.98	11/3/2012	56,545.30	11/2/2013	57,543.54	11/1/2014	52,242.34
11/6/2010	61,337.62	11/5/2011	70,673.88	11/10/2012	56,110.96	11/9/2013	54,666.76	11/8/2014	52,819.26
11/13/2010	64,595.28	11/12/2011	67,627.10	11/17/2012	57,432.36	11/16/2013	56,495.96	11/15/2014	51,810.32
11/20/2010	56,010.08	11/19/2011	60,690.60	11/24/2012	65,888.86	11/23/2013	48,628.62	11/22/2014	46,228.62
11/27/2010	71,170.90	11/26/2011	74,140.54	12/1/2012	50,243.34	11/30/2013	59,645.66	11/29/2014	55,593.44
12/4/2010	53,215.08	12/3/2011	59,429.94	12/8/2012	50,770.96	12/7/2013	47,306.24	12/6/2014	46,792.50
12/11/2010	46,944.00	12/10/2011	51,395.44	12/15/2012	47,022.38	12/14/2013	29,229.02	12/13/2014	40,904.98
12/18/2010	42,076.76	12/17/2011	55,981.32	12/22/2012	46,838.96	12/21/2013	44,581.02	12/20/2014	41,600.84
12/25/2010	50,450.28	12/24/2011	54,248.62	12/29/2012	59,697.22	12/28/2013	62,117.14	12/27/2014	58,114.68
1/1/2011	85,152.12	12/31/2011	94,661.00	1/5/2013	71,673.52	1/4/2014	62,963.88	1/3/2015	68,277.28
1/8/2011	54,301.30	1/7/2012	74,863.40	1/12/2013	50,416.30	1/11/2014	37,935.94	1/10/2015	37,099.34
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2/12/2011	67,471.84	2/11/2012	66,429.04	2/16/2013	64,243.52	2/15/2014	41,076.08	2/14/2015	48,131.08
2/19/2011	72,018.54	2/18/2012	77,455.88	2/23/2013	64,115.70	2/22/2014	61,523.98	2/21/2015	37,610.66
2/26/2011	75,544.02	2/25/2012	77,611.78	3/2/2013	62,602.74	3/1/2014	57,744.78	2/28/2015	56,982.14
3/5/2011	74,535.34	3/3/2012	75,963.86	3/9/2013	59,213.26	3/8/2014	50,439.94	3/7/2015	43,750.42
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

2,307,006.86

Table Game Revenue

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
July/August, 2010	154,185.68	July, 2011	141,718.01	July, 2012	138,663.64	July, 2013	99,274.36
September, 2010	94,247.84	August, 2011	137,473.92	August, 2012	133,245.83	August, 2013	111,427.75
October, 2010	105,903.60	September, 2011	110,375.25	September, 2012	127,532.40	September, 2013	80,857.74
November, 2010	108,717.67	October, 2011	124,273.94	October, 2012	126,482.02	October, 2013	81,066.09
December, 2010	118,721.11	November, 2011	121,118.87	November, 2012	134,443.93	November, 2013	79,853.94
January, 2011	106,189.21	December, 2011	140,509.93	December, 2012	146,677.92	December, 2013	79,617.31
February, 2011	105,776.45	January, 2012	137,812.68	January, 2013	132,650.35	January, 2014	75,093.81
March, 2011	120,927.10	February, 2012	142,770.01	February, 2013	121,636.62	February, 2014	75,170.90
April, 2011	130,654.61	March, 2012	151,845.46	March, 2013	149,033.62	March, 2014	78,201.51
May, 2011	130,492.02	April, 2012	127,862.26	April, 2013	105,545.23	April, 2014	72,380.72
June, 2011	121,576.41	May, 2012	137,905.13	May, 2013	109,747.38	May, 2014	93,191.89
		June, 2012	129,235.38	June, 2013	104,803.37	June, 2014	72,350.70
Total 2010-2011	1,297,391.70	Total 2011-2012	1,602,900.84	Total 2012-2013	1,530,462.31	Total 2013-2014	998,486.72

<u>Date</u>	<u>Amount</u>
July, 2014	78,639.07
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
January, 2015	73,346.66

Total 2014-2015	522,780.67
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Table Game Revenue Distribution - Jefferson County School Board

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
July, 2011	425,154.03	July, 2012	415,990.92	July, 2013	297,823.08	July, 2014	235,917.21
August, 2011	412,421.76	August, 2012	399,737.49	August, 2013	334,283.25	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	January, 2015	220,039.98
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	1,568,342.01