

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**THURSDAY, APRIL 2, 2015**  
**9:30 A.M.**

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

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**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

- March 16, 2015 Impact Fee Public Hearing
- March 17, 2015 FY16 Budget Public Hearing
- March 19, 2015 Regular Meeting
- March 19, 2015 Rezoning Request for Standard Land, LLC. Public Hearing
- March 26, 2015 Proposed Amendments to the Subdivision and Land Development Regulations Public Hearing

**APPROVAL OF ACCOUNTS PAYABLE**

- March 26, 2015
- April 2, 2015

**PAYROLL APPROVAL**

- March 26, 2015

**ANNOUNCEMENTS**

- Report if there are changes in the agenda if applicable

**PUBLIC COMMENT**

**PRESENTATIONS**

1. 9:45 a.m. Angie Banks, Assessor  
- Exonerations - Discussion/Action
2. 10:00 a.m. Pete Dougherty, Sheriff  
- Approval of grant application - Homeland Security in the amount of \$35,000 - Discussion/Action  
- Deputy First Class Designation - Discussion/Action

3. 10:15 a.m. Bolivar Corporation  
- Approval to establish Bolivar's Urban Growth Boundary - Discussion/Action
4. 10:30 a.m. Annette Gavin, Jefferson County Visitors Bureau  
- Presentation of the Jefferson County Convention Visitors Bureau budget for 2015 pending MAPP approval - Discussion/Action
5. 10:45 a.m. **BREAK**
6. 11:00 a.m. Interviews and appointments to the Jefferson County Planning Commission for two 3-year terms ending March 31, 2018 - Discussion/Action
7. 11:15 a.m. Decision on the consideration of Impact Fee funding levels - Public Hearing was held on March 16, 2015 at 7:00 p.m. - Discussion/Action
  - ▶ Adoption and approval of Impact Fees at the amounts outlined and recommended in this most recent TischlerBise report - Discussion/Action (DM)
  - ▶ 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)
  - ▶ Discuss eliminating school impact fees and revisiting vehicle impact fees - Discussion/Action (PN)
8. 12:00 p.m. Jennifer Brockman, Director of Planning and Zoning  
- Requesting a total refund of the zoning variance fee for Thomas and Patricia Mills - Discussion/Action  
- Requesting a total refund of the zoning variance fee for Thomas Marshall - Discussion/Action  
- Requesting permission to hire a Zoning Administrator to fill the vacant position - Discussion/Action
9. 12:15 p.m. Dr. David Didden, Jefferson County Health Department  
- Dental services provided out of the Health Department Building - Discussion/Action

#### **NEW BUSINESS**

10. Decision - 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 1.1, Parcel 24.1, located on the west side of Millville Road (Route 27), ½ mile south of the intersection with Route 340 in Harpers Ferry (Planning and Zoning File #Z14-03) - Discussion/Action

11. Approval of the Jefferson County Commission Ambulance Fee Privacy Policy and Credit Card Security Policies - Discussion/Action
12. Set time to Lay the Levy on Tuesday, April 21, 2015 - Discussion/Action
13. Approval of Resolution and grant application - Jefferson County Solid Waste Authority - Discussion/Action
14. Approval of Resolution and grant application - Good Shepherd Interfaith Volunteer Caregivers - Discussion/Action
15. Approval of Agreement - Xerox Government Systems, Inc. - Discussion/Action
16. Request to use the County Commission meeting room on Wednesday, April 29, 2015 from 6:30 - 8:30 pm to promote the Adopt a Highway Program - Discussion/Action
17. Legislative Updates

#### **FINANCIAL DIRECTOR REPORTS**

- ▶ Documents that were presented at the March 19, 2015 meeting
- ▶ Approval of Internal Budget Revisions numbers 11, 12, and 13 - Discussion/Action
- ▶ Discussion on when ambulance fee revenue should be transferred - Discussion/Action

#### **COUNTY ADMINISTRATOR REPORTS**

#### **COUNTY COMMISSION REPORTS**

#### **18. ADJOURN**

#### **COMMENTS/INFORMATION RECEIVED on IMPACT FEES**

#### **CORRESPONDENCE/INFORMATION**

Notice of Intent to Appoint to the Jefferson County Development Authority Board.

Letter from the State Auditor's Office regarding approval of the FY16 Budget.

Comments from Bob Aitcheson, resident, regarding the All Good Music Festival.

E-mail from Benjamin Jones, resident, regarding lack of sidewalks and walkways for pedestrians.

E-mail from Benjamin Jones, resident, regarding lack of growth and amenities for WV residents and tourists.

WV Lottery Weekly Settlement for Charles Town - week ending March 14, 2015.

WV Lottery Weekly Settlement for Charles Town - week ending March 21, 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, 16 2015 at 7:00 pm (An audio file of the March 16, 2015 meeting is available through the Jefferson County Commission Office.)

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

**RE: Public Hearing – Impact Fees**

Commissioner Tabb called the meeting to order at 7:02 pm and Commissioner Bell led the Pledge of Allegiance. Ms. Tabb explained the public comment process to the audience, stating that all speakers would have three minutes to give their comments. Ms. Tabb also explained that the Commissioners were not permitted to answer questions or respond to the public during the hearing. Comments were received by the following:

Ellen May, resident – spoke in favor of retaining impact fees at the level stated in the latest TischlerBise report, stating that impact fees are critical to maintaining public services.

Randy Hilton, resident – spoke in support of the impact fees, stating that if impact fees were to be reduced or eliminated, local schools would become overcrowded and the quality of education would decline.

Scott Sudduth, resident and President of the Jefferson County Board of Education– stated that a decision to reduce or eliminate impact fees would have a lasting negative impact on the County, specifically the school age children of the community. Mr. Sudduth also listed the ways in which the impact fees have benefited the local schools over the past ten years.

Laurie Ogden, resident and Jefferson County Board of Education member – spoke in favor of impact fees, stating local schools will become more crowded and dangerous without the benefit of impact fees. Ms. Ogden also urged the opposing sides to work together to reach a workable solution for all parties.

Casey North, resident – spoke in favor of the reduction of impact fees, stating he had to withdraw funds from his 401k in order to pay the current cost of the county impact fee for a single family home.

Mark Osbourne, resident and Jefferson County Board of Education member – spoke in support of the impact fees at the level suggested in the TischlerBise recalculation report in order for schools and services to stay in harmony with the potential growth of the community.

Kathy Skinner, resident and Jefferson County Board of Education member – spoke in favor of the impact

fees at the level suggested in the TishlerBise recalculation report, as the impact fee is beneficial to local schools, parks and other essential services and allows for a higher quality of life in Jefferson County.

Leslie Mezeska, resident – spoke in favor of the impact fees suggested in the TischlerBise recalculation Report, stating she does not want her children to be taught in portable classrooms due to overcrowding as they pose safety and weather concerns.

Joe Spurgas, resident and retired principal – stated the continuation of impact fees at the level recommended in the TischlerBise impact fee recalculation study is essential to the function of local schools and allows administrators and educators to focus on instruction and achievement instead of technological, safety, and weather related concerns caused by overcrowding.

Paul Marshall, resident and President of the Jefferson County Parks and Recreation Commission – stated impact fees are a fair and rational way to support growth in the County and listed the ways in which impact fee monies have benefited the Parks and Recreation Commission and the community as a whole.

Frank Kubic, resident – stated he believes impact fees are a “dishonest tax” and should not be imposed upon people who wish to live in Jefferson County.

Paul Rosa, resident - spoke in support of the impact fees as recommended in the TischlerBise recalculation report and stated the commercial impact fee should be restored.

Eleanor Finn, resident and member of the League of Women Voters – spoke in support of the impact fees at the level recommended in the TischlerBise recalculation report.

Tim Cowan, Division President for Dan Ryan Builders – stated that Jefferson County has only seen approximately a 2% rate of growth and believes that a reduction of impact fees would draw more residents and a larger tax base for the County.

Dr. Lori Stilley, resident and former board member of the Jefferson County Board of Education – stated a reduction or elimination of impact fees would cause a huge burden on the local school system and all children will suffer as a result. She also urged the Commission to work with the School Board to reach an agreeable solution.

Susan Offut, resident and Principal of Shepherdstown Elementary – stated schools are the County’s greatest resource and need to be treated as an investment. Ms. Offut also stated Shepherdstown Elementary was in dire need of repair or replacement, as it is now outdated and overcrowded.

Ken Lowe, resident – stated he believed the impact fee issue would resolve itself and expressed his concerns regarding the legislature raiding purse funds for live thoroughbred racing.

Vicki Eckert, resident and volunteer with Jefferson County Youth Soccer League – expressed her concerns over the limited facilities available for sports activities and the effect a reduction or elimination of impact fees would have on the progress at Hite Road Park.

Alyssa Meeks, resident – stated it is illegal to collect impact fees in an area with a low growth rate and also advised the audience to research the ways in which impact fee monies can be used, as the impact fee cannot be used for building repairs or classroom materials.

Will Garrett, resident and State Trooper – stated his dream was to build his own home on the property he purchased in Jefferson County; however, the impact fee is extremely cost prohibitive and unfair to current residents.

Denny Barron, resident and Treasurer of the Shepherdstown Volunteer Fire Department – stated Shepherdstown Elementary was in dire need of replacement and hoped citizens would come together to support impact fees and local schools.

David Hartley, Eastern Panhandle Homebuilder's Association – stated that impact fees have been a good resource for Jefferson County; however, impact fees need to be reexamined because they impede economic development and do not allow for workforce housing.

Mike Wiley, resident and member of the Citizens for Economic Preservation – spoke in support of the reduction of impact fees.

Ramona Weslyn, resident – spoke in favor of the reduction of impact fees and questioned why the volunteer fire departments are excluded from receiving impact fee monies.

Kevin Tester, resident – stated impact fees were never meant to be permanent and spoke in favor of their reduction.

Dan Kovak, resident – stated the impact fees are supposed to be temporary and questioned if the county's tax dollars are being used properly if the schools and other entities must rely so heavily on impact fees.

David Tabb, resident – thanked all of the citizens for attending the public hearing and urged those who desire to live in Jefferson County to purchase old homes as an investment in the community.

Don Orser, resident – questioned the accuracy of the TischlerBise recalculation study and believes the student enrollment numbers are inflated.

Larry Vogler, resident – spoke in support of the impact fees as recommended in the TischlerBise recalculation study.

Ann Moutz, resident and member of the Jefferson County Parks and Recreation Commission – spoke in support of the impact fees as recommended in the TischlerBise recalculation report, stating people will not want to reside or start businesses in Jefferson County if there are poor schools and parks and limited amenities for children.

John Reisenweber, resident and Director of the Jefferson County Economic Development Authority – stated he believes impact fees are a barrier to economic growth and favors the reduction of residential impact fees.

John Smith, resident and business owner – stated he had some confusion over the ways in which the impact fee can be used, and claimed he had to move his contracting business from Jefferson to Berkeley county because so few people can afford to build in Jefferson County due to the cost of the residential impact fee.

Jacqueline Milliron, resident – stated she was disappointed the Commission would consider the reduction of impact fees. Ms. Milliron also urged the Commission to explore ways in which the impact fee can be used for infrastructure.

Peter Fricke, resident and current member of the Jefferson County Planning Commission – stated the Envision Jefferson 2035 Steering Committee proposed a 2-tier impact fee that would be higher within the County and lower within the cities, municipalities, and urban growth areas to control sprawl; however, this suggestion was eliminated from the Comprehensive Plan. Mr. Fricke stated the impact fees need to be restructured in a way that makes starter homes more accessible to the residents of Jefferson County.

David Harty, resident – requested the Commission consider reducing the residential impact fees in the same manner as the commercial impact fees and stated that the entities reliant on impact fees should research new means of generating monies.

Mark Dyck, resident and Impact Fee Subcommittee member – stated he was “less than impressed” with the TischlerBise impact fee recalculation report and questioned the validity of their system.

Andrew McMillan, resident – spoke regarding his concerns over the condition of Shepherdstown Elementary School, and urged the community to work together to find a resolution to the impasse between the School Board and the Commission.

Brett Stone, resident – stated he was happy to see so many involved in the impact fee discussion, but believes tax money and revenue from the casino are being mismanaged by the Board of Education if the schools must rely so heavily on the collection of impact fees.

Ralph Dinges, resident and Assistant Superintendent of Jefferson County Schools – urged all attendees to please keep the children in mind when considering the reduction or elimination of impact fees.

Chris Hill, resident – stated he believes the impact fee is unfair because it’s only collected from new homebuilders when current residents also contribute to an increase in services through having additional children.

There being no further comments, the meeting was adjourned at 9:37 pm.

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JANE M. TABB, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414 on March, 17 2015 at 7:00 pm (An audio file of the March 17, 2015 meeting is available through the Jefferson County Commission Office.)

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

RE:       **FY16 Budget Public Hearing**

Commissioner Tabb called the meeting to order at 7:03 pm and stated the purpose for the meeting was to receive public comments regarding the Jefferson County Commission's FY16 proposed budget. Mr. Stanton provided the audience with a summary of the FY16 Budget, describing the zero-based budgeting process as completed by the department heads and elected officials. Mr. Stanton also discussed the major variables in the budget, including rising jail costs and declining gaming revenue. Ms. Tabb opened the floor for public comment at 7:16 pm. Comments were made by the following:

Paul Rosa, resident – questioned the Commission's decision to pay for Ms. Grove's continuing education to maintain her State Bar License and requested working budget documents be available to the public prior to budget presentations and deliberations.

Kevin Tester, resident – thanked the Commission for implementing zero-based budgeting for FY16 and stated the Commission needed to research alternative means of generating revenue from businesses instead of relying upon taxpayers and monies from Hollywood Casino.

Ramona Wesling, resident – urged the Commission to review their priorities and do away with "extras" in order to fully fund the "basic services" such as fire and emergency services.

Craig Simpson, resident and President of the Shepherdstown Volunteer Fire Department – stated the budgets of the fire departments are very tight and though the fire department receives an allocation from the Commission and spends approximately two months fundraising, they'd appreciate additional assistance if possible.

David Harty, resident – thanked the Commission for implementing zero-based budgeting for FY16.

There being no further comment, Ms. Tabb stated the Commission would hold the record open for written comment until Thursday, March 19, 2015 as the budget had to be submitted to the State by March 28, 2015.

The meeting was adjourned at 7:31 pm on a motion by Mr. Manuel. Motion was seconded and unanimously approved.

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JANE M. TABB, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant

## **Minutes**

### **Jefferson County Commission**

**Thursday, March 19, 2015**

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A meeting of the Jefferson County Commission was held on Thursday, March 19, 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 Thursday, March 19, 2015 meeting is available through the Jefferson County Commission Office.)

#### **PLEDGE OF ALLEGIANCE**

Commissioner Pellish led the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

**Motion by Ms. Noland to approve the March 6, 2015 Special Session Minutes. Motion seconded and unanimously approved.**

**Motion by Mr. Manuel to approve the March 10, 2015 Regular Meeting Minutes with noted correction. Motion seconded and unanimously approved.**

#### **APPROVAL OF PURCHASE ORDERS**

**Motion by Mr. Manuel to approve a Purchase Order in the amount of \$5,124.00 to include Purchase Order number 52654. Motion seconded and unanimously approved.**

#### **APPROVAL OF PAYROLL**

**Motion by Ms. Noland to approve the Regular Payroll for March 12, 2015 in the amount of \$232,003.01. Motion seconded and unanimously approved.**

## APPROVAL OF ACCOUNTS PAYABLE

| CHCKNO | DEPT    | VENDOR                   | PONUM | POAMT        | NOAMT        | CHECK AMOUNT |
|--------|---------|--------------------------|-------|--------------|--------------|--------------|
| 073961 | 428     | ACCURATE SYSTEMS INC     |       | \$ -         | \$ 4,000.00  | \$ 4,000.00  |
| 073962 | 424     | AT&T/IL                  |       | \$ -         | \$ 3.38      | \$ 3.38      |
| 073963 | 700     | ROBERT AMICK             |       | \$ -         | \$ 40.09     | \$ 40.09     |
| 073964 | 425     | B-K OFFICE SUPPLY INC    |       | \$ -         | \$ 67.90     | \$ 67.90     |
| 073965 | PAYROLL | BUREAU F/CHILD SUPPORT   |       | \$ -         | \$ 49.85     | \$ 49.85     |
| 073966 | PAYROLL | BUREAU F/CHILD SPRT ENF  |       | \$ -         | \$ 212.31    | \$ 212.31    |
| 073967 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -         | \$ 461.54    | \$ 461.54    |
| 073968 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -         | \$ 119.54    | \$ 119.54    |
| 073969 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -         | \$ 530.77    | \$ 530.77    |
| 073970 | 424     | CHARLES TOWN UTILITIES   |       | \$ -         | \$ 82.72     | \$ 82.72     |
| 073970 | 425     | CHARLES TOWN UTILITIES   |       | \$ -         | \$ 850.95    | \$ 850.95    |
| 073971 | PAYROLL | CHILD SUPPORT ENFORCE AG |       | \$ -         | \$ 27.69     | \$ 27.69     |
| 073972 | 403     | COAST TO COAST COMPUTER  |       | \$ -         | \$ 369.99    | \$ 369.99    |
| 073973 | 425     | COVENANT BUILDING MAINT  |       | \$ -         | \$ 6,478.58  | \$ 6,478.58  |
| 073973 | 425     | COVENANT BUILDING MAINT  |       | \$ -         | \$ 37.12     | \$ 37.12     |
| 073974 | 425     | DELL MARKETING LP        |       | \$ -         | \$ 1,266.63  | \$ 1,266.63  |
| 073975 | 425     | DAYCON                   |       | \$ -         | \$ 1,162.70  | \$ 1,162.70  |
| 073976 | PAYROLL | DIVERSIFIED COLLECTION   |       | \$ -         | \$ 154.83    | \$ 154.83    |
| 073977 | 433     | ESRI                     | 51387 | \$ 10,515.46 | \$ -         | \$ 10,515.46 |
| 073978 | 717     | FISHER AUTO PARTS        |       | \$ -         | \$ 1,014.47  | \$ 1,014.47  |
| 073979 | 717     | GUTTMAN OIL CO           |       | \$ -         | \$ 9,663.49  | \$ 9,663.49  |
| 073980 | PAYROLL | VOYA FINANCIAL           |       | \$ -         | \$ 3,040.00  | \$ 3,040.00  |
| 073981 | 425     | IPC TECHNOLOGIES INC.    |       | \$ -         | \$ 184.77    | \$ 184.77    |
| 073982 | 712     | JEFFERSON PUBLISH CO INC |       | \$ -         | \$ 33.00     | \$ 33.00     |
| 073983 | GRANT   | JEFFERSON DAY REPORT CNT |       | \$ -         | \$ 43,168.66 | \$ 43,168.66 |
| 073984 | PAYROLL | JEFFERSON SECURITY BANK  |       | \$ -         | \$ 5,720.00  | \$ 5,720.00  |
| 073985 | 401     | LEWIS CO CIRCUIT CLERK   |       | \$ -         | \$ 41.08     | \$ 41.08     |
| 073986 | PAYROLL | HELEN M. MORRIS, TRUSTEE |       | \$ -         | \$ 150.00    | \$ 150.00    |
| 073987 | PAYROLL | NATIONWIDE RETIREMENT    |       | \$ -         | \$ 749.00    | \$ 749.00    |
| 073988 | 402     | PIFER OFFICE SUPPLY, INC |       | \$ -         | \$ 142.90    | \$ 142.90    |
| 073988 | 413     | PIFER OFFICE SUPPLY, INC |       | \$ -         | \$ 58.60     | \$ 58.60     |
| 073989 | 405     | POCKET PRESS, INC.       |       | \$ -         | \$ 40.46     | \$ 40.46     |
| 073990 | 402     | RECORD MANAGEMENT SOLUTN | 52467 | \$ 35.00     | \$ -         | \$ 35.00     |
| 073990 | 403     | RECORD MANAGEMENT SOLUTN | 51476 | \$ 30.00     | \$ -         | \$ 30.00     |
| 073991 | 717     | RICE TIRES CO            |       | \$ -         | \$ 636.68    | \$ 636.68    |
| 073992 | 402     | SOFTWARE SYSTEMS, INC    |       | \$ -         | \$ 27.00     | \$ 27.00     |

|              |         |                          |       |                     |                      |                      |
|--------------|---------|--------------------------|-------|---------------------|----------------------|----------------------|
| 073992       | 404     | SOFTWARE SYSTEMS, INC    |       | \$ -                | \$ 884.50            | \$ 884.50            |
| 073992       | 406     | SOFTWARE SYSTEMS, INC    |       | \$ -                | \$ 56.00             | \$ 56.00             |
| 073992       | 428     | SOFTWARE SYSTEMS, INC    |       | \$ -                | \$ 377.00            | \$ 377.00            |
| 073993       | 405     | STAPLES CREDIT PLAN      | 52684 | \$ 522.66           | \$ -                 | \$ 522.66            |
| 073994       | PAYROLL | SHERIFF OF JEFFERSON CO  |       | \$ -                | \$ 10,073.08         | \$ 10,073.08         |
| 073994       | PAYROLL | SHERIFF OF JEFFERSON CO  |       | \$ -                | \$ 43,071.26         | \$ 43,071.26         |
| 073994       | PAYROLL | SHERIFF OF JEFFERSON CO  |       | \$ -                | \$ 41,898.95         | \$ 41,898.95         |
| 073995       | PAYROLL | SHERIFF OF JEFFERSON CO  |       | \$ -                | \$ 3,398.67          | \$ 3,398.67          |
| 073995       | PAYROLL | SHERIFF OF JEFFERSON CO  |       | \$ -                | \$ 6,654.14          | \$ 6,654.14          |
| 073996       | 425     | CAPITAL TRISTATE         |       | \$ -                | \$ 3,596.96          | \$ 3,596.96          |
| 073997       | 425     | WM OF WEST VIRGINIA, INC |       | \$ -                | \$ 655.77            | \$ 655.77            |
| <b>TOTAL</b> |         |                          |       |                     |                      | <b>\$ 202,356.15</b> |
| <b>TOTAL</b> |         |                          |       | <b>\$ 11,103.12</b> | <b>\$ 191,253.03</b> | <b>\$ 202,356.15</b> |

**Motion by Ms. Noland to approve the accounts payable for March 12, 2015 in the amount of \$202,356.15. Motion unanimously approved.**

| CHCKNO | DEPT | VENDOR                   | PONUM | POAMT     | NOAMT        | CHECK AMOUNT |
|--------|------|--------------------------|-------|-----------|--------------|--------------|
| 073999 | 412  | COMCAST                  |       | \$ -      | \$ 103.63    | \$ 103.63    |
| 073999 | 425  | COMCAST                  |       | \$ -      | \$ 900.61    | \$ 900.61    |
| 074000 | 413  | APPLE VALLEY OFF.PRODUCT | 52470 | \$ 679.58 | \$ -         | \$ 679.58    |
| 074001 | 406  | BERKELEY PRINTING/DESIGN |       | \$ -      | \$ 3,080.90  | \$ 3,080.90  |
| 074002 | 424  | BOLAND SERVICES          | 52629 | \$ 270.00 | \$ -         | \$ 270.00    |
| 074002 | 425  | BOLAND SERVICES          |       | \$ -      | \$ 1,325.00  | \$ 1,325.00  |
| 074003 | 700  | ARTHUR CRIDLER           |       | \$ -      | \$ 20.24     | \$ 20.24     |
| 074004 | 424  | J.C.EHRLICH              |       | \$ -      | \$ 30.00     | \$ 30.00     |
| 074004 | 425  | J.C.EHRLICH              |       | \$ -      | \$ 603.00    | \$ 603.00    |
| 074005 | 415  | GENERAL COUNTY FUND-J FE |       | \$ -      | \$ 30,456.78 | \$ 30,456.78 |
| 074006 | 405  | MARY K. HURLEY           |       | \$ -      | \$ 84.70     | \$ 84.70     |
| 074007 | 401  | RICOH USA, INC           |       | \$ -      | \$ 139.92    | \$ 139.92    |
| 074007 | 403  | RICOH USA, INC           |       | \$ -      | \$ 58.14     | \$ 58.14     |
| 074007 | 404  | RICOH USA, INC           |       | \$ -      | \$ 29.07     | \$ 29.07     |
| 074007 | 405  | RICOH USA, INC           |       | \$ -      | \$ 147.21    | \$ 147.21    |
| 074007 | 406  | RICOH USA, INC           |       | \$ -      | \$ 29.07     | \$ 29.07     |
| 074007 | 425  | RICOH USA, INC           |       | \$ -      | \$ 33.26     | \$ 33.26     |
| 074007 | 433  | RICOH USA, INC           |       | \$ -      | \$ 52.45     | \$ 52.45     |
| 074007 | 440  | RICOH USA, INC           |       | \$ -      | \$ 90.64     | \$ 90.64     |
| 074007 | 700  | RICOH USA, INC           |       | \$ -      | \$ 58.14     | \$ 58.14     |
| 074007 | 712  | RICOH USA, INC           |       | \$ -      | \$ 120.99    | \$ 120.99    |
| 074008 | 425  | JEFF CO PUBLIC SER DEPT  |       | \$ -      | \$ 207.80    | \$ 207.80    |

|        |       |                          |       |             |              |              |
|--------|-------|--------------------------|-------|-------------|--------------|--------------|
| 074009 | 402   | JEFFERSON PUBLISH CO INC |       | \$ -        | \$ 86.22     | \$ 86.22     |
| 074010 | 425   | JEFFERSON UTILITIES INC  |       | \$ -        | \$ 559.76    | \$ 559.76    |
| 074011 | 712   | LANGUAGE LINE SERVICES   |       | \$ -        | \$ 43.39     | \$ 43.39     |
| 074012 | 424   | V.E. MAUCK PLUMBING SPPL |       | \$ -        | \$ 40.23     | \$ 40.23     |
| 074013 | 712   | OFFICEMAX                |       | \$ -        | \$ 61.30     | \$ 61.30     |
| 074014 | 404   | PIFER OFFICE SUPPLY, INC |       | \$ -        | \$ 5.49      | \$ 5.49      |
| 074015 | 424   | POTOMAC EDISON/OH        |       | \$ -        | \$ 1,804.18  | \$ 1,804.18  |
| 074015 | 425   | POTOMAC EDISON/OH        |       | \$ -        | \$ 3,591.21  | \$ 3,591.21  |
| 074015 | 425   | POTOMAC EDISON/OH        |       | \$ -        | \$ 18,861.51 | \$ 18,861.51 |
| 074016 | 424   | ROACH OIL COMPANY        |       | \$ -        | \$ 3,200.73  | \$ 3,200.73  |
| 074016 | 425   | ROACH OIL COMPANY        |       | \$ -        | \$ 3,674.48  | \$ 3,674.48  |
| 074017 | 401   | RICOH USA, INC./GA       |       | \$ -        | \$ 252.73    | \$ 252.73    |
| 074017 | 403   | RICOH USA, INC./GA       |       | \$ -        | \$ 287.58    | \$ 287.58    |
| 074017 | 404   | RICOH USA, INC./GA       |       | \$ -        | \$ 123.90    | \$ 123.90    |
| 074017 | 405   | RICOH USA, INC./GA       |       | \$ -        | \$ 423.90    | \$ 423.90    |
| 074017 | 406   | RICOH USA, INC./GA       |       | \$ -        | \$ 123.90    | \$ 123.90    |
| 074017 | 425   | RICOH USA, INC./GA       |       | \$ -        | \$ 48.10     | \$ 48.10     |
| 074017 | 433   | RICOH USA, INC./GA       |       | \$ -        | \$ 197.41    | \$ 197.41    |
| 074017 | 440   | RICOH USA, INC./GA       |       | \$ -        | \$ 197.41    | \$ 197.41    |
| 074017 | 700   | RICOH USA, INC./GA       |       | \$ -        | \$ 295.90    | \$ 295.90    |
| 074017 | 712   | RICOH USA, INC./GA       |       | \$ -        | \$ 267.08    | \$ 267.08    |
| 074018 | ALLOC | SHEPHERDSTOWN FIRE CO    |       | \$ -        | \$ 43,375.00 | \$ 43,375.00 |
| 074019 | 405   | SPECIALTY BUS SUPPLIES   | 52683 | \$ 1,178.16 | \$ -         | \$ 1,178.16  |
| 074020 | 408   | STATE TAX DEPARTMENT     |       | \$ -        | \$ 19,155.96 | \$ 19,155.96 |
| 074021 | 403   | WV ASSOC OF CIRCUIT CLER |       | \$ -        | \$ 100.00    | \$ 100.00    |
| 074022 | 405   | BRANDON C.H. SIMS        |       | \$ -        | \$ 194.35    | \$ 194.35    |
| 074023 | 425   | SHENANDOAH VALLEY WATER  |       | \$ -        | \$ 521.50    | \$ 521.50    |
| 074024 | 425   | TRENARY SERVICE CO       |       | \$ -        | \$ 990.00    | \$ 990.00    |
| 074026 | 401   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 285.00    | \$ 285.00    |
| 074026 | 401   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 109.62    | \$ 109.62    |
| 074026 | 402   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 529.55    | \$ 529.55    |
| 074026 | 402   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 605.00    | \$ 605.00    |
| 074026 | 402   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 251.59    | \$ 251.59    |
| 074026 | 402   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 34.95     | \$ 34.95     |
| 074026 | 403   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 39.34     | \$ 39.34     |
| 074026 | 403   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 54.81     | \$ 54.81     |
| 074026 | 403   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 40.00     | \$ 40.00     |
| 074026 | 405   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 29.49     | \$ 29.49     |
| 074026 | 405   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 857.51    | \$ 857.51    |
| 074026 | 412   | UNITED BANKCARD CENTER   |       | \$ -        | \$ 135.74    | \$ 135.74    |

|        |     |                        |  |      |              |              |
|--------|-----|------------------------|--|------|--------------|--------------|
| 074026 | 415 | UNITED BANKCARD CENTER |  | \$ - | \$ 83.95     | \$ 83.95     |
| 074026 | 424 | UNITED BANKCARD CENTER |  | \$ - | \$ 99.00     | \$ 99.00     |
| 074026 | 424 | UNITED BANKCARD CENTER |  | \$ - | \$ 11,219.92 | \$ 11,219.92 |
| 074026 | 424 | UNITED BANKCARD CENTER |  | \$ - | \$ 108.54    | \$ 108.54    |
| 074026 | 425 | UNITED BANKCARD CENTER |  | \$ - | \$ 23.10     | \$ 23.10     |
| 074026 | 425 | UNITED BANKCARD CENTER |  | \$ - | \$ 160.57    | \$ 160.57    |
| 074026 | 425 | UNITED BANKCARD CENTER |  | \$ - | \$ 11.97     | \$ 11.97     |
| 074026 | 425 | UNITED BANKCARD CENTER |  | \$ - | \$ 571.99    | \$ 571.99    |
| 074026 | 428 | UNITED BANKCARD CENTER |  | \$ - | \$ 2,679.98  | \$ 2,679.98  |
| 074026 | 428 | UNITED BANKCARD CENTER |  | \$ - | \$ 109.62    | \$ 109.62    |
| 074026 | 428 | UNITED BANKCARD CENTER |  | \$ - | \$ 935.83    | \$ 935.83    |
| 074026 | 428 | UNITED BANKCARD CENTER |  | \$ - | \$ 2,491.00  | \$ 2,491.00  |
| 074026 | 428 | UNITED BANKCARD CENTER |  | \$ - | \$ 5,732.84  | \$ 5,732.84  |
| 074026 | 433 | UNITED BANKCARD CENTER |  | \$ - | \$ 54.81     | \$ 54.81     |
| 074026 | 439 | UNITED BANKCARD CENTER |  | \$ - | \$ 54.81     | \$ 54.81     |
| 074026 | 439 | UNITED BANKCARD CENTER |  | \$ - | \$ 68.36     | \$ 68.36     |
| 074026 | 440 | UNITED BANKCARD CENTER |  | \$ - | \$ 92.00     | \$ 92.00     |
| 074026 | 440 | UNITED BANKCARD CENTER |  | \$ - | \$ 159.99    | \$ 159.99    |
| 074026 | 440 | UNITED BANKCARD CENTER |  | \$ - | \$ 54.81     | \$ 54.81     |
| 074026 | 440 | UNITED BANKCARD CENTER |  | \$ - | \$ 89.00     | \$ 89.00     |
| 074026 | 440 | UNITED BANKCARD CENTER |  | \$ - | \$ 120.00    | \$ 120.00    |
| 074026 | 440 | UNITED BANKCARD CENTER |  | \$ - | \$ 130.00    | \$ 130.00    |
| 074026 | 440 | UNITED BANKCARD CENTER |  | \$ - | \$ 5.75      | \$ 5.75      |
| 074026 | 440 | UNITED BANKCARD CENTER |  | \$ - | \$ 125.00    | \$ 125.00    |
| 074026 | 440 | UNITED BANKCARD CENTER |  | \$ - | \$ 5.75      | \$ 5.75      |
| 074026 | 451 | UNITED BANKCARD CENTER |  | \$ - | \$ 51.66     | \$ 51.66     |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 1,270.00  | \$ 1,270.00  |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 225.00    | \$ 225.00    |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 684.01    | \$ 684.01    |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 64.71     | \$ 64.71     |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 95.98     | \$ 95.98     |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 7,186.78  | \$ 7,186.78  |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 273.50    | \$ 273.50    |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 18.38     | \$ 18.38     |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 1,950.64  | \$ 1,950.64  |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 1,232.16  | \$ 1,232.16  |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 555.10    | \$ 555.10    |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 282.00    | \$ 282.00    |
| 074026 | 700 | UNITED BANKCARD CENTER |  | \$ - | \$ 94.50     | \$ 94.50     |
| 074026 | 711 | UNITED BANKCARD CENTER |  | \$ - | \$ 309.85    | \$ 309.85    |

|              |         |                        |       |                    |                      |                      |
|--------------|---------|------------------------|-------|--------------------|----------------------|----------------------|
| 074026       | 711     | UNITED BANKCARD CENTER |       | \$ -               | \$ 29.99             | \$ 29.99             |
| 074026       | 711     | UNITED BANKCARD CENTER |       | \$ -               | \$ 46.40             | \$ 46.40             |
| 074026       | 711     | UNITED BANKCARD CENTER |       | \$ -               | \$ 186.82            | \$ 186.82            |
| 074026       | 711     | UNITED BANKCARD CENTER |       | \$ -               | \$ 378.24            | \$ 378.24            |
| 074026       | 711     | UNITED BANKCARD CENTER |       | \$ -               | \$ 165.00            | \$ 165.00            |
| 074026       | 712     | UNITED BANKCARD CENTER |       | \$ -               | \$ 4,217.08          | \$ 4,217.08          |
| 074026       | 712     | UNITED BANKCARD CENTER |       | \$ -               | \$ 650.00            | \$ 650.00            |
| 074026       | 712     | UNITED BANKCARD CENTER |       | \$ -               | \$ 599.00            | \$ 599.00            |
| 074026       | 712     | UNITED BANKCARD CENTER |       | \$ -               | \$ 753.95            | \$ 753.95            |
| 074026       | 712     | UNITED BANKCARD CENTER |       | \$ -               | \$ 5,759.04          | \$ 5,759.04          |
| 074026       | 712     | UNITED BANKCARD CENTER |       | \$ -               | \$ 118.05            | \$ 118.05            |
| 074026       | 712     | UNITED BANKCARD CENTER |       | \$ -               | \$ 2,409.00          | \$ 2,409.00          |
| 074026       | 716     | UNITED BANKCARD CENTER |       | \$ -               | \$ 248.32            | \$ 248.32            |
| 074026       | 716     | UNITED BANKCARD CENTER |       | \$ -               | \$ 555.00            | \$ 555.00            |
| 074026       | 716     | UNITED BANKCARD CENTER |       | \$ -               | \$ 785.49            | \$ 785.49            |
| 074026       | 717     | UNITED BANKCARD CENTER |       | \$ -               | \$ 1,474.25          | \$ 1,474.25          |
| 074026       | 900     | UNITED BANKCARD CENTER |       | \$ -               | \$ 159.30            | \$ 159.30            |
| 074027       | 405     | THOMSON REUTER - WEST  | 52685 | \$ 2,215.99        | \$ -                 | \$ 2,215.99          |
| 074028       | PAYROLL | WVCORP                 |       | \$ -               | \$ 134,733.50        | \$ 134,733.50        |
| 074029       | PAYROLL | WVCORP                 |       | \$ -               | \$ 32,606.50         | \$ 32,606.50         |
|              |         |                        |       |                    |                      |                      |
| <b>TOTAL</b> |         |                        |       |                    |                      | <b>\$ 368,728.89</b> |
| <b>TOTAL</b> |         |                        |       | <b>\$ 4,343.73</b> | <b>\$ 364,385.16</b> | <b>\$ 368,728.89</b> |

**Motion by Mr. Bell to approve the accounts payable for March 19, 2015 in the amount of \$368,728.89. Motion unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

**Motion by Mr. Bell to approve the Manual Checks for March 13, 2015 in the amount of \$1,360,743.53. Motion seconded and unanimously approved.**

**Motion by Mr. Bell to approve the Manual Checks for March 20, 2015 in the amount of \$19,456.64. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:**

Eleanor Finn, resident – spoke about her feelings regarding the rezoning request from Standard Land, LLC and stated the rezoning is not compatible with the 2004 or the 2014 Comprehensive Plan. Ms. Finn also stated the rezoning would have a negative impact on traffic and the view shed.

David Tabb, resident – stated he was pleased to see such a large turnout for the Impact Fee Public Hearing and urged all citizens of Jefferson County to actively participate in local government.

## **PRESENTATIONS**

1. Bridget Cohee, Esq., Steptoe & Johnson, PLLC – provided the Commission with an 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.
  - **Motion by Ms. Noland to enter into Executive Session, citing, §6-9A-4. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland to authorize Ms. Cohee to proceed with action discussed in Executive Session. Motion seconded and unanimously approved.**
2. Jesse Jones, Chief of Staff, Jefferson County Sheriff's Department – requested the approval and signature of the FY16 Courthouse Security Grant and associated documents.
  - **Motion by Ms. Noland to approve the FY16 Courthouse Security Grant and authorize the President of the Commission to affix her signature to the associated documents. Motion seconded and unanimously approved.**
3. Interview and Appointment to the Jefferson County Property Safety Enforcement Agency for one two-year term ending February 8, 2017.
  - **Motion by Ms. Noland to reappoint Melinda Keuroglan to the Jefferson County Property Safety Enforcement Agency for one two-year term ending February 8, 2017. Motion seconded and unanimously approved.**
4. Interviews and Appointments to the Jefferson County Historic Landmarks Commission for two three-year terms ending March 6, 2018.
  - **Motion by Mr. Manuel to reappoint Eric Jenkins and Martin Burke to the Jefferson County Historic Landmarks Commission each for a term of three years expiring on March 6, 2018. Motion seconded and unanimously approved.**

5. Bill Polk, Director of Maintenance – requested the approval of employment for an Auto Mechanic for the Central Garage.
  - **Motion by Mr. Manuel to approve the employment of Russell Blackford as auto mechanic for the Central Garage under the Maintenance Department at a Grade IV, Step B. Motion seconded and unanimously approved.**
6. The Commission recessed for break at 10:45 am.  
The Commission reconvened at 11:00 am.
7. Tim Stanton, Finance Director
  - Approval of FY16 Budget
  - **Motion by Mr. Bell to approve the FY16 General Operating Fund Budget in the amount of \$26,114, 216.00 and the FY16 Coal Severance Fund in the amount of \$150,250.00. Motion seconded and unanimously approved.**
  - Review and approval of Internal Budget Transfers for FY15
  - **Motion by Mr. Manuel to approve Internal Budget Revisions #8, 9, and 10 as presented by Mr. Stanton. Motions seconded and unanimously approved.**

#### **UNFINISHED BUSINESS**

8. Amend Emergency Services Agency Reorganization Ordinance to remove Ambulance Revenue Sharing.
  - **Motion by Ms. Tabb to amend the Emergency Services Agency Reorganization Ordinance to remove Revenue Sharing. Motion seconded and unanimously approved.**
9. 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.
  - Ms. Tabb stated she would delay discussion on this item until the Impact Fee Public Hearing process had concluded.
10. Discuss eliminating school impact fees and revisiting vehicle impact fees.
  - Each Commissioner provided his/her feelings on the impact fees in light of the impact fee public hearing, but action on the possible reduction or deletion of impact fees will be considered during the next Regular County Commission meeting to be held on Thursday, April 2, 2015.

## NEW BUSINESS

11. 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.

- **Motion by Ms. Tabb to enter into Executive Session to discuss pending litigation. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to come out of Executive Session. Motion seconded and unanimously approved.**
- **Motion by Ms. Noland to withdraw the reduction of Impact Fees set by the Jefferson County Commission on Thursday, February 19, 2015 and use the 2008 fee structure pending further action of the County Commission. Motion seconded and unanimously approved.**

12. Approval of Grant application and Resolution for Blue Ridge Mountain Volunteer Fire Department.

- **Motion by Ms. Noland to approve the Grant application and Resolution for Blue Ridge VFD and authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded and unanimously approved.**

13. 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 through the West Virginia Family Court.

- **Motion by Ms. Noland to approve the use of the Jefferson County Commission meeting room every third Wednesday from 5:30 pm-8:00 pm to conduct Parent Education courses. Motion seconded and unanimously approved.**

14. Legislative Updates – Mr. Manuel, Mr. Bell, and Ms. Noland provided the Commission and the audience with an update on house and senate bills of interest to the County.

## COUNTY ADMINISTRATOR REPORTS

- **ESA Personnel Committee – Ms. Grove stated she was still working with the ESA Personnel Committee and would hopefully reach a resolution soon.**
- **County E-mail Alerts – Ms. Grove notified the Commission that approximately 700 County residents receive e-mails from the County's e-mail alerts system, with more signup requests received each day.**

- County Website – Ms. Grove stated that Vision Internet would be providing her with a prototype of the new website in early April and employees would be receiving training on the maintenance of the new website thereafter.
- P-Card Rebate – Ms. Grove stated the County received a P-card rebate of \$1,140 and had spoken with Gary Cogle, regional P-card coordinator, to inquire about an increase in spending level in order to boost the County’s quarterly rebate.
- Ambulance Fee Update and Credit/Debit Payment – Ms. Grove stated \$705,966 in ambulance fee payments have been collected to date, and the office was hoping to do a soft launch of the credit and debit card payment system at the beginning of April to coincide with the mailing of the delinquent notices.
- Public Hearing Reminders – Ms. Grove reminded the Commissioners they were scheduled to attend a public hearing at 7pm that evening on the rezoning request for Standard Land, LLC and were also scheduled for a public hearing on Thursday, March 26, 2015 at 7pm on Amendments to the Subdivision and Land Development Regulations.

15. Karen Olden, Deputy Probate Clerk

- a. Requested the approval and closure of estates that did not meet the requirements for closure at January’s quarterly review, but that need to be closed for time sensitive reasons.
  - **Motion by Ms. Noland to enter into session as a Fiduciary Review Board. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland for the approval and closure of estates that did not meet the requirements for closure at January’s quarterly review. Motion seconded and unanimously approved.**
- b. Public Hearing – Petition to Remove Ricky Crum as Executor of the Estate of Gardner Dillow and to Appoint Sheriff of Jefferson County or the Bank of Charles Town as Administrator of the above Estate
  - **Motion by Ms. Noland to appoint a Special Fiduciary Commissioner to consider the Petition to Remove Ricky Crum as Executor of the Estate of Gardner Dillow and to Appoint Sheriff of Jefferson County or the Bank of Charles Town as Administrator in the Dillow Estate. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland to Appoint David DeJarnett, Esq. as the Special Fiduciary Commissioner in this matter. Motion seconded and unanimously approved.**

- **Motion by Mr. Pellish to appoint D. Frank Hill, III ,Esq. as the alternate Fiduciary Commission in this matter. Motion seconded and unanimously approved.**
- **Motion by Ms. Noland to adjourn as a Fiduciary Review Board. Motion seconded and unanimously approved.**

16. 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), ½ mile south of the intersection with Route 340 in Harpers Ferry (Planning and Zoning File #Z14-03).

- The minutes for this public hearing have been provided separately.

### **COUNTY COMMISSION REPORTS**

Patsy Noland

- Attended a CVB meeting.
- Attended a Council on Aging meeting.

Jane Tabb

- Attended a PSD meeting.
- Attended the WV Dairy Cattle Show in Morgantown.
- Stated the monthly ESA meeting was cancelled due to lack of a quorum and also notified the Commissioners of the resignations of Marty Freeman, Administrative Assistant, and Doug Pittinger, Director.

Dale Manuel

- Attended a Planning Commission meeting.
- Attended the Adult/Juvenile Drug Court.
- Attended the Good Shepherd Potter's Bowl.
- Attended a Council on Aging meeting.
- Attended a Parks and Recreation meeting.
- Attended BINGO at Sam Michael's Park.
- Attended a Water Advisory Committee meeting.

Eric Bell

- Attended a HBPA meeting.
- Attended an EPTA meeting.
- Attended the Adult/Juvenile Drug Court.
- Traveled to Charleston to follow legislation.

Walt Pellish

➤ Attended numerous County Commission meetings.

17. The Commission meeting went into recess at 2:37 pm on a motion by Mr. Manuel. Motion was seconded and unanimously approved.

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JANE M. TABB, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistan

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, 19 2015 at 7:00 pm (An audio file of the March 19, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President  
Patsy Noland, Vice President  
Eric Bell, Commissioner  
Dale Manuel, Commissioner  
Walt Pellish, Commissioner  
Jennie Brockman, Director of Planning and Zoning  
Alex Beaulieu, Project Manager, Planning and Zoning

**RE: 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), ½ mile south of the intersection with Route 340 in Harpers Ferry (Planning and Zoning File #Z14-03).**

Commissioner Tabb called the meeting to order at 7:04 pm and requested staff provide details about the request. Ms. Brockman stated that staff recommended the request is not compatible with the 2004 Comprehensive Plan, and although the 2014 Comprehensive Plan calls for the development of this land, it does not recommend a rezoning to the Residential-Light Industrial-Commercial Zone; however, after a public hearing on the matter, the Planning Commission found the request is compatible with the 2004 Comprehensive Plan and forwarded the request to the County Commission for their approval. Mark Dyck, representative from William H. Gordon and Associates and Noah Mehrkam, owner of Standard Land Company, LLC explained the basis for the rezoning request and explained how the Residential-Light Industrial – Commercial zoning designation would provide for more flexible use of the property. Ms. Tabb opened the floor for public comment, which was provided by the following:

Curt Mason, resident and member of the Jefferson County Historic Landmarks Commission – spoke against the rezoning request, stating the request is incompatible with the Envision Jefferson 2035 Comprehensive Plan and development of the property would negatively impact the viewshed from the Harpers Ferry National Park.

Lyn Widmyer, resident – stated that, although she is in support of the property being developed, she does not believe the Residential – Light Industrial – Commercial zone is appropriate for this property and requested, if the County Commission chooses to approve the rezoning request, the existing record plat for this property be abandoned so the entire 404 acres can be planned comprehensively and the master plan concept for the property be subject to review by the Planning Commission.

Andrew Lee, Resource Management Specialist for the Harpers Ferry National Historic Park – stated the Park Service opposes the rezoning of the property as it is incompatible with the Comprehensive Plan and would disturb the beauty of the local parks and surrounding areas.

John Reisenweber, resident and Director of the Jefferson County Development Authority – spoke in favor of the rezoning request and also in support of Noah Mehrkam and his intentions for the property.

Paul Rosa, resident – shared his thoughts on the development of the Standard Land property and also stated that the previous plat on record needs to be removed so the property owner can start anew.

There being no further comment, Ms. Tabb stated the Commission would hold the record open for written comment for two weeks.

The meeting was adjourned at 7:48 pm on a motion by Mr. Manuel. Motion was seconded and unanimously approved.

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JANE M. TABB, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414 on March, 26 2015 at 7:00 pm (An audio file of the March 26, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Patsy Noland, Vice President  
Eric Bell, Commissioner  
Dale Manuel, Commissioner  
Walt Pellish, Commissioner  
Stephanie Grove, County Administrator  
Jennie Brockman, Director of Planning and Zoning  
Alex Beaulieu, Project Manager for Planning and Zoning

RE: **Public Hearing on the following proposed Amendments to the Subdivision and Land Use Development Regulations:**

- **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 (STA15-02)**
- **Amend Section 24.300, "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" (STA15-03)**
- **Amend the definition of "days" from business days to calendar days in Section 26.200 of the Jefferson County Subdivision and Land Development Regulations (STA15-01)**

Vice President Noland opened the meeting at 7:02 pm, and Ms. Brockman provided an explanation of the proposed amendments to the Subdivision and Land Use Development Regulations. Public comments were received by the following:

Lee Snyder, resident and owner of Jefferson Utilities, Inc. – stated he was in favor of the proposed amendments to the Subdivision and Land Use Development Regulations as the amendments would streamline the processing of easements for his utility company.

There being no further comment, Vice President Noland stated the record would be held open for two weeks to allow time for written comment. The meeting was adjourned at 7:14 pm on a motion by Mr. Pellish. Motion was seconded and unanimously approved.

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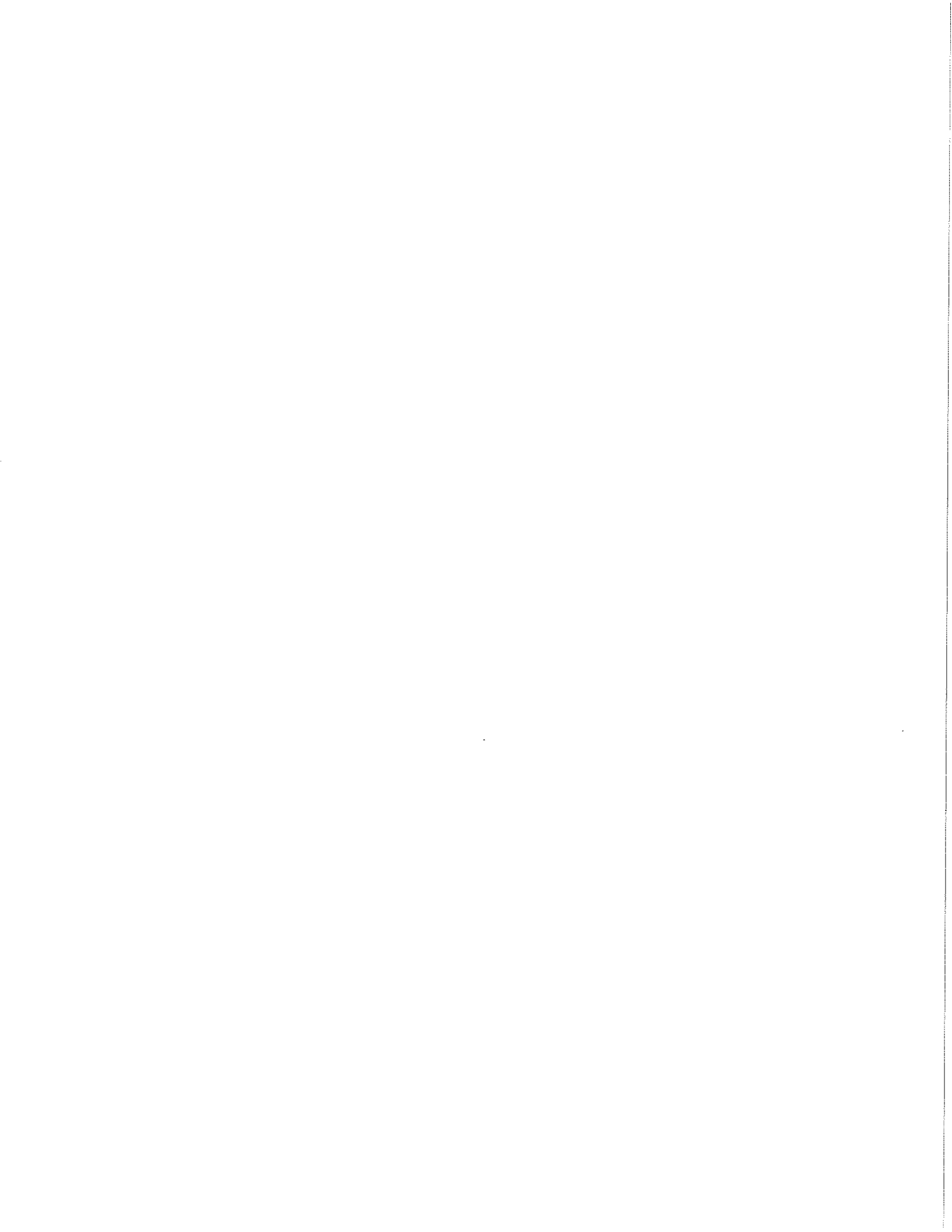
JANE M. TABB, President

Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant

## Payroll Approval

Checks Dated: 3-26-15

| DESCRIPTION                 | Fund 001 CO.  | Fund 003 Dog | Total         |
|-----------------------------|---------------|--------------|---------------|
| Gross Wages                 | \$ 348,271.39 | \$ 29.40     | \$ 348,300.79 |
| 6.2% Tax Payable OASDI      | \$ 20,782.62  | \$ 1.81      | \$ 20,784.43  |
| 1.45% Tax Payable HI        | \$ 4,860.42   | \$ 0.42      | \$ 4,860.84   |
| Fed Withholding             | \$ 38,783.67  | \$ 2.55      | \$ 38,786.22  |
| WV State Withholding        | \$ 14,665.50  | \$ 1.34      | \$ 14,666.84  |
| PERS Retirement Deduct      | \$ 12,238.25  | \$ 1.32      | \$ 12,239.57  |
| 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 | \$ -          |              | \$ -          |
| 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% | \$ 4,981.45   |              | \$ 4,981.45   |
| 457 - Nationwide            | \$ 749.00     |              | \$ 749.00     |
| 457I - ING                  | \$ 3,040.00   |              | \$ 3,040.00   |
| MD State Tax                | \$ 354.32     |              | \$ 354.32     |
| D/VF                        | \$ 1,381.38   |              | \$ 1,381.38   |
| VA. State Tax               | \$ 40.82      |              | \$ 40.82      |
| COLONIAL(PLUS)              | \$ 258.09     |              | \$ 258.09     |
| Total Deductions            | \$ 122,236.96 | \$ 7.44      | \$ 122,244.40 |
| Net Wages Total             | \$ 226,034.43 | \$ 21.96     | \$ 226,056.39 |
| Payroll Dated               | 26-Mar-2015   |              |               |



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



Name: Angie Banks, Assessor

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

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **April 2, 2015**

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

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

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

 **Exonerations**

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

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

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

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

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

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

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

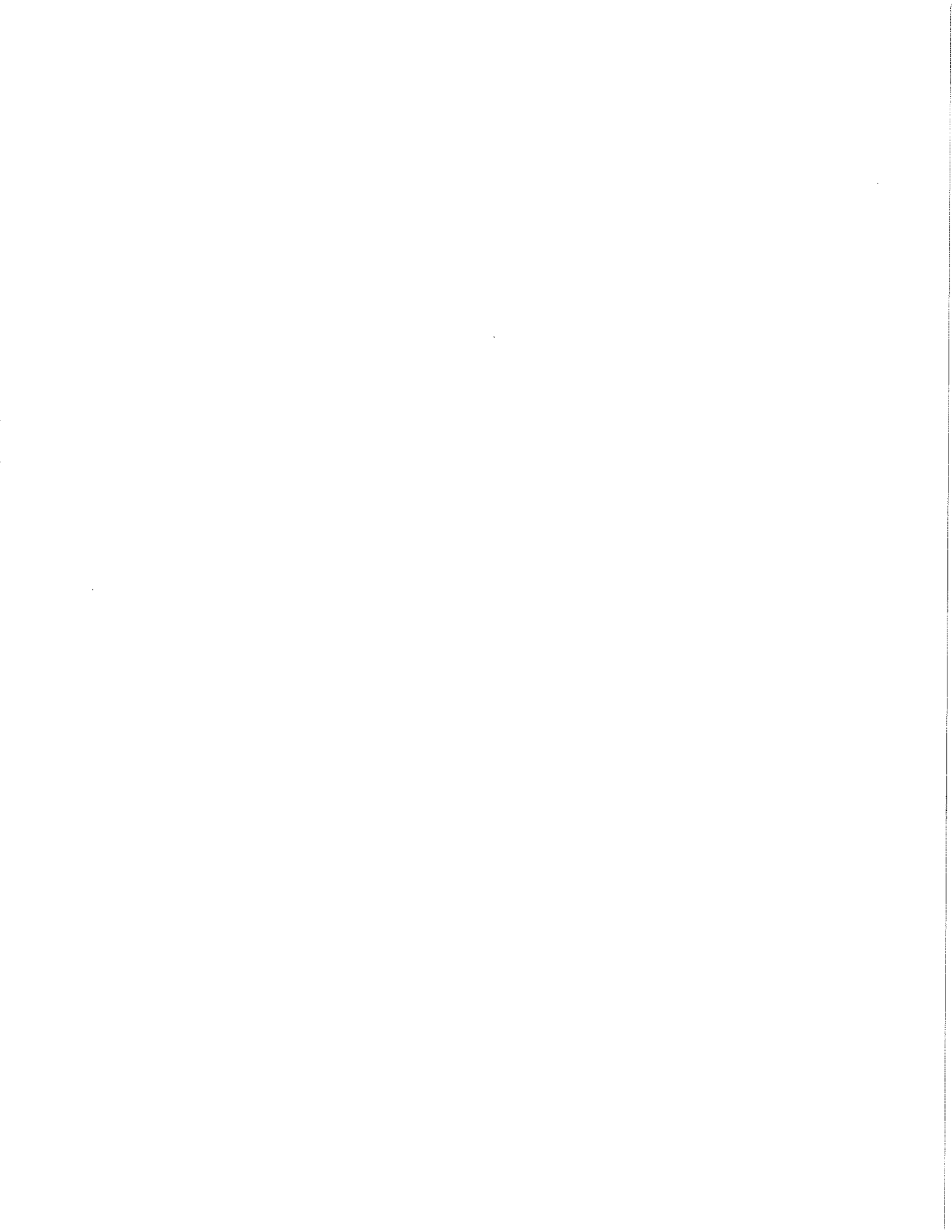
Telephone for conference call Y/N Click here to enter text.

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



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



Name: Peter Dougherty

Department or Organization: JCSO

Estimation of amount of time needed for appointment: 5 min

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

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

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

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

Please provide the County Commission with a description of your request or presentation, including any background information:  
Seeking approval and signature on associated documents for a grant application in the amount of \$35,000 to aid in the purchase of new outer carrier ballistic vests for the Jefferson County Sheriff's Deputies.

Is this a funding request? Y/N

If so, how much? \$

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I move to approve application of the Homeland Security grant in the amount of \$35,000.00

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

If not attached, explain:

Is equipment needed?

Projector

Y/N

Internet/Wi Fi

Y/N

Telephone for conference call

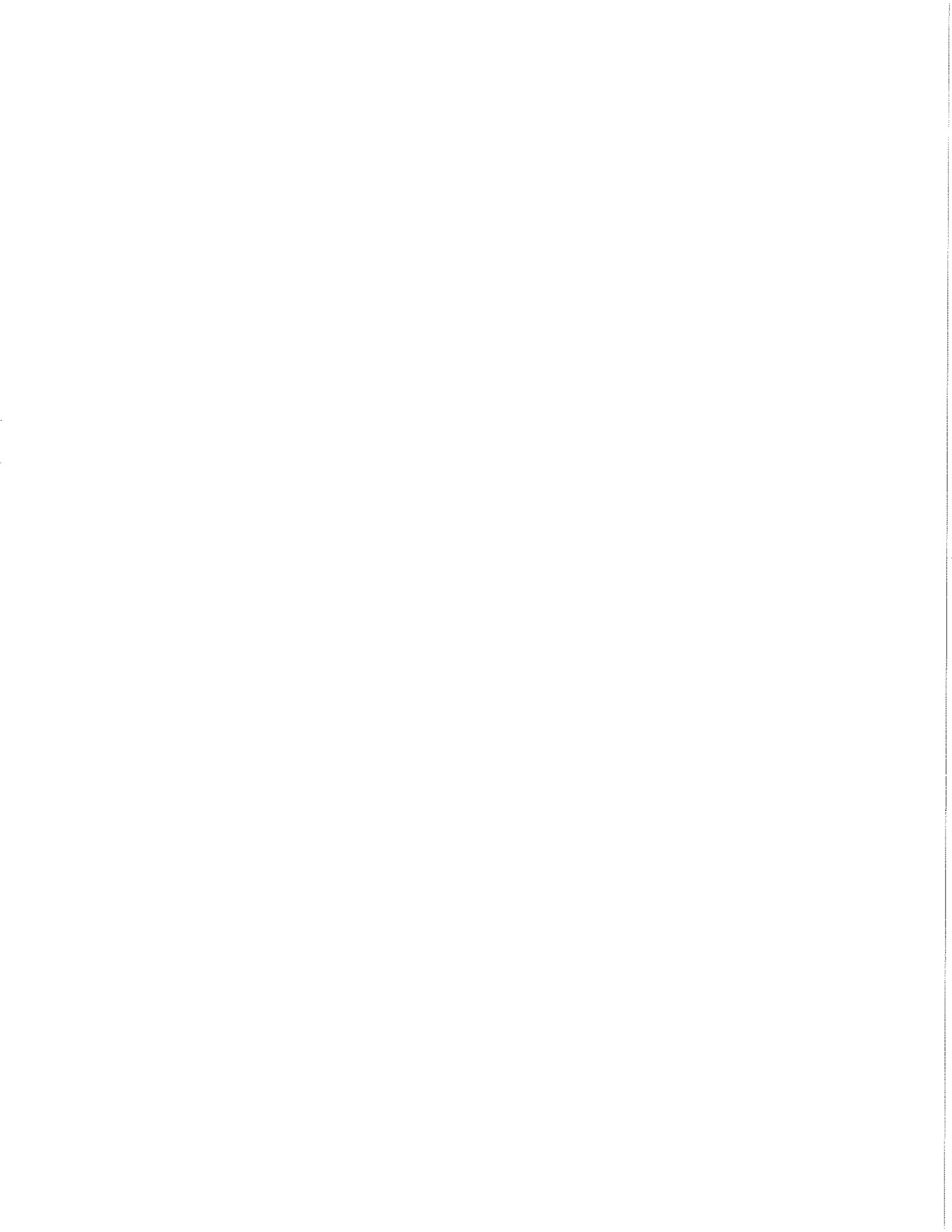
Y/N

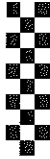
Contact information:

Email address: pdougherty@jcsdvw.com Phone Number: 304-728-3205

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

[Click here to enter text.](#)





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



Name: Pete Dougherty

Department or Organization: JCSO

Estimation of amount of time needed for appointment: less than 5 min

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

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

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

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

Please provide the County Commission with a description of your request or presentation, including any background information: Deputy Douglas Fletcher is eligible for his Deputy First Class Designation and \$1000 Increase. This designation is already budgeted.

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

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I move to approve the designation change of Deputy First Class for Deputy Fletcher.

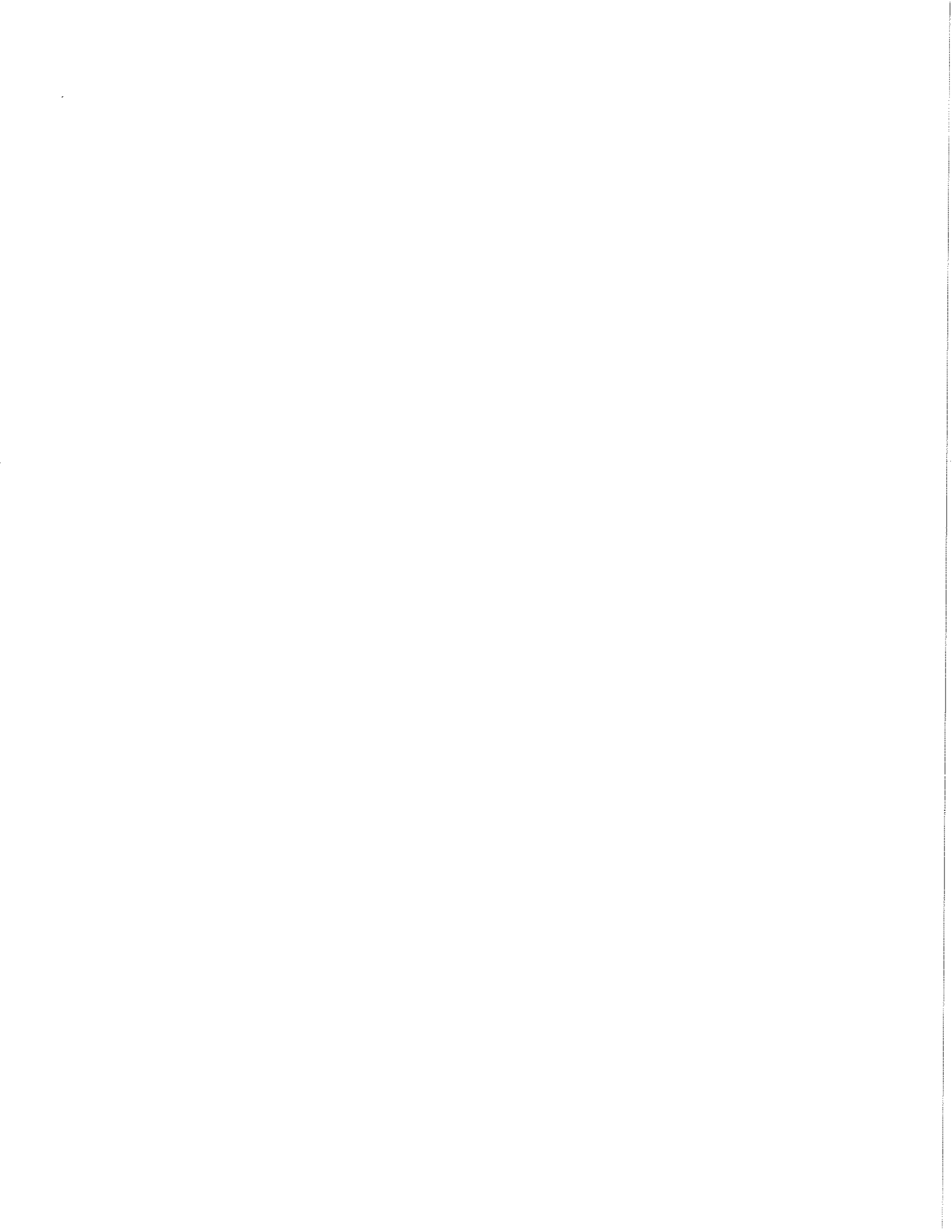
Attach supporting documents for request, or request may be denied.  
If not attached, explain:

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

Contact Information:  
Email address: pdougherty@jcsdvw.com Phone Number: 304-728-3205

FOR COMMISSION STAFF USE ONLY -- FINANCIAL IMPACT/COMMENTS

Click here to enter text.



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



Name: Bolivar Corp.

Department or Organization: Mayor and Council Members

Estimation of amount of time needed for appointment: 20 minutes

Date Requested – 1<sup>st</sup> Choice: April 2<sup>nd</sup> 2015

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

Date Requested – 2<sup>nd</sup> Choice: April 30<sup>th</sup> 2015

Subject (*Wording to be placed on agenda*): Discussion and vote to establish Bolivar's Urban Growth Boundary.

Please provide the County Commission with a description of your request or presentation, including any background information: We will provide a growth boundary map and town charter reference to explain how this was determined.

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*): The Jefferson County Commission puts a motion forward to approve and establish the Urban Growth Boundary presented by the Town of Bolivar.

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

If not attached, explain: We will have packet with map and charter in for each member a week prior to our agenda date, or earlier if required.

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

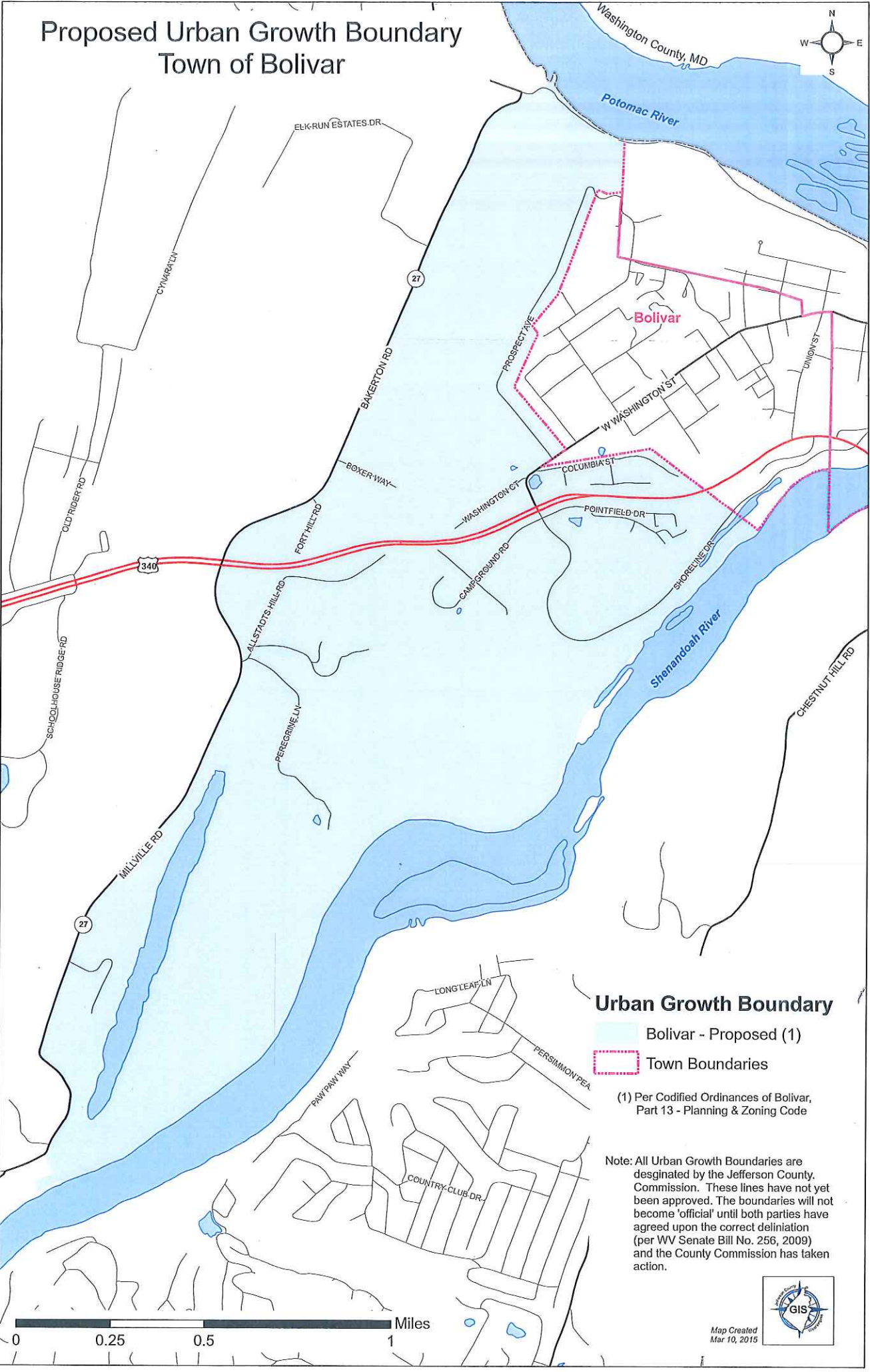
Contact information: Bolivar@Frontier.net  
Hdettmer@jeffersoncountywv.org  
Email address: jandhdettmer@comcast.net Phone Number: 304-535-2177

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

Click here to enter text.

**PROPOSED  
BOLIVAR  
GROWTH  
BOUNDARY**

# Proposed Urban Growth Boundary Town of Bolivar



## Urban Growth Boundary

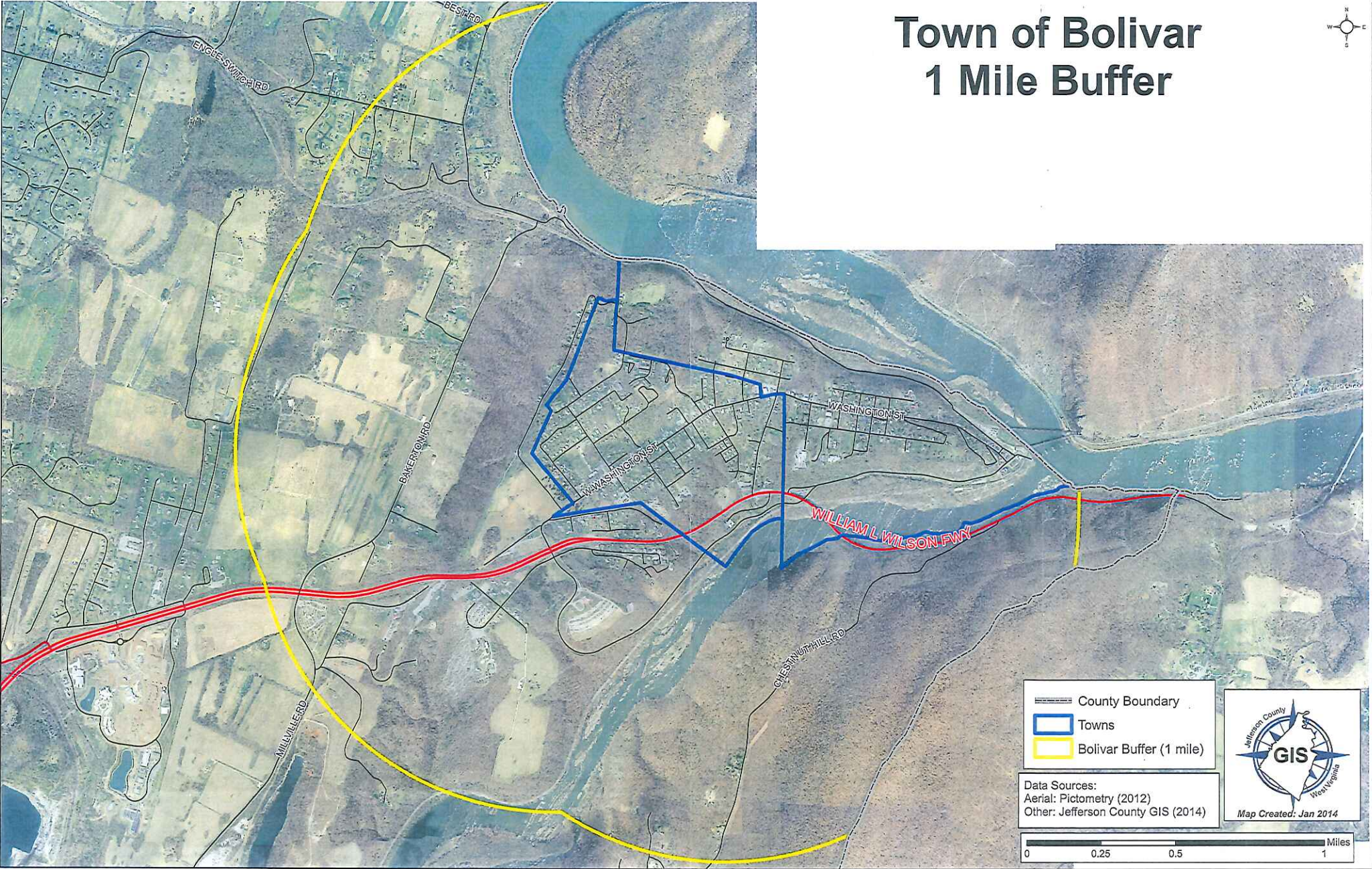
- Bolivar - Proposed (1)
- Town Boundaries

(1) Per Codified Ordinances of Bolivar, Part 13 - Planning & Zoning Code

Note: All Urban Growth Boundaries are designated by the Jefferson County Commission. These lines have not yet been approved. The boundaries will not become 'official' until both parties have agreed upon the correct delineation (per WV Senate Bill No. 256, 2009) and the County Commission has taken action.

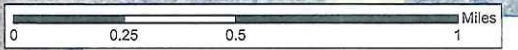


# Town of Bolivar 1 Mile Buffer



- County Boundary
- Towns
- Bolivar Buffer (1 mile)

Data Sources:  
Aerial: Pictometry (2012)  
Other: Jefferson County GIS (2014)



## BOLIVAR CHARTER

(EDITOR'S NOTE: The Charter of the Municipality of Bolivar was enacted as Chapter 16, Acts of the Legislature of West Virginia (Municipal Charters) 1915. Section 16 of the Charter was amended in 1933. See Chapter 157, Acts of the Legislature of West Virginia, Second Extraordinary Session, 1933.

Dates appearing in parentheses after a section heading indicate that the section was amended, enacted or repealed on the date given.)

### Table of Contents

|          |  |
|----------|--|
| Sec. 1.  | Corporate limits.  |
| Sec. 2.  | Municipal authorities.   |
| Sec. 3.  | Town incorporate.  |
| Sec. 4.  | Corporate powers.  |
| Sec. 5.  | Election of Mayor and Councilmen.                              |
| Sec. 6.  | Wards; elections therein.                                      |
| Sec. 7.  | Qualifications of Mayor, etc.                                  |
| Sec. 8.  | Terms of office.   |
| Sec. 9.  | Certificates of election.                                      |
| Sec. 10. | Who may vote.  |
| Sec. 11. | Vacancies in office.   |
| Sec. 12. | Mode of voting.  |
| Sec. 13. | Tie votes.   |
| Sec. 14. | Contested elections.   |
| Sec. 15. | Quorum.  |
| Sec. 16. | Number, terms, duties and compensation of appointive officers. |
| Sec. 17. | Oath of Mayor and Councilmen.                                  |
| Sec. 18. | Failure to qualify.  |
| Sec. 19. | Presiding officer.   |
| Sec. 20. | Journal of Council.  |
| Sec. 21. | Powers of Council.   |
| Sec. 22. | Power to repair sidewalks, etc.                                |
| Sec. 23. | General powers.  |
| Sec. 24. | Licenses.  |
| Sec. 25. | Prohibitions of shows.   |
| Sec. 26. | Bonds of Sergeant and Treasurer.                               |
| Sec. 27. | Mayor; powers, duties, etc.                                    |
| Sec. 28. | Clerk; duties and compensation.                                |

- Sec. 29. Sergeant; duties, liabilities and compensation.
- Sec. 30. Treasurer.
- Sec. 31. Motion against Treasurer.
- Sec. 32. Commissioner of Streets.
- Sec. 33. Exemption from road and poor tax.
- Sec. 34. Hitching yard.
- Sec. 35. Former toll roads within the corporate limits.
- Sec. 36. Other provisions of law applicable.
- Sec. 37. Rights reserved.
- Sec. 38. Duties of the Council.
- Sec. 39. Prisoners; how employed.
- Sec. 40. Opening streets.

**Sec. 1. Corporate limits.**

The corporate limits of the Town of Bolivar shall be as originally established by law.

**Sec. 2. Municipal authorities.**

~~The municipal authorities of said Town shall be a Mayor and five Councilmen known as a Common Council.~~

**Sec. 3. Town incorporate.**

The Mayor and Councilmen as soon as they shall be elected and qualified, as herein provided, shall be a body politic and corporate by the name of "The Corporation of Bolivar", and shall have perpetual succession and a common seal; and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, and may purchase and hold real estate and other property necessary or proper to enable it to discharge its duties, and needful for the good order, government and welfare of said corporation.

**Sec. 4. Corporate powers.**

All the corporate powers of said Town shall be exercised by the said Council or under its authority, except when otherwise provided.

**Sec. 5. Election of Mayor and Councilmen.**

The Mayor and Councilmen shall be elected by the qualified voters of said corporation.

**Sec. 6. Wards; elections therein.**

Wards and ward boundaries to be surveyed when growth of community warrants the necessity.

**Sec. 7. Qualifications of Mayor, etc.**

The Mayor and Councilmen must be, at the time of their election and during their terms of office, owners in fee of real estate in said corporation of the value of two hundred and fifty dollars over and above all encumbrances, and be entitled to vote for members of its Common Council.

**Sec. 8. Terms of office.**

Their term of office shall be (except when to fill vacancies) for two years, and until their successors are elected and qualified, as herein provided; except that at the election to be held on the first Tuesday in June, 1971 and continue at two years intervals, thereafter, there shall be elected a Mayor, Recorder and five Councilmen. In the event any member of the Council, the Mayor or Recorder should be absent for three consecutive meetings without the express permission of the majority of the Council said officer shall be removed from his office and another installed as provided in Section 11.

**Sec. 9. Certificates of election.**

As soon as the result for such election for Mayor and Councilmen is ascertained, the inspectors of election shall sign a certificate containing complete returns of the polls taken at their place of voting for all of said officers, and shall enclose the certificate in an envelope, which shall be sealed up and endorsed by each of such inspectors. The inspectors, or one of them, shall, within three days after the day on which such election was held, deliver said certificates to the Mayor of said Town. At the next meeting of the Council thereafter the Mayor shall present such certificates to the Council, who shall examine the same and ascertain the true result of such election in said Town, and the person respectively appearing to have received the highest number of votes for the several offices shall be declared elected, and a certificate thereof signed by the Mayor shall be granted to the person so elected.

**Sec. 10. Who may vote.**

Every person who shall have resided within the boundaries of said Town for one month, and who is a qualified voter under the laws and constitution of this State, and no others, shall be entitled to vote at any election held in said Town.

**Sec. 11. Vacancies in office.**

All vacancies occurring from any cause in any elective office of the Town shall be filled by appointment by the Council until the next election held in said Town for Councilmen.

**Sec. 12. Mode of voting.**

At all elections the mode of voting shall be that prescribed by the State Constitution for election of State officers

**Sec. 13. Tie votes.**

Whenever two or more candidates for the same office at any election shall receive an equal number of votes, the Council shall, in an equitable mode, determine which of the persons so voted for shall be returned elected.

**Sec. 14. Contested elections.**

All contested elections shall be heard and decided by the Council for the time being; but the Council may order a new election if satisfied the ends of justice will be better attained thereby.

**Sec. 15. Quorum.**

~~A majority of the Councilmen elected shall be necessary for the transaction of any business.~~

**Sec. 16. Number, terms, duties and compensation of appointive officers.**

If the Council should deem it necessary there shall be one or more Sergeants, a Clerk, and Treasurer. The duties of Sergeant, Clerk, and Treasurer may be discharged by the same person, or otherwise, as the Council may from time to time determine; but no member of the Council shall hold any of said offices. The compensation and need for said officers shall be in the discretion of the Council.

**Sec. 17. Oath of Mayor and Councilmen.**

The Mayor and Councilmen and all officers herein provided for, shall each, before entering upon the duties of his office, and within ten days of the time of his election or appointment, take and subscribe an oath to faithfully and impartially discharge the duties of his office, and the oath to support the Constitution of the United States, and the Constitution of the State of West Virginia. The Mayor, having taken such oath or affirmation, may administer the same to the Councilmen and other officers. Certificates of said oaths or affirmations shall be recorded in the journal of said Council, and whenever two-thirds of the members of the Council shall have qualified, they shall enter upon said offices.

**Sec. 18. Failure to qualify.**

If any one who shall have been elected Mayor or Councilman shall not be eligible as herein prescribed, or shall refuse or fail to take the oath or affirmation required under this Act, within the time prescribed, the Council may declare his office vacant and fill the vacancy as provided in Section 11.

**Sec. 19. Presiding officer.**

The Council shall be presided over at its meetings by the Mayor, or in his absence, by the Mayor Pro Tem, who shall be chosen annually by a majority of the Council present at the first meeting of said Council, from the members of the Council after the election and qualification; and such Mayor Pro Tem shall, in the absence of the Mayor, have all the powers and perform all the duties of the Mayor.

**Sec. 20. Journal of Council.**

The Council shall cause to be kept, in a well-bound book, an accurate record of all its proceedings, bylaws, acts and orders, which shall be fully indexed, and open to the inspection of citizens of the Town. The proceedings of each meeting shall be read and corrected at the succeeding meeting, and signed by the person presiding for the time being. Upon the call of any member the yeas and nays shall be called and recorded in the journal. In all cases of a tie the person presiding at the time shall have the casting vote.

**Sec. 21. Powers of Council.**

The Council shall have power to open and grade new streets and extend, widen, straighten, repair and grade old streets and alleys; to curb and pave streets, sidewalks and gutters for public use, and to alter, improve and light the same, and shall have control of all the avenues for public use in said Town; to have the same kept in good order and free from obstructions on or over them; to regulate and determine the width of all streets, sidewalks and public alleys; to order and direct the curbing and paving of all sidewalks and footways for public use in said Town, to be done and kept in good order by the owners or occupants of the adjacent property; to control the construction and repair of all houses, bridges, and culverts; the opening and construction of all ditches, drains and gutters; to widen, deepen and clear the same of stagnant water and filth and to determine at whose expense the same shall be done; to purchase, lay off and appropriate public grounds and control the use of the same; to provide, contract for and take care of all public buildings proper to the Town; to provide for the regular building of houses or other structures; to cause the removal of unsafe walls or buildings; to prevent injury or annoyance to the public or individuals from anything dangerous, offensive or unwholesome; to abate or cause to be abated anything which, in the opinion of the majority of the whole Council, shall be a nuisance; to regulate the keeping of gunpowder and other combustibles and explosives; to provide in or near the Town places for the burial of the dead, and regulate the interments in the Town, and provide ornamental trees; to provide for making division fences, and for the draining of lots by proper drains and ditches; to make regulations for guarding against danger or damages from fire; to provide for the poor of the Town; to organize one or more companies, and provide the necessary apparatus, tools, implements, engines, or any of them for their use to provide a sufficient revenue for said Town, and appropriate the same to its expenses; to issue bonds of the corporation and make sale thereof, but no such bonds shall be sold by said corporation for less than par, nor bearing a higher rate of interest than six percent per annum; nor shall said corporation be indebted on account of such issue at any period in a greater sum than ten thousand dollars without the consent of a majority of the voters of the Town expressed at an election held for that purpose; nor shall the whole indebtedness of said Town at any time over exceed the sum of one hundred thousand dollars; to provide for the annual assessment of taxable persons and property in the Town; to adopt rules for the transaction of business and for the government and regulation of its own body; to promote the general welfare of the Town, and to protect the persons and the property of the citizens therein; to appoint the officers authorized by Section sixteen of this Act, fix their terms of service and compensation, require and take from them bonds, with such sureties and in such penalties as the Council may determine, conditioned for the true and faithful discharge of their duties, and remove them at pleasure; but all bonds taken by the Council shall be made payable to the Town by its corporate name; to provide for and regulate the weighing of hay, coal, wood and other articles sold or for sale in said Town, and to regulate the transportation thereof

through the streets; to establish and regulate markets, to prescribe the time for holding the same, and what articles shall be sold only in said markets; to protect places of divine worship; to lay off the Town into wards, prescribing the boundaries of said wards; but should any change in the boundaries of the wards be made, the new wards shall be equal in population as nearly as possible; to appoint and publish the places of holding Town elections; to erect or authorize or prohibit the erection of gas works in or near the Town; to prevent injuries to and provide protection of the same; to provide for the purity of the water and the healthfulness of the Town; for all of which purposes except that of taxation, the Council shall have jurisdiction for one mile beyond the corporate limits of said Town; to prescribe and enforce ordinances for the purpose of protecting the health, decency, morality and order of the Town and its inhabitants, and to punish violators of such ordinances, even if the offenses under and against such ordinances shall also constitute offenses under the laws of the State of West Virginia, or the common law, for which purpose also the jurisdiction of said Town shall extend for one mile beyond the corporate limits thereof.

**Sec. 22. Power to repair sidewalks, etc.**

If the owner or occupant of any sidewalk, footway, gutter or pavement in said Town, or of the real property next adjacent thereto, shall fail or refuse to curb, pave or keep the same clean, in the manner and within the time required by the Council, it shall be the duty of the Council to cause the same to be done at the expense of the said Town and to assess the amount of such expense upon such owner or occupant, and the same may be collected by the Town Sergeant in the manner herein provided for the collection of Town taxes.

**Sec. 23. General powers.**

To carry into effect these enumerated powers, and all other powers conferred upon the said Town, or its Council, expressly or by implication, by this or any future act of the legislature of this State, the Council shall have power to make, pass and enforce all needful orders, bylaws, ordinances, resolutions, rules and regulations, not contrary to the constitution and laws of this State; and to prescribe and impose reasonable fines, penalties, and imprisonment in the county jail for a term not exceeding thirty days, for violations thereof. Such fines, penalties and imprisonment shall be recovered and enforced under the judgment of the Mayor of said Town, or the person lawfully exercising the functions of Mayor. And the authorities of said Town may, with the consent of the County Court of Jefferson County, entered of record, use the jail of said County for any purposes for which the use of a jail may be needed by them, under the acts of the Council or of the State.

**Sec. 24. Licenses.**

Whenever anything for which a State license is required is to be done within the said Town, the Council may require a Town license therefor, and may impose a tax thereon for the use of the Town. The Council may require from the persons so licensed a bond with sureties, payable to the Town, in such penalties and with such conditions as it may think proper, and may revoke such license at any time, after due notice and a hearing thereon, if the conditions of said bond be broken.

**Sec. 25. Prohibitions of shows.**

The Council may prohibit any theatrical or other performance, show or exhibition which it may deem injurious to the morals or good order of the Town.

**Sec. 26. Bonds of Sergeant and Treasurer.**

The Council shall have power to require and take from the Sergeant and Treasurer bonds, with sureties satisfactory to the Council, in such penalty as it may deem sufficient, except that as to the Sergeant it shall not be for a penalty less than two thousand five hundred dollars; and said bond shall be conditioned for the true and faithful performance of his duties as Sergeant, and for the collecting and accounting for and payment of the taxes, fines and other moneys of the Town which shall come into his hands, or which it shall be his duty to collect at such times and to such persons as the Council may order. The Treasurer's bond shall be conditioned for the true and faithful performance of his duties as Treasurer, and that he will faithfully pay over and account for all moneys that shall come into his hands as Treasurer, when and as he shall be thereto required by the Council.

**Sec. 27. Mayor; powers, duties, etc.**

The Mayor shall be the chief executive officer of the Town, and shall take care that all bylaws, ordinances and orders of the Council are faithfully executed. He shall be ex officio a conservator and justice of the peace within said Town, and shall, within the same, exercise all the powers and duties vested in justices, except that he shall have no jurisdiction as such in civil cases. He shall have control of the police of the Town, and may appoint special police officers whenever he deems it necessary; and it shall be his duty especially to see that the peace and good order of said Town are preserved, and that the persons and property therein are protected; and to this end he may cause the arrest and detention of all riotous and disorderly persons in said Town before issuing his warrant therefor. He shall have power to issue executions for all fines, penalties and costs imposed by him, or he may require the immediate payment thereof, and in default of such payment he may commit the party in default to the jail of Jefferson County until the fine or penalty and costs shall be paid, to be employed during the term of his imprisonment as hereinafter provided; but the term of imprisonment in such case shall not exceed thirty days. He shall, from time to time, recommend to the Council such measures as he may deem needful to the welfare of the Town. He may receive a compensation for his services, to be fixed by the Council, which shall not be increased nor diminished during the term for which he was elected.

**Sec. 28. Clerk; duties and compensation.**

It shall be the duty of the Clerk to keep the journal of the proceedings of the Council, and to have charge of and preserve the records, papers, documents, contracts, etc., of the Town. He shall attend the Mayor in all his examinations, issue his orders, swear witnesses, and perform all the duties of a Clerk in the Council and Mayor's Court. He shall receive such compensation for his services as may be fixed by the Council, which shall not be increased nor diminished during his term of office.

**Sec. 29. Sergeant; duties, liabilities and compensation.**

It shall be the duty of the Town Sergeant to collect the taxes, fines and other income and revenue of the Town, as specified in his bond, and to account for and pay the same to the Treasurer at such times as the Council may order. And it shall be his duty, at least once in every three months, and oftener if required by the Council, to render an account of the taxes, fines and other claims in his hands for collection, and return a list of such as he shall have been unable to collect by reason of insolvency, to which list he shall make an oath that he has used due diligence to collect the same, but has been unable to do so. The Council shall, if it be satisfied that he could not have collected the same by the use of due diligence, allow them. But if the Council shall be of opinion that by the use of due diligence on the part of said Sergeant he could have collected the same, or any part thereof, then he shall be charged with such as he might have collected. The said Sergeant shall do and perform all other acts pertaining to the office of Sergeant of a corporation, and of a police officer within said Town, and as such shall have the same powers, duties, fees, and liabilities as are by law prescribed for a constable when acting as such. He shall for his services receive such compensation as shall be fixed by the Council.

**Sec. 30. Treasurer.**

All moneys belonging to said Town shall be paid over to the Treasurer, none of which shall be paid out by him except as the same have been apportioned and ordered to be paid by the Council; and the said Treasurer shall pay the same upon the certificate of the Mayor.

**Sec. 31. Motion against Treasurer.**

If the Treasurer shall fail to account for and pay over all or any moneys that shall come into his hands, when thereto required by the Council, it shall be lawful for the Council, in corporate name of the Town, by motion before the Circuit Court of Jefferson County, or any court having jurisdiction, after ten days' previous notice, to recover from the Treasurer and his sureties, or their personal representatives, any sum that may be due from said Treasurer to said Town.

**Sec. 32. Commissioner of Streets.**

It shall be the duty of the Commissioner of Streets to superintend the opening, construction and repair of the roads, streets and alleys, sidewalks, crosswalks, footways, drains, and gutters within the said Town, and to put and keep the same in good repair, and to carry into execution all the resolutions, orders and ordinances of the Council in relation thereto.

**Sec. 33. Exemption from road and poor tax.**

The said Town, and the taxable persons and property therein, shall be exempt and free from the payment of any poor taxes or ordinary road tax, and from contributing to any County expenses for the poor and the ordinary roads and bridges of said County, outside of the corporate limits of the said Town, for any year in which said Town shall, at its own expense, provide for its own poor and keep its streets and bridges in order.

**Sec. 34. Hitching yard.**

The municipal authorities of the Town shall have power to provide, maintain and operate a hitching yard for the use of the public, and to this end may acquire by purchase, condemnation or otherwise, a sufficient amount of real estate, either within or without the corporate limits. It is authorized to make reasonable rules and regulations for the use of the same, including the rights to make reasonable charges against persons using and occupying it; to erect suitable buildings and sheds thereon; to keep the same clean; to provide a watchman or caretaker, and to prescribe his powers, duties and compensation, taking from him such bond as may be thought proper. The County Court of Jefferson County is hereby authorized to appropriate such sums annually as it may think proper for the purpose of maintaining in connection with the authorities of the Town of Charles Town such hitching yard. Should said County Court make such appropriation, rules and regulations respecting the use thereof shall be prescribed by a joint committee of the County Court of Jefferson County and the Council of the corporation of Charles Town. The amount of the appropriation by the County Court in each year shall not be less than one hundred nor more than five hundred dollars.

**Sec. 35. Former toll roads within the corporate limits.**

Nothing contained in this Act shall be deemed to place upon the corporation of Bolivar the duty of maintaining and keeping in good order and repair and covered with gravel such streets and roads within the corporate limits as were formerly toll roads or turnpikes, the duty to maintain which and keep in good order and repair and covered with gravel, is placed upon the County Court by the acts of the legislature of one thousand nine hundred and three, one thousand nine hundred and seven and one thousand nine hundred and nine. The County Court of Jefferson County may, however, upon the request of the Council of the corporation of Bolivar surrender its jurisdiction and control of any or all of such roads or streets within the corporate limits to the corporation of Bolivar, and keeping them in good order and repaired and covered with gravel, shall be placed upon the corporation of Bolivar; and in such case the County Court of Jefferson County shall pay to the corporation of Charles Town annually such amounts as may be expended by it in maintenance of such roads and streets; or the said County Court of Jefferson County may, at its option, pay to the corporation of Bolivar such lump sum as may be agreed upon between them, in consideration of the corporation of Bolivar assuming jurisdiction of such roads and streets, and becoming liable for their upkeep, maintenance and repair, as aforesaid.

**Sec. 36. Other provisions of law applicable.**

The corporation of Bolivar, except as is herein otherwise provided, shall have all the powers, rights and privileges, and be entitled to all the benefits now conferred on municipal corporations by chapters forty-seven, forty-seven-a, and forty-eight of the Code of West Virginia of one thousand nine hundred and thirteen, or which may hereafter be granted to municipal corporations by general law.

**Sec. 37. Rights reserved.**

All rights, privileges and properties of the said Town, heretofore acquired and possessed, owned and enjoyed by said Town under any act now in force, shall continue undiminished and remain vested in said Town under this Act; and all laws, ordinances and resolutions of the Council now in force and not inconsistent with this Act shall be and continue in full force and effect until regularly repealed by a Council elected as provided under this Act.

**Sec. 38. Duties of the Council.**

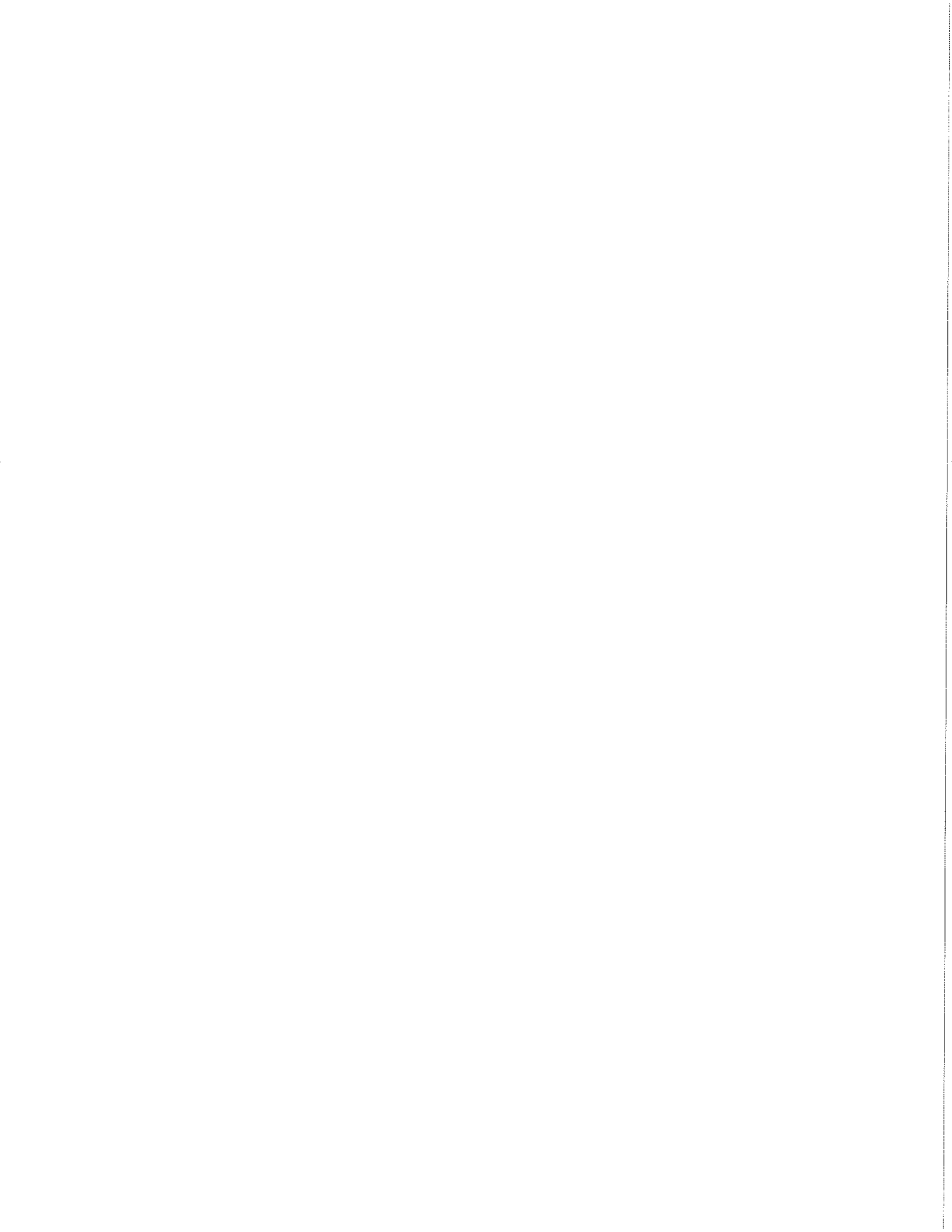
The Council shall adopt all needful and just ward regulations, whether general or special, for the good of the citizens thereof. It shall authorize street expenditures as equity and justice shall demand; and may authorize the collection of a special tax in the Town, for a specified purpose, when requested to do so by a majority of the voters thereof. Whenever in the opinion of the Council it becomes necessary to lay off said Town into wards, the said Council shall lay it off, into the necessary number.

**Sec. 39. Prisoners; how employed.**

The Council shall provide for the employment and safekeeping of persons who may be committed for default in payment of fines, penalties, or costs under this Act, and who are otherwise unable to discharge the same, by putting them to work for the benefit of the Town; shall keep on hand an ample supply of necessary material for the same, and shall provide all necessary tools, implements, fixtures, and facilities for the immediate employment of any and all of such persons; shall fix a reasonable rate per diem as wages to be allowed every person, until such fine and costs against him are discharged; and the Clerk shall keep an account of all fines and penalties so collected and expended.

**Sec. 40. Opening streets.**

The Council of said corporation shall be entitled to all the benefits of Chapter forty-two of the Code of West Virginia, for the condemnation of land for streets, alleys and public buildings in said corporation, and the commissioners appointed under said chapter shall in cases of opening of streets or alleys or in widening the same, not only assess what is a just compensation as provided in said chapter, but they shall also assess the damages and benefits to all lot owners or property holders having lots or land adjacent to and abutting on said street or alley, whose lot or land may be benefitted or injured by the opening of such street or alley or by the widening of any such street or alley, and shall make report as provided in said chapter, but lot owners and property holders shall be named in the application and served with notice as required by said chapter, and the duties of such commissioners and their oaths shall cover the duties herein imposed. All assessments for benefits under this Act shall be a lien on the property against which the same are assessed, and may be enforced in a court of equity. But either party to such assessment of damages or benefits shall have the right to call for a jury as provided in said chapter.



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



Name: *Annette Gavin*

Department or Organization: *Jefferson County Convention Visitors Bureau*

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

Date Requested - 1<sup>st</sup> Choice: *April 2, 2015*

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

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

Subject (Wording to be placed on agenda):

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

*I will present the JCCVB's budget for 2015 pending MAPP approval*

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

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

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

If not attached, explain: *Attached*

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

Contact information: *Annette Gavin*

Email address: *annette.gavin@jccvb.com*

Phone Number: *304-279-3637*

FOR COMMISSION STAFF USE ONLY - FINANCIAL IMPACT/COMMENTS

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|  |
|--|



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



Name: Jessica Carroll

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: April 2, 2015

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

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

Subject (*Wording to be placed on agenda*): Interviews and Appointments to the Jefferson County Planning Commission for two three-year terms ending March 31, 2018.

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, 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**

Stephen D. Stolipher  
P.O. Box 37  
Rippon, West Virginia 25441  
(304) 283-0614  
stevestolipher@hotmail.com

March 23, 2015

Jefferson County Commission  
124 East Washington Street  
Charles Town, West Virginia 25414

Re: Jefferson County Planning Commission Re-appointment

Dear Commissioners,

Please accept this as my formal request to be re-appointed to the Jefferson County Planning Commission. I have thoroughly enjoyed my time as a Planning Commission member, and most recently Planning Commission President, over the past 3 years. I feel that the Planning Commission has been very successful during my time serving on the Commission through various training sessions, better communication between the Commission and Planning/Engineering staff as well as various efforts to better communicate with the public and development community.

Thank you for your consideration of my interest to be re-appointed to the Jefferson County Planning Commission and I look forward to working with you in the years to come.

Regards,

Stephen D. Stolipher



## JEFFERSON COUNTY COMMISSION

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

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

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

PRESIDENT  
*Jane Tabb*

VICE PRESIDENT  
*Patsy Noland*

COMMISSIONER  
*Eric Bell*

COMMISSIONER  
*Dale Manuel*

COMMISSIONER  
*Walt Pellish*

February 18, 2015

Gene Taylor  
1884 Hidden Hollow Drive  
Kearneysville, WV 25430

Dear Mr. Taylor:

Please be advised that your term on the Jefferson County Planning Commission will expire on March 31, 2015. Until the County Commission has acted to appoint someone for another three year term, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, April 2, 2015 or as soon thereafter as the Commission may decide.

If you have any questions, please do not hesitate to contact me.

For the Commission,

Jessica Carroll  
Executive Administrative Assistant

JC  
termexp

*I am Interested in ReJoining The  
Jefferson co. Planning Commission  
Clayton E. Taylor (Gene)*

Interim County Administrator  
*Stephanie Grove*

Deputy County Administrator  
*Sandy Shusher McDonald*



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

Name:

Department or Organization: County Commission

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **April 2, 2015**

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

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

Subject (*Wording to be placed on agenda*): **Decision on the consideration of Impact Fee funding levels - Public Hearing was held on March 16, 2015 at 7:00 p.m. - Discussion/Action**

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

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

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

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

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

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

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

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

Contact information:

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

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

Click here to enter text.



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

Name: **Stephanie Grove, County Administrator**

Department or Organization: County Commission

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **March 19, 2015**

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

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

Subject (*Wording to be placed on agenda*): **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](http://www.jeffersoncountywv.org)



Name: Dale Manuel

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: April 2, 2015

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

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

Subject (*Wording to be placed on agenda*): Adoption and approval of Impact Fees at the amounts outlined and recommended in the most recent TischlerBise report.

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

**AGENDA REQUEST FORM**

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



Name: Jane Tabb

Department or Organization: County Commission

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

Date Requested – 1<sup>st</sup> Choice: March 5, 2015

Date Requested – 2<sup>nd</sup> 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**

| <b>Housing Type</b> | <b>2015 Study</b> | <b>X 70%</b> | <b>Feb. 19<sup>th</sup> Vote</b> | <b>Difference</b> |
|---------------------|-------------------|--------------|----------------------------------|-------------------|
| 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**

| <b><u>2008 Fee Schedule Prior to March 1, 2015 - Residential Housing</u></b> |          |             |       |          |                   |
|--|----------|-------------|-------|----------|-------------------|
| 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           |

2/27/2015

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



Name: Patsy Noland

Department or Organization: County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: **March 5, 2015**

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

Date Requested – 2<sup>nd</sup> Choice: 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](http://www.jeffersoncountywv.org)



Name: Jennifer Brockman

Department or Organization: Planning and Zoning

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: April 2, 2015

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

Date Requested – 2<sup>nd</sup> Choice: Next available meeting.

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

Please provide the County Commission with a description of your request or presentation, including any background information: A citizen submitted an application for a zoning variance along with the required \$100 fee for a reduction of the front & rear setback distances to allow for the construction of a 28' x 36' garage. It was determined by Staff that the variance request was not necessary because the garage meets setback requirements based on an exemption in the Zoning Ordinance. Based on this definition, the garage would meet setback requirements. The applicant will still need a building permit and must pay the required fees associated with the review of the permit.

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

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

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

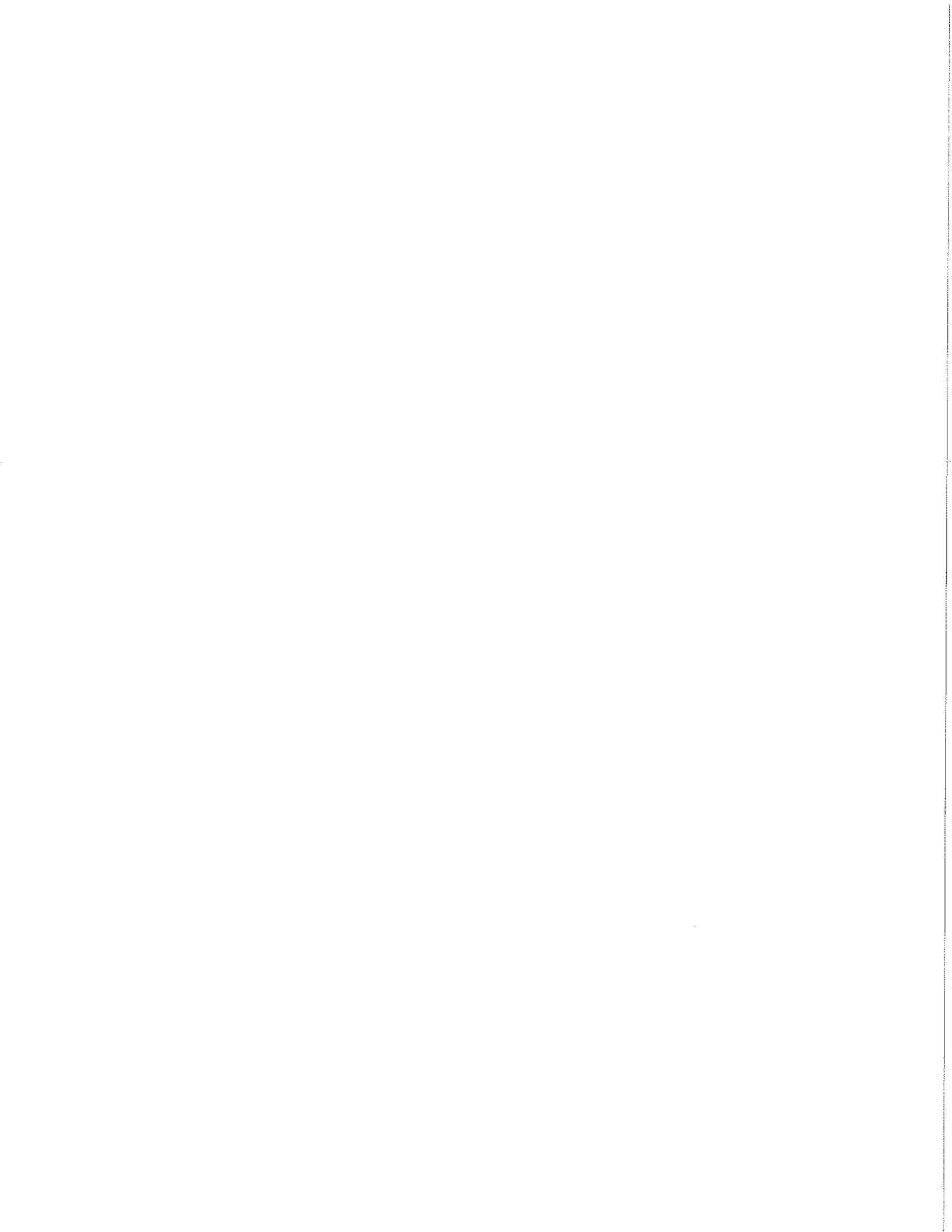
Attach supporting documents for request, or request may be denied.  
If not attached, explain: N/A

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

Contact information: Email address: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org) Phone Number: 304-728-3228

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



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



Name: Jennifer Brockman

Department or Organization: Planning and Zoning

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: April 2, 2015

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

Date Requested – 2<sup>nd</sup> Choice: Next available meeting.

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

Please provide the County Commission with a description of your request or presentation, including any background information: A citizen submitted an application for a zoning variance along with the required \$100 fee for a reduction of the rear setback distance to allow for the construction of a deck with adjoining steps. The applicant submitted the request based on inaccurate property line boundaries. Staff did research on the property and determined that the correct property line boundaries did not pose any issue for setback violation and therefore, the variance request was not necessary. The applicant will still need a building permit and must pay the required fees associated with the review of the permit.

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

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

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

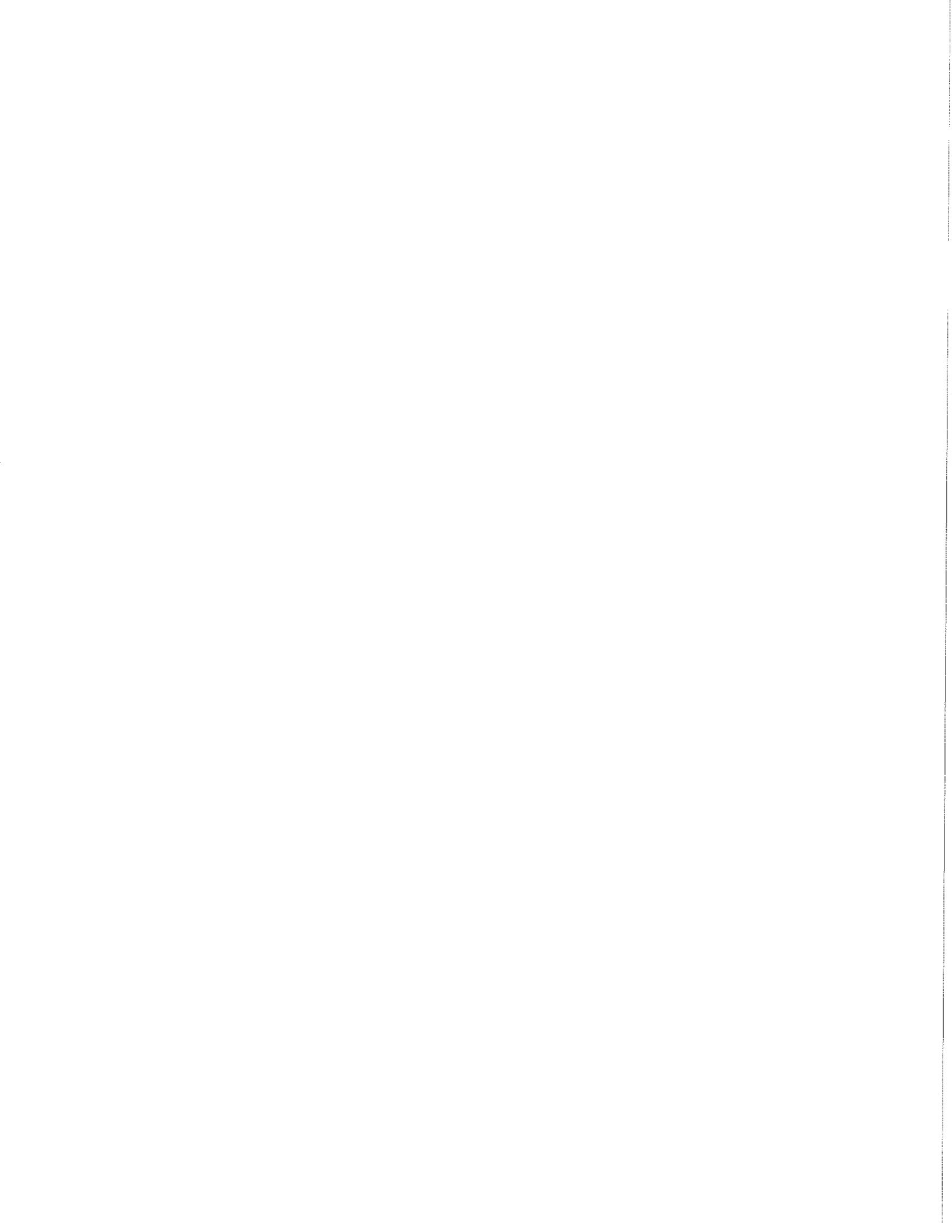
Attach supporting documents for request, or request may be denied.  
If not attached, explain: N/A

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

Contact information:      Email address: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)                      Phone Number: 304-728-3228

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

Click here to enter text.



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



**Name:** Jennifer Brockman

**Department or Organization:** Planning and Zoning

**Estimation of amount of time needed for appointment:** 15 minutes

**Date Requested – 1<sup>st</sup> Choice:** April 2, 2015

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

**Date Requested – 2<sup>nd</sup> Choice:** Next available meeting.

**Subject (*Wording to be placed on agenda*):** Requesting permission to hire a Zoning Administrator to fill the vacant position.

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

A. David Simon went through two interviews with our department (see attached resume). He meets the education requirements and has relevant experience to make him an eligible candidate for the position. As advertised, the position is a Grade V. We recommend hiring at Step B (\$52,531.25) with a 6 month step increase to Step C ((\$53,844.53) depending on performance.

**Is this a funding request?** Y / N – this position was approved in the budget for both FY '15 and '16.  
**If so, how much?**

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

I move to approve the hiring of A. David Simon as the County Zoning Administrator with a start date of May 4, 2015.

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

Supporting Documents: Personnel Request Form, Employee Action Form, and Resume.

**If not attached, explain:** N/A

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

**Contact information:** Email address: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)      Phone Number: 304-728-3228

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

**JEFFERSON COUNTY**  
**Personnel Requisition**

Department Name: Planning and Zoning Date: 03/26/15 Date Needed: May 4, 2015

Job Title: Zoning Administrator Salary: Grade V Criminal History Check: Yes  No

Suggested Recruitment Source(s): County website and APA website

Applicants Interviewed By: Jennie Brockman and staff Position Reports To: Director, Planning and Zoning

**Minimum Education Required:** Bachelor's Degree in (Master's degree preferred) from an accredited college or university in community planning, urban development, public administration, or closely related field with one to three years related work experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job.

**Minimum Experience Required:** Essential skills include **knowledge of:** common principles and theories related to planning and zoning laws; community economic development and historic preservation; strategic and long range planning, interpretation, and application; **ability to:** interpret oral, written, legal, and regulatory information related to zoning ordinances, regulations, and enforcement; communicate effectively; use good judgement; make determinations related to County regulations; **skills:** must be innovative and detail oriented; familiar with Microsoft Office Suite; strong written and verbal communication skills; good record keeping and time management skills; effective customer service skills. Must be able to work independently with minimum supervision as well as the ability to work as part of a team. NOTE: Employee will be required to work beyond normal business hours to attend regularly scheduled evening meetings and additional meetings as needed and requested by the County Director of Planning and Zoning.

**Job Duties:** Serves as staff support to the Planning Commission and Board of Zoning Appeals for the purpose of preparing staff reports and related documents for their once or twice-monthly meetings; attends Planning Commission, Board of Zoning Appeals, County Commission, and/or Committee meetings. Provides administrative support to the Director of Planning and Zoning; reviews and evaluates all plans and plats related to site development; responsible for the administration, enforcement, and interpretation of the County Zoning Ordinance; coordinate the application, review, and enforcement of the County Subdivision Regulations. Evaluate zoning certificates, information requests, subdivision proposals and projects for zoning code compliance; initiate text amendments to current County ordinances and regulations to address goals of Comprehensive Plan. Provide detailed background research and continued assistance until project completion. Performs other duties as needed and instructed by the County Director of Planning and Zoning.

**Budget Information**

Addition:    Replacement:  Explain or For Whom: Steve Barney (Zoning Administrator)

Position Budgeted  Yes    No Proposed Salary: \$52,531 (Grade V, Step B)

Date of Hire: May 4, 2015 Is Position: Full-Time  Regular Part-Time:    On-Call Occasional:     
Temporary:    Safety/Security   

Hours Per Week: Exempt Position 35 hrs/wk plus evening meetings

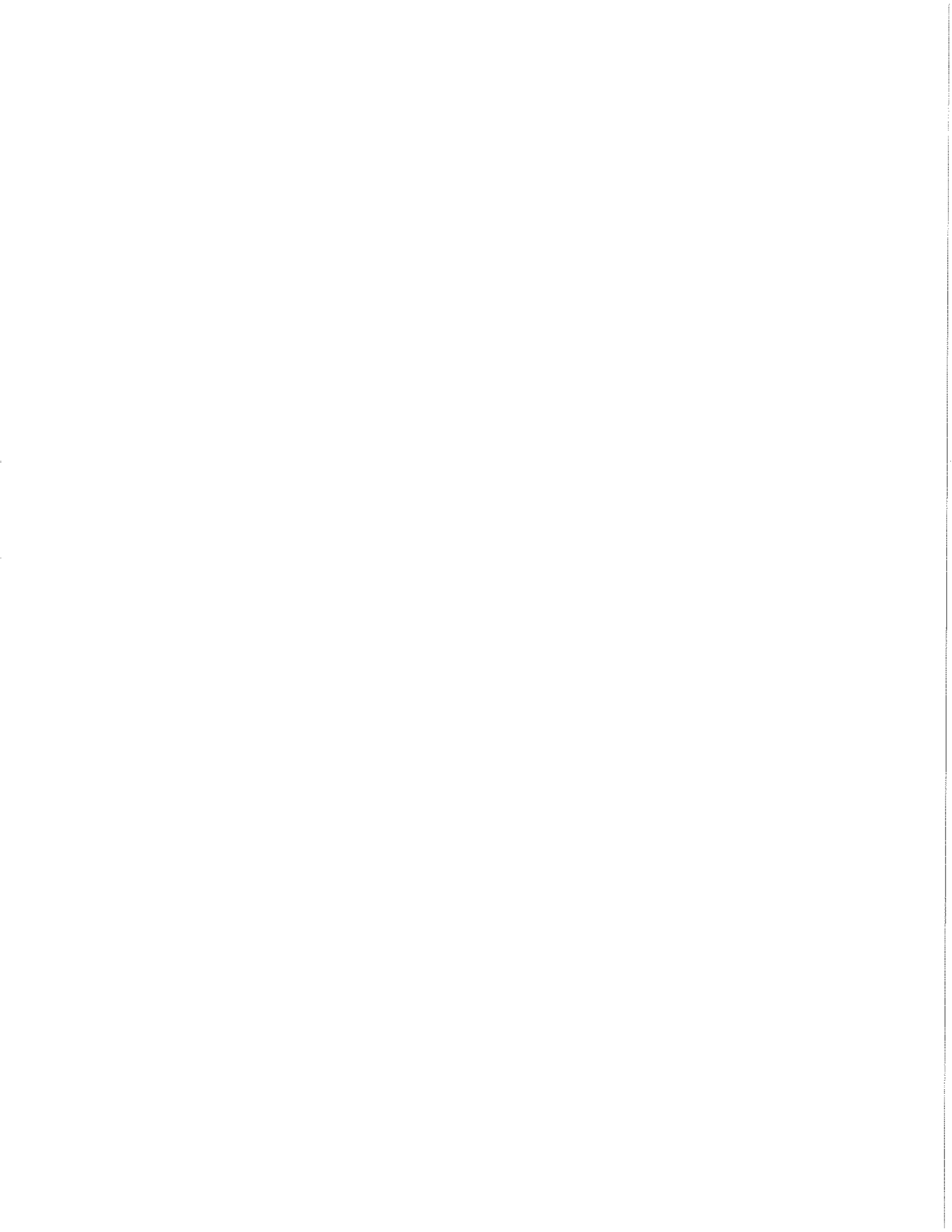
**Approvals**

Elected Official Approval \_\_\_\_\_ Date \_\_\_\_\_

Department Head Approval \_\_\_\_\_ Date \_\_\_\_\_

County Commission Approval \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_



Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Dave Didden  
Department or Entity: Health Dept.  
Estimation of amount of time needed for appointment: 15 min.  
Date Requested -- 1<sup>st</sup> Choice: April 2, 2015  
Date Requested -- 2<sup>nd</sup> Choice: \_\_\_\_\_  
If a specific date is needed, please provide reason for specific date:

Subject:

Dental Services provided out of Health Dept. building.

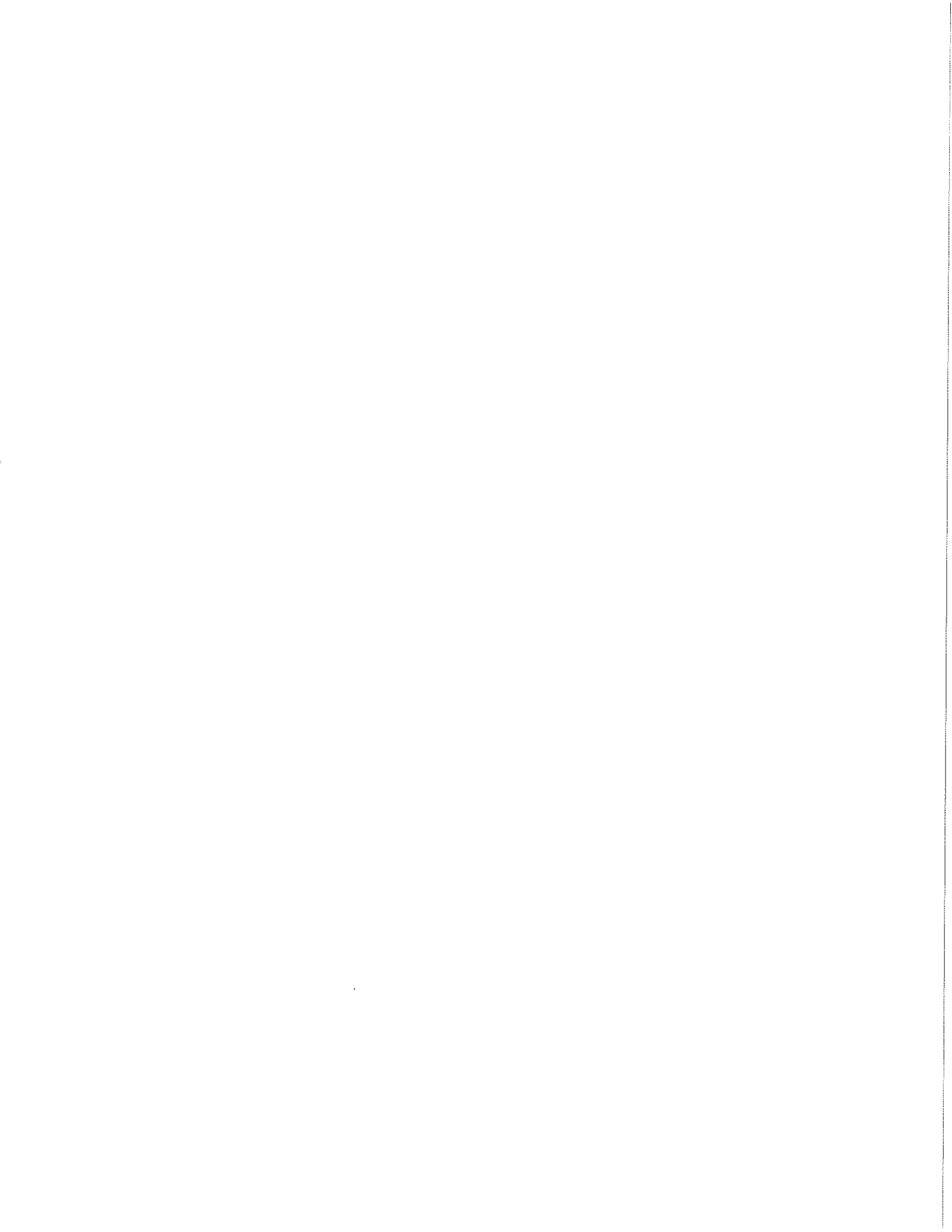
Please provide the County Commission with a description of your request or presentation, including any background information:

Dr. Dave Didden to present to the Commission the dentist who would like to provide services out of the Health Dept. building.

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

Motion for this said dentist to provide dental services to those applicable out of the health dept. building.

Attachments:



**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://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 – 1<sup>st</sup> 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 – 2<sup>nd</sup> 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).

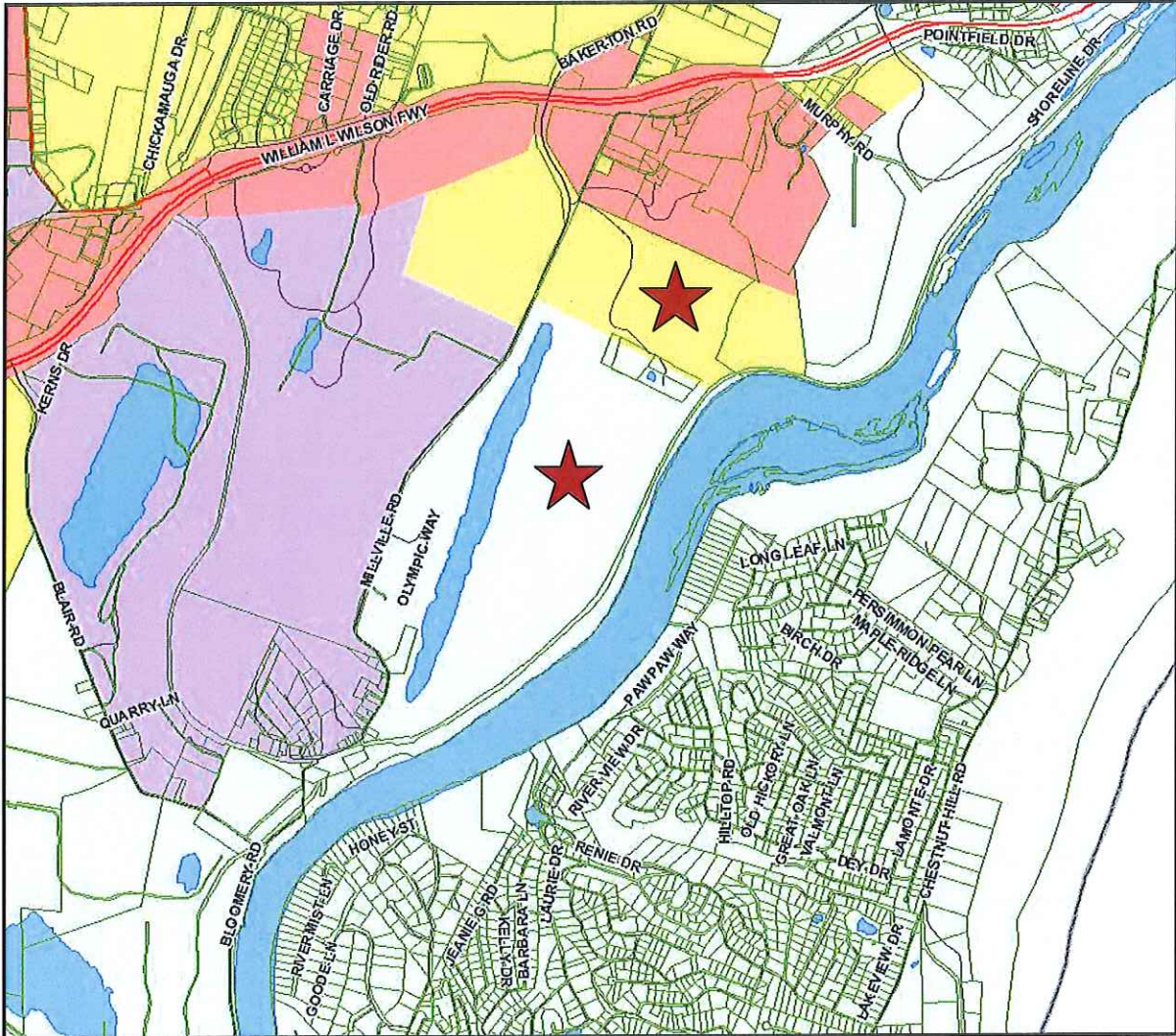
Anyone wishing to provide written or oral comment may do so at this meeting or send comments to [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org).

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: #214-03  
 Staff Initials: C/C  
 Application Fee: \$ \_\_\_\_\_

[www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html](http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html)

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)  
[zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228  
 Fax: (304) 728-8126

**Zoning Map Amendment (Rezoning)**

Pursuant to Article 12, a Zoning Map Amendment is a procedure to amend the official Zoning Map of the County by changing the zoning designation of a property. In order for a proposed amendment to be approved, the County Commission, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of 8A-7-8 et seq of the WV State Code. All Amendments to the Zoning Map require a Public Hearing to be held by the Planning Commission for the purpose of making a recommendation to the County Commission. Subsequently, all recommended map amendments require a Public Hearing before the County Commission prior to a final determination.

**Property owner information**

Name: 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"/>          |                          |

**RECEIVED**  
 JEFFERSON COUNTY  
 PLANNING, ZONING AND ENGINEERING  
 Place Received Date Stamp Here

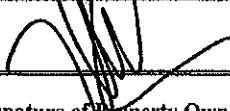
**Plat or Sketch Plan (provide as an attachment to this application)**

The plat or sketch must be pursuant to Zoning Ordinance, Section 7.4 (b). The sketch plan shall include the entire original parcel as it appeared on the date this ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines should be superimposed on the sketch plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes and quarries shall be delineated.

**Is Plat or Sketch Plan attached?**

Yes     No

**Original signature of all property owners is required. The information given is correct to the best of my knowledge. (Please attach additional signature page if needed)**

|   |          |                             |      |
|---|----------|-----------------------------|------|
|  | 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**

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

\* 714-03

**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.

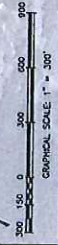
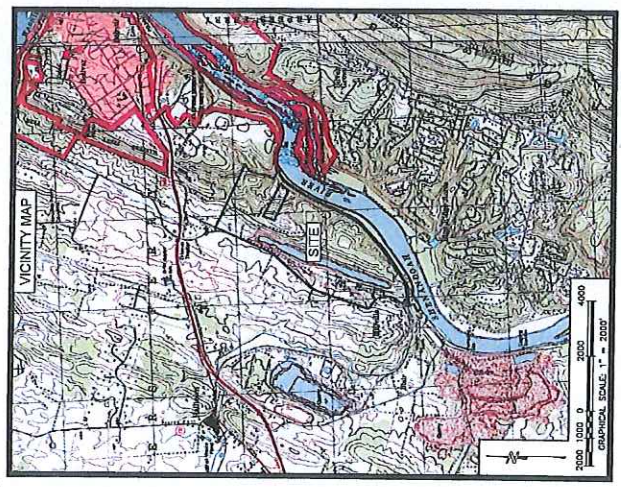
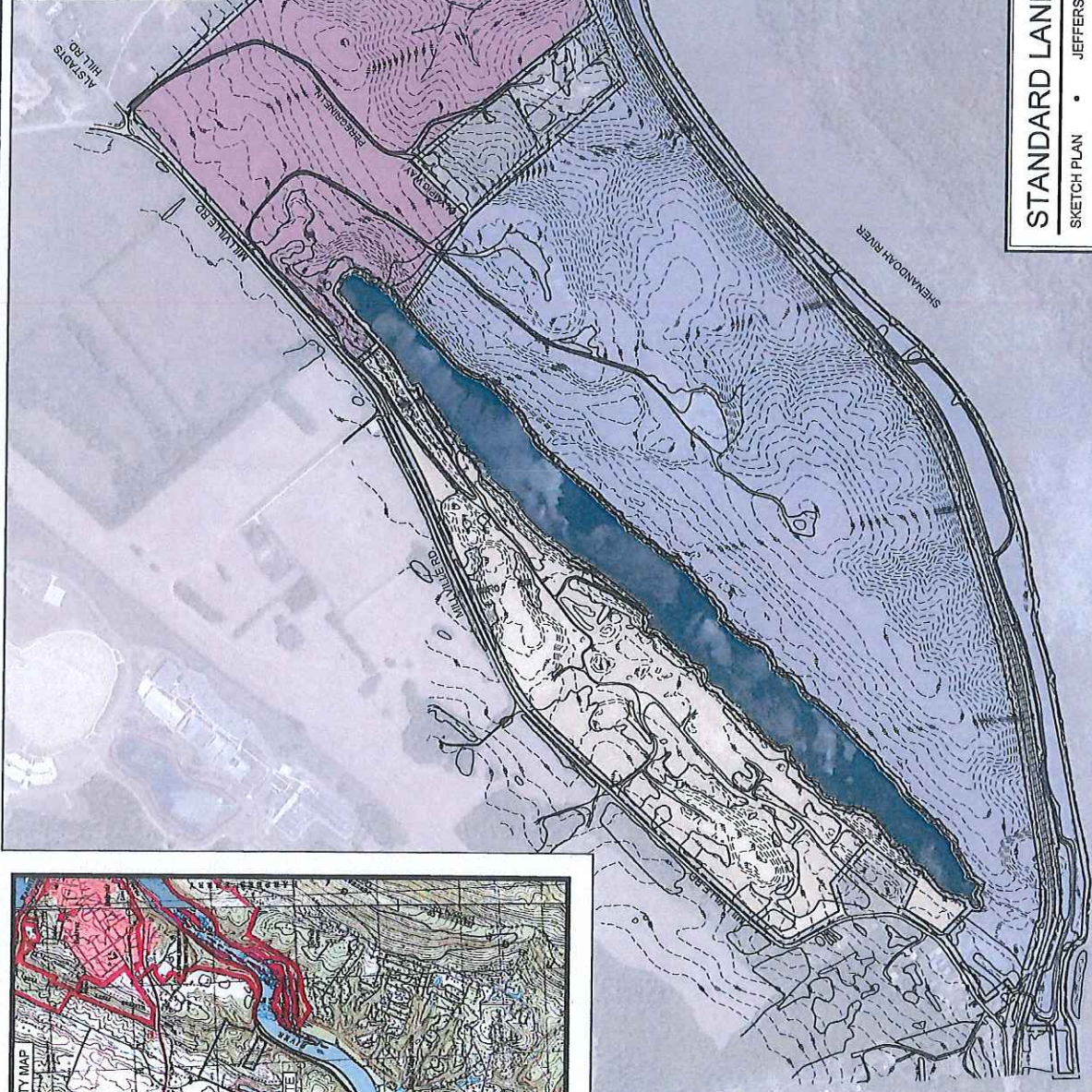
- **The 2014 draft Comprehensive Plan identifies a preferred growth boundary immediately adjacent to this property.** While still in draft form, the location of this boundary continues to identify that this property is suitable for growth and development. Additionally, the subject property has the special 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.



GRAPHICAL SCALE: 1" = 300'  
**Gordon**  
 PROFESSIONAL ENGINEERING, ARCHITECTURE, LANDSCAPE ARCHITECTURE, CIVIL ENGINEERING, SURVEYING, PLANNING, SECURITY CONSULTING, APPRAISAL, GENERAL CONTRACTORS

**STANDARD LAND COMPANY PROPERTY**  
 SKETCH PLAN • JEFFERSON COUNTY, WEST VIRGINIA • 12-30-2014



# 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**

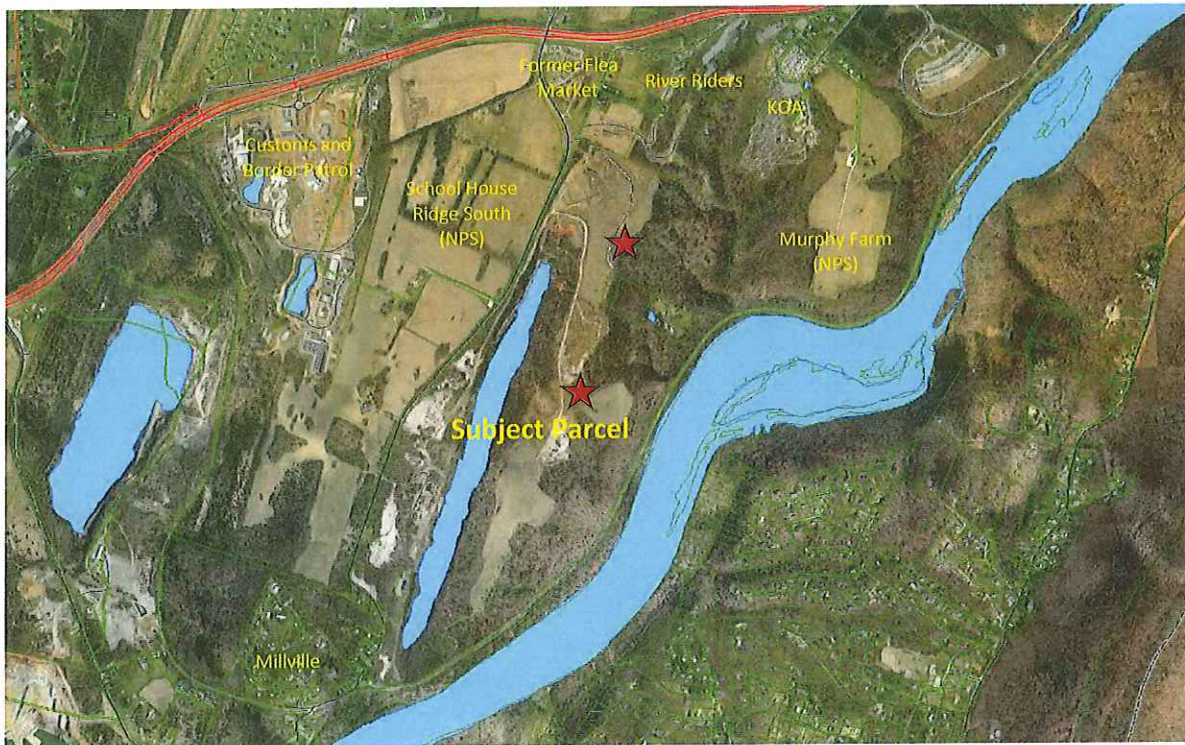
The property is located east of Millville Road (Route 27), ½ mile south of the intersection with Route 340, near Harpers Ferry, WV. It is a vacant parcel which is the site of the former Old Standard Quarry. The northern 108 acres +/- is zoned Residential Growth (RG) and the balance of the property is 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



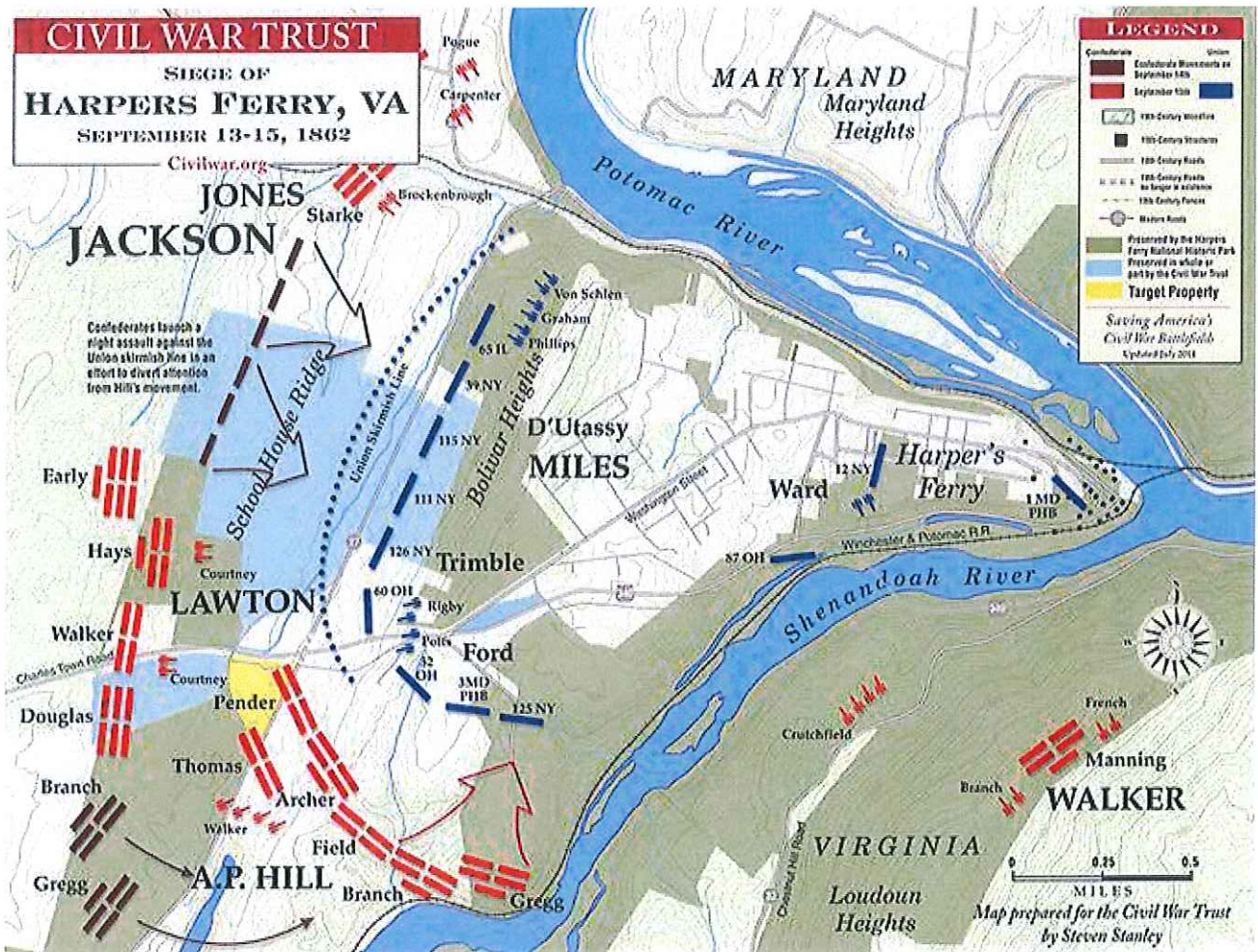
## B. Property Vicinity

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

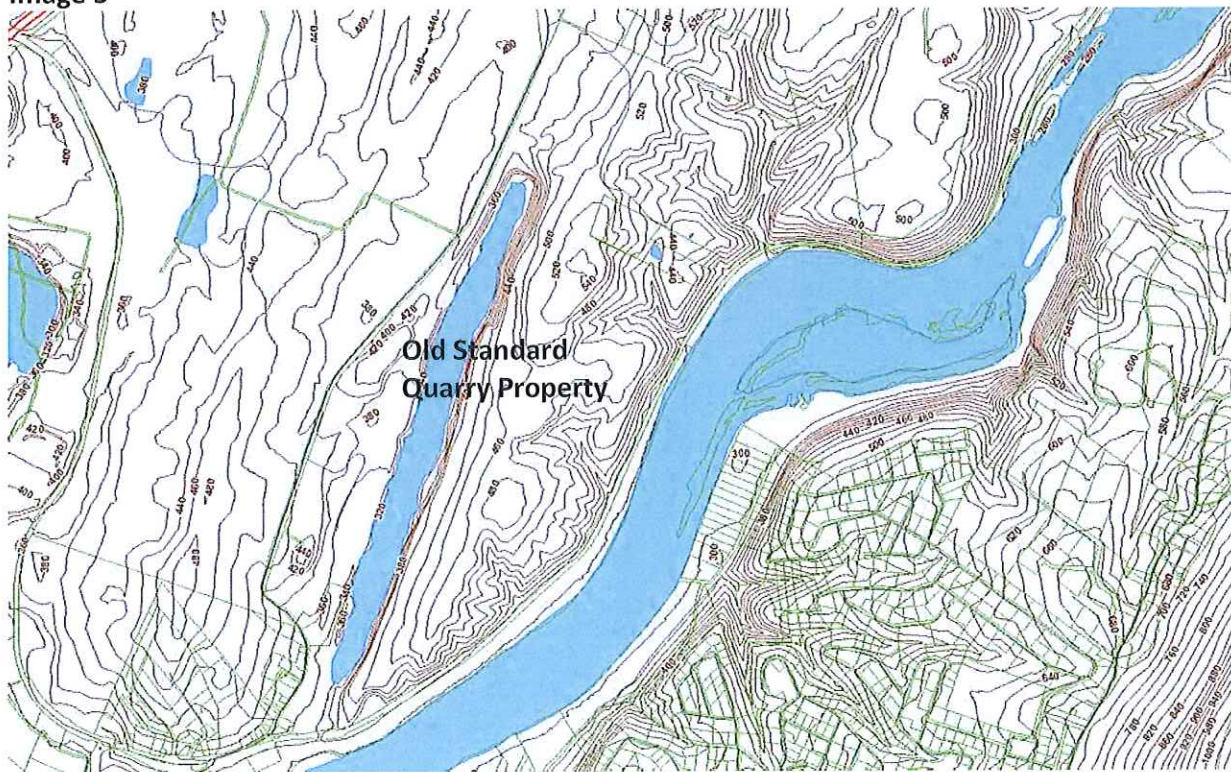
Jefferson County Planning Commission Meeting  
February 10, 2015

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 (JCPD), 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.*

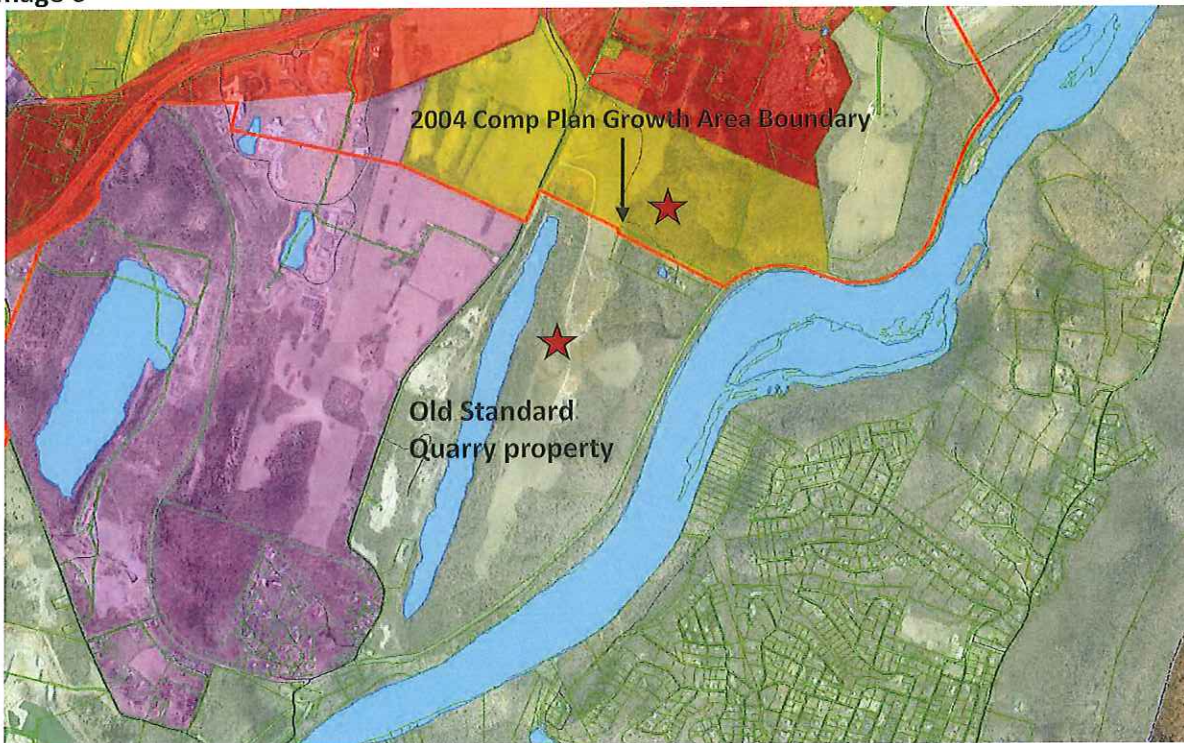
*RECOMMENDATION 4.01: It is the vision of this Comprehensive Plan that development will be concentrated within the designated growth areas.”*

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](mailto: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.

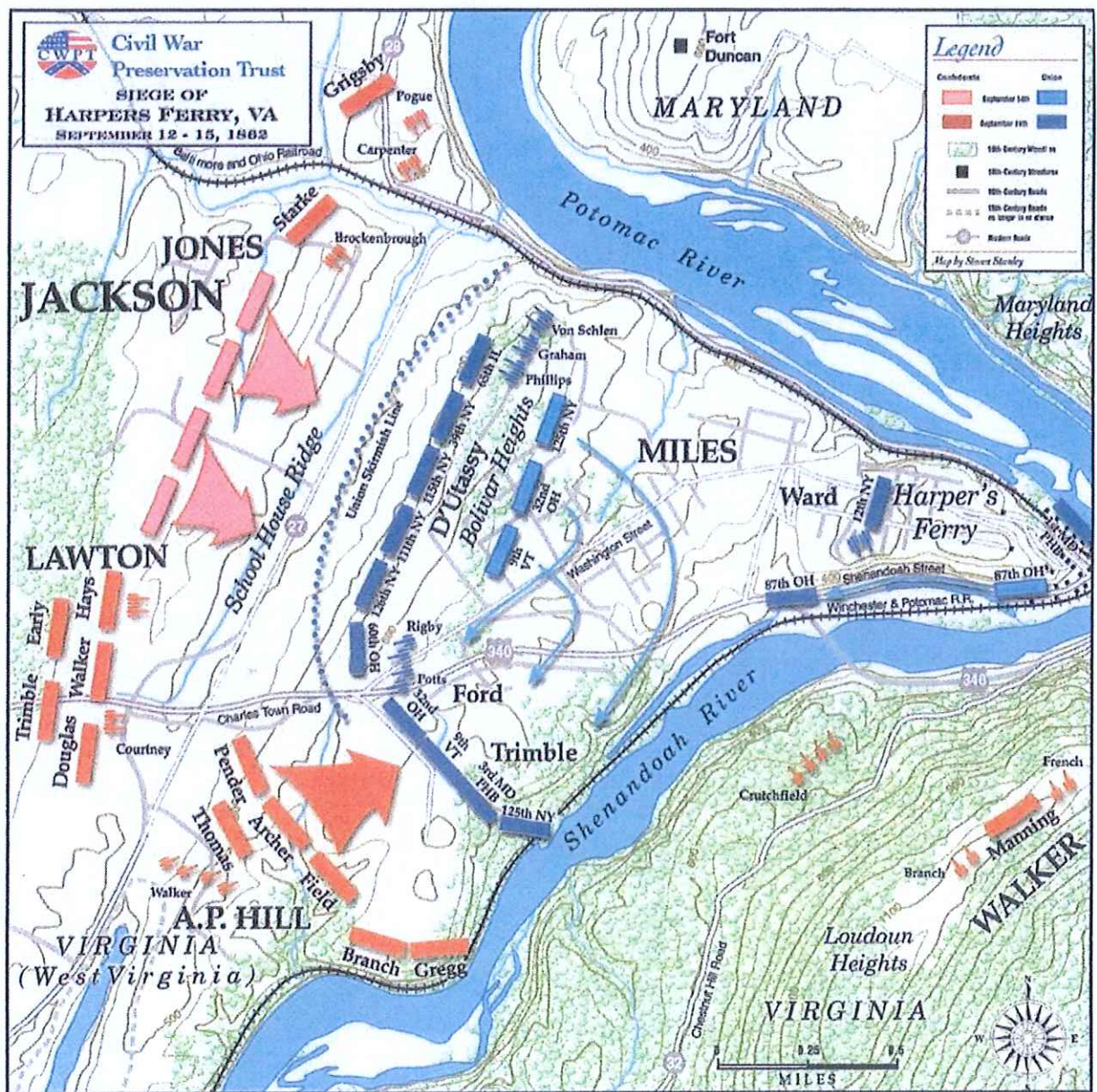
Your answers to my questions would be very much appreciated.

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.





Jefferson County  
Development Authority

February 5, 2015

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

Dear Mr. Stolipher:

On behalf of the Jefferson County Development Authority (JCDA), I am writing to express our support of the zoning request by the Arland Group to rezone the Old Standard property. As you know, the 404-acre property is located along the Shenandoah River in the southeastern part of the County. The zoning request is to change the property from its current split zoning to a commercial/light industrial zoning. Currently, 80 acres are zoned residential growth and the remaining acreage is zoned rural. We believe that this re-zoning will promote economic development and create jobs here in the county.

From our experience in working with The Arland Group, we believe that they have demonstrated their commitment to responsible development in Jefferson County and will develop the property in a sustainable manner that will not negatively impact any other future economic opportunities on the property or in the vicinity.

The JCDA believes that the zoning request is reasonable and appropriate given its consistency with the existing 2004 Jefferson County Comprehensive Plan and the Quarry Re-Development Area in the draft 2014 plan update. In addition, the property is in close proximity to other existing commercial enterprises along Rt. 340 and has access to major water and sewer infrastructure on the property.

In closing, I would like to add that the JCDA firmly believes that supporting local business development is crucial to the long-term economic prosperity of Jefferson County. Therefore, we strongly encourage the Jefferson County Planning Commission to look favorably upon this very reasonable request and grant the re-zoning of the Old Standard Property.

Thank you very much for your consideration and please do not hesitate to contact me if you have any questions.

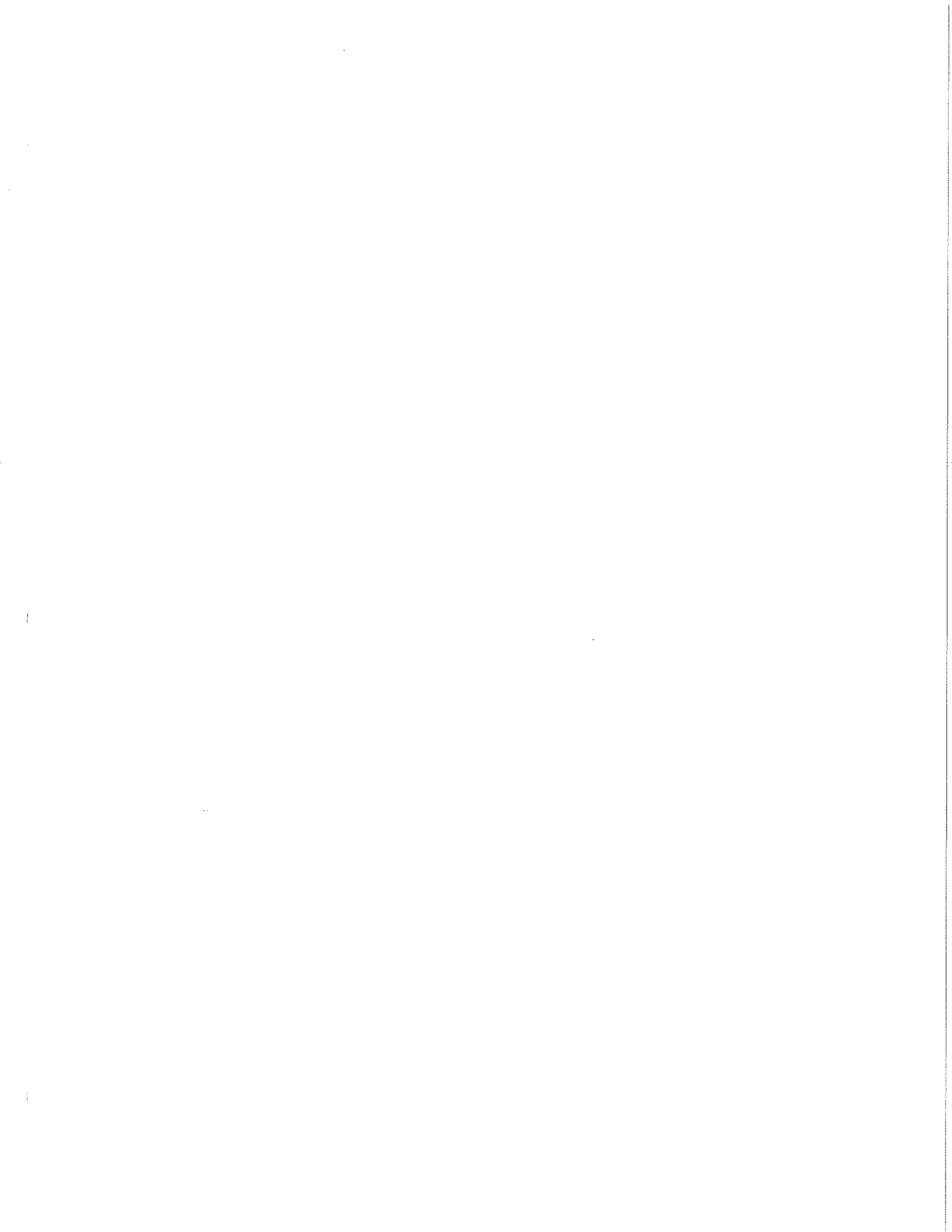
With Best Regards,

John W. Reisenweber  
Executive Director

PO BOX 237  
CHARLES TOWN  
WV 25414

304.728.3255  
304.725.3133 fax

www.JCDA.net





# 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

IN REPLY REFER TO:

1.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

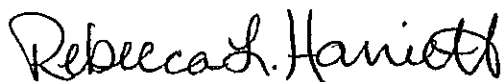
gateway to Jefferson County will have a negative impact on the local tourism industry with long-lasting implications to its economy.

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

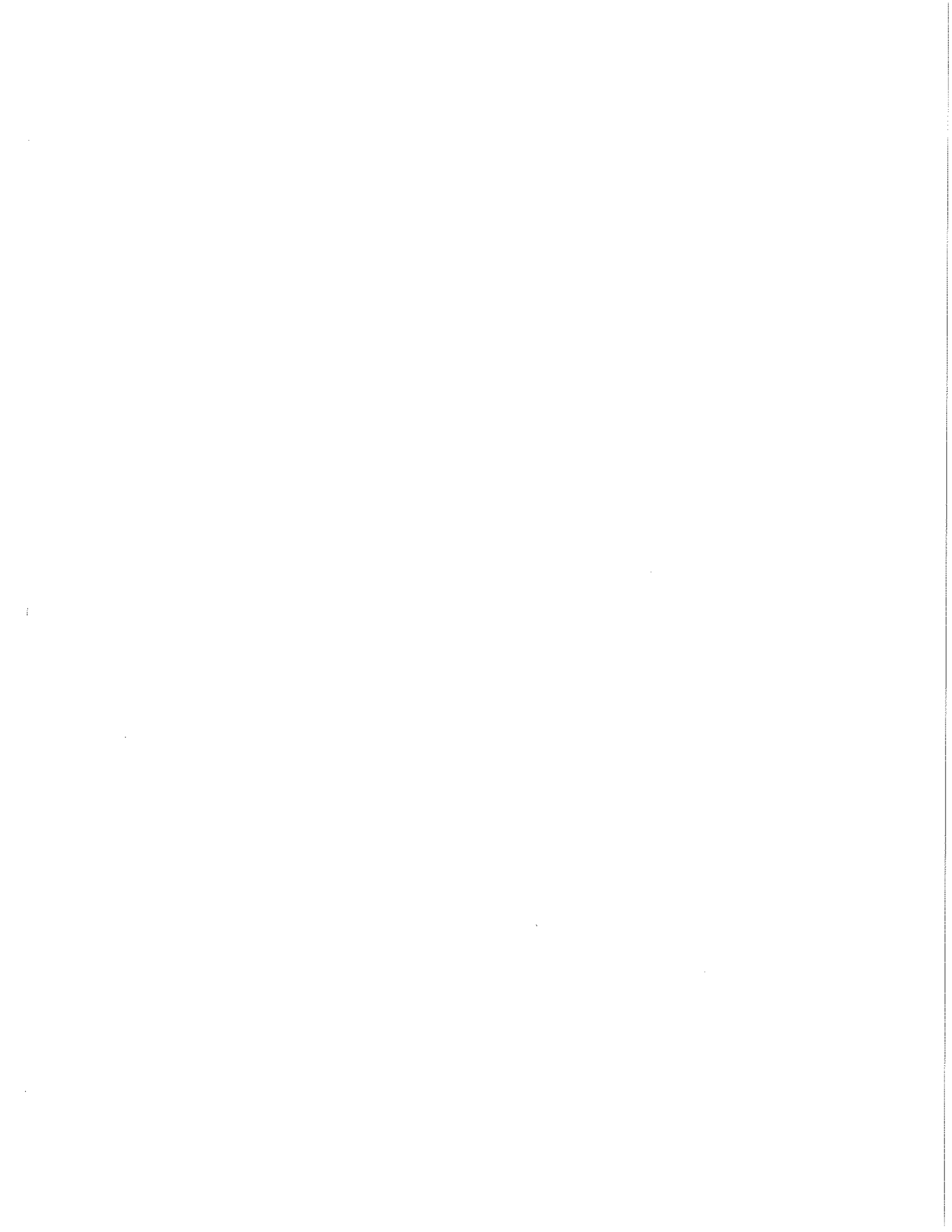
Clifford Taylor, Secretary

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.

①

# Jefferson County Commission

Rezoning Request – Standard Land, LLC

## SIGN-IN SHEET TO SPEAK DURING COMMUNITY FORUM

Thursday, March 19, 2015 – 7 pm

| NAME             | NAME OF GROUP REPRESENTED          |
|------------------|------------------------------------|
| ✓ Curt Mason     | J.C. Historic Landmarks Commission |
| Lyn Wrdmeyer     | myself<br>1434 Cattail Run Rd CT   |
| ANDREW LEE       | NPS                                |
| John Reisenweder | JCA                                |
| PAUL ROSA        | HARPERS FERRY CONSERVANCY          |
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\*THE COMMISSION IS ALLOWING THREE (3) MINUTES FOR EACH PERSON WISHING TO MAKE PUBLIC COMMENT\*



March 19, 2015

TO: Jefferson County Commission

RE: Amending County Zoning Map – Old Standard Property

We are writing concerning the request to rezone the 400+ acre property commonly referred to as the Old Standard property (Harpers Ferry Tax District, Map 11, Parcel 24.1). Due to the overly broad nature of this zoning designation and the potential significant adverse impact on historic values of this and adjoining properties, the Jefferson County Historic Landmarks Commission opposes the rezoning and requests you deny the petition.

The JCHLC believes that such a zoning change is inconsistent with the goals and recommendations set forth in Envision Jefferson 2035 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 Harpers Ferry National 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 this permissive zoning category would devastate the views from these historic lands where HFNP has walking trails, interpretive exhibits, and outdoor programs. The Comprehensive Plan speaks clearly of 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 Envision Jefferson 2035 Comprehensive Plan also acknowledges that cultural heritage tourism is a significant element of Jefferson County's economy so any zoning change that promotes growth and development should not simultaneously compromise the historic resources and scenic beauty that we all agree makes Jefferson County special.

Again, the Jefferson County Historic Landmarks Commission opposes the rezoning of the Old Standard property and requests you deny the petition.

Martin Burke  
Chair  
Jefferson County Historic Landmarks Commission



WEST VIRGINIA DEVELOPMENT OFFICE

1900 Kanawha Boulevard East • Charleston, WV 25305-0311  
(304) 558-2234 • (800) 982-3386 • WVDO.org

September 10, 2013

The Honorable Dale Manuel  
President  
Jefferson County Commission  
Post Office Box 250  
124 East Washington Street  
Charles Town, West Virginia 25414

Re: Old Standard Quarry Brownfield Development District

Dear Commissioner Manuel:

As you are aware, the director of the West Virginia Development Office ("WVDO") approved the economic development plan and plat for the Old Standard Quarry Brownfield Project in Jefferson County, West Virginia (the "Project") in June of 2010. This approval resulted in the Project earning designation as a Brownfield Economic Development District in accordance with applicable state law.

The legislative rule governing Brownfield Economic Development Districts in West Virginia requires the project engineer or architect retained or employed by the applicant (e.g., Old Standard Quarry, or its successor) to certify to the Director of the WVDO that the project remains in "substantial compliance," as defined therein, with all material provisions of the economic development project concept plan within 36 months of becoming so designated (See W.Va. C.S.R. 145-1-9). Moreover if the applicant fails to submit such certification in this time-frame, the Director of the WVDO is required to automatically revoke the district's designation as a Brownfield Economic Development District without further action.

The WVDO has not received the required certification set for the W.Va. C.S.R. 145-1-9 and therefore the Project is not in compliance with applicable state rules. Accordingly, please be advised that the Brownfield Economic Development Status previously awarded to the Project is hereby revoked.

Thank you for your cooperation on this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd E. Hooker", written over a white background.

Todd E. Hooker  
Senior Manager, Financial Programs and National Accounts

TEH:njs

cc: Keith Burdette  
Josh Jarrell  
Mark Julian









Jefferson County  
Development Authority

Board of Directors  
2014-2015

Eric Lawe  
President

Debra Lee Hewitt  
Vice President

Mike Chapman  
Secretary/Treasurer

Andy Siska

Helen Dettmer

Shell Dransfield

Chuck Ellison

Annette Davis

Conrad Hannaman

Joshua Houtcholder

Dawn Marshall

Howard Mills

David Mills

Walter Pellish

Michael Shepp

Andrew Spinner

Lyle Tabb

Karan Townsend

Karey Wilkins

John Reisenweber

Executive Director

PO BOX 237  
CHARLES TOWN  
WV 25414

304.728.3255  
304.725.3133 fax

www.JCDA.net

February 5, 2015

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

Dear Mr. Stolipher:

On behalf of the Jefferson County Development Authority (JCDA), I am writing to express our support of the zoning request by the Arcland Group to rezone the Old Standard property. As you know, the 404-acre property is located along the Shenandoah River in the southeastern part of the County. The zoning request is to change the property from its current split zoning to a commercial/light industrial zoning. Currently, 80 acres are zoned residential growth and the remaining acreage is zoned rural. We believe that this re-zoning will promote economic development and create jobs here in the county.

From our experience in working with The Arcland Group, we believe that they have demonstrated their commitment to responsible development in Jefferson County and will develop the property in a sustainable manner that will not negatively impact any other future economic opportunities on the property or in the vicinity.

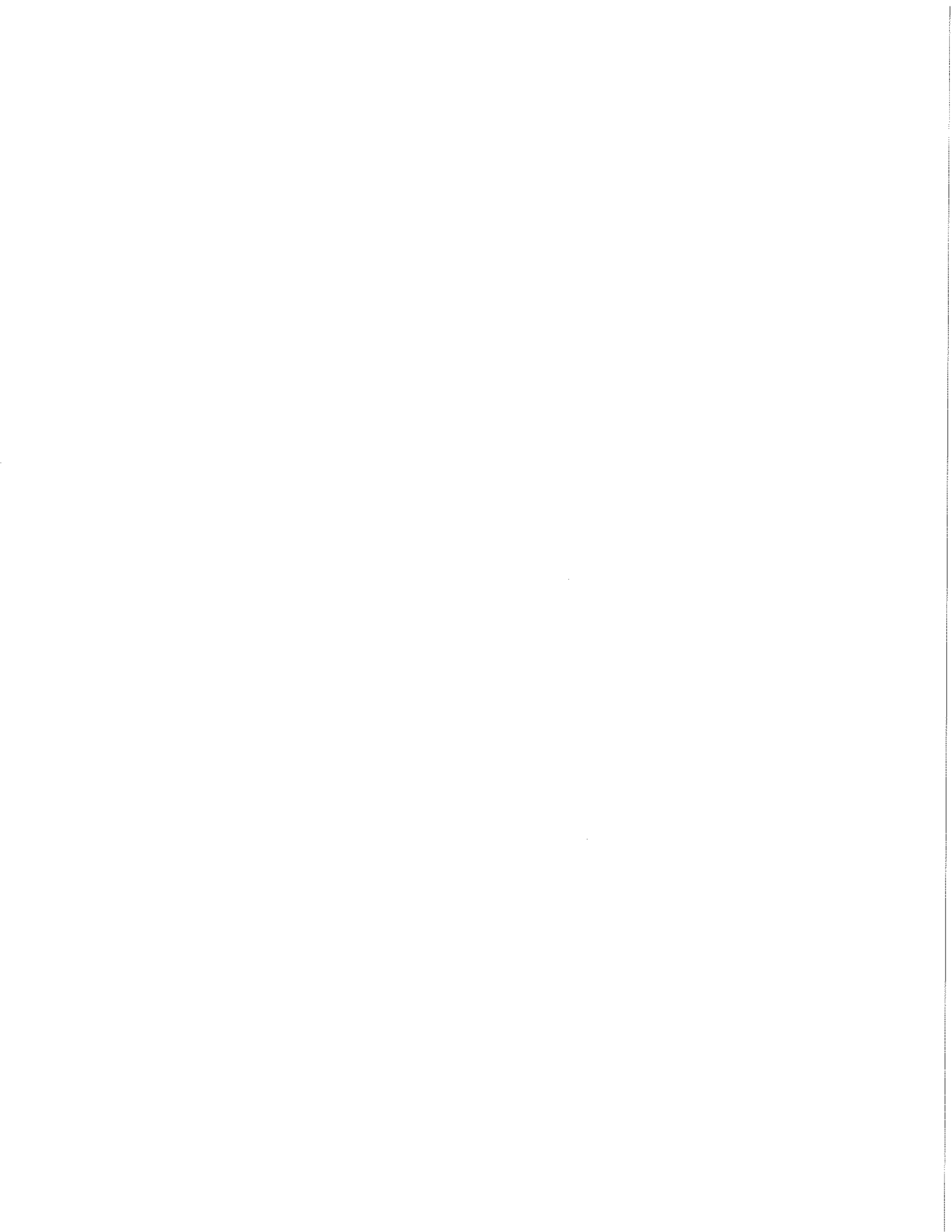
The JCDA believes that the zoning request is reasonable and appropriate given its consistency with the existing 2004 Jefferson County Comprehensive Plan and the Quarry Re-Development Area in the draft 2014 plan update. In addition, the property is in close proximity to other existing commercial enterprises along Rt. 340 and has access to major water and sewer infrastructure on the property.

In closing, I would like to add that the JCDA firmly believes that supporting local business development is crucial to the long-term economic prosperity of Jefferson County. Therefore, we strongly encourage the Jefferson County Planning Commission to look favorably upon this very reasonable request and grant the re-zoning of the Old Standard Property.

Thank you very much for your consideration and please do not hesitate to contact me if you have any questions.

With Best Regards,

John W. Reisenweber  
Executive Director



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 – 1<sup>st</sup> Choice: **April 2, 2015**

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

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

Subject (*Wording to be placed on agenda*): **Request approval of the Jefferson County Commission Ambulance Fee Privacy Policy and Credit Card Security Policies. Discussion/Action**

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

**These policies are needed to be PCI (Payment Card Industry) certified to be able to accept Credit Card payments for the Ambulance Fee.**

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

**I recommend that we accept as written the Jefferson County Ambulance Fee Privacy Policy and the Credit Card Security Policies.**

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

## **Jefferson County Commission-Ambulance Fee - Privacy Policy**

### **GENERAL**

Your privacy is important to us. This privacy policy is intended to give you confidence in the privacy and security of the personal information we obtain from you.

### **COLLECTION OF PERSONAL INFORMATION**

When you use our Website you may be asked for personally identifiable information such as your name, address, email address, telephone number, and Customer number.

By giving us such information, you will need to consent to our using it in the manner described in this policy.

### **USE OF PERSONAL INFORMATION**

We use personal information to allow us to process your payment and send out correspondence. Your information, whether public or private, will not be sold, exchanged, transferred, or given to any other company for any reason whatsoever, without your consent, other than for the expressed purpose of collection of your fee.

### **DISCLOSURE OF PERSONAL INFORMATION**

We may provide information about you to our employees and agents in order to administer any payment to your account.

We will not disclose your personal information to any third party. Should you breach our terms conditions or terms of use, we are under a duty to disclose or share your personal data in order to comply with any legal obligation, and we may disclose your information to a relevant authority. This may include exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction. Any disclosure of personal information will be strictly controlled and made fully in accordance with current U.S. law.

### **COOKIES**

Cookies are small data files that a website you visit may save on your computer or handheld device that usually includes an anonymous unique identifier. Our Website does not use cookies.

### **SECURITY**

We will always hold your information securely.

To prevent unauthorized disclosure or access to your information, we have implemented strong physical and electronic security safeguards.

### **POLICY CHANGES**

Changes in this policy will be posted on our Website. You are advised to check our Website regularly to view our most recent privacy policy.

# JEFFERSON COUNTY COMMISSION AMBULANCE FEE

## **Credit Card Security Policies** **PCI DSS 3.0**

Version 1.0 - March 16, 2015

### **CONFIDENTIAL INFORMATION**

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# Revision History

| Changes             | Approving Manager | Date    |
|---------------------|-------------------|---------|
| Initial Publication |                   | 3/16/15 |
|                     |                   |         |
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# INTRODUCTION AND SCOPE

## Introduction

This document explains Jefferson County's credit card security requirements as required by the Payment Card Industry Data Security Standard (PCI DSS) Program. Jefferson County Commission's management is committed to these security policies to protect information utilized by Jefferson County Commission in attaining its business goals. All employees are required to adhere to the policies described within this document.

## Scope of Compliance

The PCI requirements apply to all systems that store, process, or transmit cardholder data. Currently, Jefferson County Commission's cardholder environment consists only of limited payment applications (typically point-of-sale systems) connected to the internet, but does not include storage of cardholder data on any computer system.

Due to the limited nature of the in-scope environment, this document is intended to meet the PCI requirements as defined in Self-Assessment Questionnaire (SAQ) C, ver. 3.0, released February, 2014. Should Jefferson County Commission implement additional acceptance channels, add additional connected systems, begin storing cardholder data in electronic format, or otherwise become ineligible to validate compliance under SAQ C, it will be the responsibility of Jefferson County Commission to determine the appropriate compliance criteria and implement additional policies and controls as needed.

## Requirement 1: Build and Maintain a Secure Network

### Firewall Configuration

Firewalls must restrict connections between untrusted networks and any system in the cardholder data environment. An "untrusted network" is any network that is external to the networks belonging to the entity under review, and/or which is out of the entity's ability to control or manage. Access to the internet must be through a firewall, as must any direct connection to a vendor, processor, or service provider. (PCI Requirement 1.2)

Inbound and outbound traffic must be restricted by the firewalls to that which is necessary for the cardholder data environment. All other inbound and outbound traffic must be specifically denied. (PCI Requirement 1.2.1)

Perimeter firewalls must be installed between any wireless networks and the cardholder data environment. These firewalls must be configured to deny or control (if such traffic is necessary for business purposes) any traffic from the wireless environment into the cardholder data environment. (PCI Requirement 1.2.3)

Firewall configuration must prohibit direct public access between the Internet and any system component in the cardholder data environment as follows:

- Direct connections are prohibited for inbound and outbound traffic between the Internet and the cardholder data environment. (PCI Requirement 1.3.3)
- Outbound traffic from the cardholder data environment to the Internet must be explicitly authorized by management and controlled by the firewall. (PCI Requirement 1.3.5)
- Firewalls used to protect the cardholder data environment must implement stateful inspection, also known as dynamic packet filtering. (PCI Requirement 1.3.6)

Any mobile and/or employee-owned computers with direct connectivity the Internet (for example, laptops used by employees), which also have the ability to access the organization's cardholder data environment must have a local (personal) software firewall installed and active. This firewall must be configured to specific standards, and not alterable by mobile and/or employee-owned computer users. (PCI Requirement 1.4)

## Requirement 2: Do not use Vendor-Supplied Defaults for System Passwords and Other Security Parameters

## Vendor Defaults

Vendor-supplied defaults must always be changed before installing a system on the network. Examples of vendor-defaults include passwords, SNMP community strings, and elimination of unnecessary accounts. (PCI Requirement 2.1)

Default settings for wireless systems must be changed before implementation. Wireless environment defaults include, but are not limited to: (PCI Requirement 2.1.1)

- Default encryption keys
- Passwords
- SNMP community strings
- Default passwords/passphrases on access points
- Other security-related wireless vendor defaults as applicable

Firmware on wireless devices must be updated to support strong encryption (such as WPA or WPA2) for authentication and transmission of data over wireless networks.

## Configuration Standards for Systems

Configuration standards for all system components must be developed and enforced. Jefferson County Commission must insure that these standards address all known security vulnerabilities and are consistent with industry-accepted system hardening standards. (PCI Requirement 2.2)

Configuration standards must be updated as new vulnerability issues are identified, and they must be enforced on any new systems before they are added to the cardholder data environment. The standards must cover the following:

- Changing of all vendor-supplied defaults and elimination of unnecessary default accounts.
- Implementing only one primary function per server to prevent functions that require different security levels from co-existing on the same server. (PCI Requirement 2.2.1)
- Enabling only necessary services, protocols, daemons, etc., as required for the function of the system. (PCI Requirement 2.2.2)
- Implementing additional security features for any required services, protocols or daemons that are considered to be insecure. (PCI Requirement 2.2.3)
- Configuring system security parameters to prevent misuse
- Removing all unnecessary functionality, such as scripts, drivers, features, subsystems, file systems, and unnecessary web servers. (PCI Requirement 2.2.5)

System administrators and any other personnel that configure system components must be knowledgeable about common security parameter settings for those system components. They must also be responsible to insure that security parameter settings set appropriately on all system components before they enter production. (PCI Requirement 2.2.4)

System administrators are responsible to insure that security policies and operational procedures for managing vendor defaults and other security parameters are documented, in use, and known to all affected parties. (PCI Requirement 2.5)

## Non-Console Administrative Access

Credentials for non-console administrative access must be encrypted using technologies such as SSH, VPN, or SSL/TLS. Encryption technologies must include the following: (PCI Requirement 2.3)

- Must use strong cryptography, and the encryption method must be invoked before the administrator's password is requested.
- System services and parameter files must be configured to prevent the use of telnet and other insecure remote login commands.

- Must include administrator access to web-based management interfaces.
- Use vendor documentation and knowledge of personnel to verify that strong cryptography is in use for all non-console access and that for the technology in use it is implemented according to industry best practices and vendor recommendations.

## **Requirement 3: Protect Stored Cardholder Data**

### **Prohibited Data**

Processes must be in place to securely delete sensitive authentication data (defined below) post-authorization so that the data is unrecoverable. **(PCI Requirement 3.2)**

Payment systems must not store of sensitive authentication data in any form after authorization (even if encrypted). Sensitive authentication data is defined as the following:

- The full contents of any track data from the magnetic stripe (located on the back of a card, equivalent data contained on a chip, or elsewhere) are not stored under any circumstance. **(PCI Requirement 3.2.1)**
- The card verification code or value (three-digit or four-digit number printed on the front or back of a payment card) is not stored under any circumstance. **(PCI Requirement 3.2.2)**
- The personal identification number (PIN) or the encrypted PIN block are not stored under any circumstance. **(PCI Requirement 3.2.3)**

### **Displaying PAN**

Jefferson County Commission will mask the display of PANs (primary account numbers), and limit viewing of PANs to only those employees and other parties with a legitimate need. A properly masked number will show at most only the first six and the last four digits of the PAN. This requirement does not supersede stricter requirements in place for displays of cardholder data—for example, legal or payment card brand requirements for point-of-sale (POS) receipts. Policies and procedures for masking the display of PANs must mandate the following: **(PCI requirement 3.3)**

- A list of roles that need access to displays of full PAN is documented, together with a legitimate business need for each role to have such access.
- PAN must be masked when displayed such that only personnel with a legitimate business need can see the full PAN.
- All other roles not specifically authorized to see the full PAN must only see masked PANs.

## **Requirement 4: Encrypt Transmission of Cardholder Data Across Open, Public Networks**

### **Transmission of Cardholder Data**

In order to safeguard sensitive cardholder data during transmission over open, public networks, Jefferson County Commission will use strong cryptography and security protocols (for example, SSL/TLS, IPSEC, SSH, etc.). These controls will be implemented as follows: **(PCI Requirement 4.1)**

- Only trusted keys and certificates are accepted.
- The protocol in use only supports secure versions or configurations.
- The encryption strength is appropriate for the encryption methodology in use.

Industry best practices (for example, IEEE 802.11i) must be used to implement strong encryption for authentication and transmission for wireless networks transmitting cardholder data or connected to the cardholder

data environment. Weak encryption (for example, WEP, SSL version 2.0 or older) is not to be used as a security control for authentication or transmission. (PCI Requirement 4.1.1)

Sending unencrypted PANs by end-user messaging technologies is prohibited. Examples of end-user technologies include email, instant messaging and chat. (PCI requirement 4.2)

## **Requirement 5: use and Regularly Update Anti-Virus Software or Programs**

### **Anti-Virus Protection**

All systems, particularly personal computers and servers commonly affected by viruses, must have installed an anti-virus program which is capable of detecting, removing, and protecting against all know types of malicious software. (PCI Requirement 5.1, 5.1.1)

For systems considered to be not commonly affected by malicious software, Jefferson County Commission will perform periodic evaluations to identify and evaluate evolving malware threats in order to confirm whether such systems continue to not require anti-virus software. (PCI Requirement 5.1.2)

All anti-virus programs must be kept current through automatic updates, be actively running, be configured to run periodic scans, and be capable of as well as configured to generate audit logs. Anti-virus logs must also be retained in accordance with PCI requirement 10.7. (PCI Requirement 5.2)

Steps must be taken to insure that anti-virus mechanisms are actively running and cannot be disabled or altered by users, unless specifically authorized by management on a case-by-case basis for a limited time period. (PCI Requirement 5.3)

## **Requirement 6: Develop and Maintain Secure Systems and Applications**

### **Risk and Vulnerability**

Jefferson County Commission will establish a process to identify security vulnerabilities, using reputable outside sources for security vulnerability information, and assign a risk ranking (for example, as "high," "medium," or "low") to newly discovered security vulnerabilities.

Risk rankings are to be based on industry best practices as well as consideration of potential impact. For example, criteria for ranking vulnerabilities may include consideration of the CVSS base score, and/or the classification by the vendor, and/or type of systems affected. Methods for evaluating vulnerabilities and assigning risk ratings will vary based on an organization's environment and risk-assessment strategy. Risk rankings should, at a minimum, identify all vulnerabilities considered to be a "high risk" to the environment. In addition to the risk ranking, vulnerabilities may be considered "critical" if they pose an imminent threat to the environment, impact critical systems, and/or would result in a potential compromise if not addressed. Examples of critical systems may include security systems, public-facing devices and systems, databases, and other systems that store, process, or transmit cardholder data. (PCI Requirement 6.1)

All critical security patches must be installed with one month of release. This includes relevant patches for operating systems and all installed applications. All applicable non-critical vendor-supplied security patches are installed within an appropriate time frame (for example, within three months). (PCI Requirement 6.2)

## **Requirement 7: Restrict Access to Cardholder Data by Business Need to Know**

### **Limit Access to Cardholder Data**

Access to Jefferson County Commission's cardholder system components and data is limited to only those individuals whose jobs require such access. (PCI Requirement 7.1)

Access limitations must include the following:

Access rights for privileged user IDs must be restricted to the least privileges necessary to perform job responsibilities. (PCI Requirement 7.1.2)

Privileges must be assigned to individuals based on job classification and function (also called "role-based access control"). (PCI Requirement 7.1.3)

## **Requirement 8: Assign a Unique ID to Each Person with Computer Access**

### **Remote Access**

Two-factor authentication must be incorporated for remote access (network-level access originating from outside the network) to the network by employees, administrators, and third parties. (PCI Requirement 8.3)

### **Vendor Accounts**

All accounts used by vendors for remote maintenance shall be enabled only during the time period needed. Vendor remote access accounts must be monitored when in use. (PCI Requirement 8.1.5)

## **Requirement 9: Restrict Physical Access to Cardholder Data**

### **Physically Secure All Areas and Media Containing Cardholder Data**

All publicly accessible network jacks must have physical and/or logical controls to restrict access to the secure network by unauthorized personnel. (PCI requirement 9.1.2)

Hard copy materials containing confidential or sensitive information (e.g., paper receipts, paper reports, faxes, etc.) are subject to the following storage guidelines:

All media must be physically secured. (PCI requirement 9.5)

Strict control must be maintained over the internal or external distribution of any kind of media containing cardholder data. These controls shall include: (PCI Requirement 9.6)

- Media must be classified so the sensitivity of the data can be determined. (PCI Requirement 9.6.1)
- Media must be sent by a secure carrier or other delivery method that can be accurately tracked. (PCI Requirement 9.6.2)
- Management approval must be obtained prior to moving the media from the secured area. (PCI Requirement 9.6.3)

Strict control must be maintained over the storage and accessibility of media containing cardholder data. (PCI Requirement 9.7)

### **Destruction of Data**

All media containing cardholder data must be destroyed when no longer needed for business or legal reasons. (PCI requirement 9.8)

Hardcopy media must be destroyed by shredding, incineration or pulping so that cardholder data cannot be reconstructed. (PCI requirement 9.8.1.a)

Containers storing information waiting to be destroyed must be secured (locked) to prevent access to the contents by unauthorized personnel. (PCI requirement 9.8.1.b)

## Protection of Payment Devices

Devices that capture payment card data via direct physical interaction with the card (such as swipe readers and any other payment terminals) must be protected. This protection must include preventing the devices from being tampered with or substituted. (PCI requirement 9.9)

Jefferson County Commission must maintain an up-to-date list of devices. Employees shall be instructed to maintain the integrity and currency of the inventory. The list should include the following: (PCI requirement 9.9.1)

- Make and model of all devices.
- Location of each device (for example, the address of the site or facility where the device is located).
- Device serial number or other method of unique identification.

The payment devices must be periodically inspected. Check surfaces to detect tampering (for example, addition of card skimmers to devices). Checks must also be made that will detect substitution (for example, by checking the serial number or other device characteristics to verify it has not been swapped with a fraudulent device). (PCI requirement 9.9.2)

Employees and contractors who interact with the payment devices must be provided with training that enables them to be aware of attempted tampering or replacement of devices. Training should include the following: (PCI requirement 9.9.3)

- Employees must verify the identity of any third-party persons claiming to be repair or maintenance personnel prior to granting them access to modify or troubleshoot devices.
- Employees must be instructed not to install, replace, or return devices without verification from management. The inventory list (required previously) must be updated by the employee when device locations are changed or new devices are added.
- Employees need to be aware of suspicious behavior around devices (for example, attempts by unknown or unauthorized persons to unplug or open devices).
- Employees are not to send full credit card numbers over email or other insecure messaging technologies.
- Employees are to never leave the cash register and swipe machine unattended during business hours.

## Requirement 10: Regularly Monitor and Test Networks

### Audit Log Collection

Jefferson County Commission will implement technical controls that create audit trails in order to link all access to system components to an individual user. The automated audit trails created will capture sufficient detail to reconstruct the following events:

- All actions taken by any individual with root or administrative privileges. (PCI Requirement 10.2.2)
- All invalid logical access attempts (failed logins). (PCI Requirement 10.2.4)
- Any use of and changes to identification and authentication mechanisms—including but not limited to creation of new accounts and elevation of privileges—and all changes, additions, or deletions to accounts with root or administrative privileges. (PCI Requirement 10.2.5)

Jefferson County Commission's log generating and collecting solution will capture the following data elements for the above events:

- User identification. (PCI Requirement 10.3.1)
- Type of event. (PCI Requirement 10.3.2)
- Date and time. (PCI Requirement 10.3.3)
- Success or failure indication. (PCI Requirement 10.3.4)

- Origination of event. (PCI Requirement 10.3.5)
- Identity or name of affected data, system component, or resource. (PCI Requirement 10.3.6)

### **Audit Log Review**

Jefferson County Commission's systems administrators will perform daily review of the audit logs. This review may be manual or automated but must monitor for and evaluate: (PCI Requirement 10.6.1)

- All security events.
- Logs of all system components that store, process, or transmit CHD and/or SAD, or that could impact the security of CHD and/or SAD.
- Logs of all critical system components.
- Logs of all servers and system components that perform security functions (for example, firewalls, intrusion-detection systems/intrusion-prevention systems (IDS/IPS), authentication servers, e-commerce redirection servers, etc.).

The audit review must also check the logs of all other system components periodically based on the organization's policies and risk management strategy, as determined by the organization's annual risk assessment. (PCI Requirement 10.6.2)

Subsequent to log review, systems administrators or other responsible personnel will follow up exceptions and anomalies identified during the review process. (PCI Requirement 10.6.3)

Jefferson County Commission must retain audit trail history for at least one year, with a minimum of three months immediately available for analysis (for example, online, archived, or restorable from backup). (PCI Requirement 10.7)

## **Requirement 11: Regularly Test Security Systems and Processes**

### **Testing for Unauthorized Wireless Access Points**

At least quarterly, Jefferson County Commission will perform testing to ensure there are no unauthorized wireless access points (802.11) present in the cardholder environment. (PCI Requirement 11.1)

The methodology must be adequate to detect and identify any unauthorized wireless access points, including at least the following:

- WLAN cards inserted into system components.
- Portable or mobile devices attached to system components to create a wireless access point (for example, by USB, etc.).
- Wireless devices attached to a network port or network device.

To facilitate the detection process, Jefferson County Commission will maintain an inventory of authorized wireless access points including a documented business justification. (PCI Requirement 11.1.1)

If automated monitoring is utilized (for example, wireless IDS/IPS, NAC, etc.), the configuration must be capable of generating alerts to notify personnel. Detection of unauthorized wireless devices must be included in the Incident Response Plan (see PCI Requirement 12.10). (PCI Requirement 11.1.2)

### **Vulnerability Scanning**

At least quarterly, and after any significant changes in the network (such as new system component installations, changes in network topology, firewall rule modifications, product upgrades), Jefferson County Commission will perform vulnerability scanning on all in-scope systems. (PCI Requirement 11.2)

Internal vulnerability scans must be performed at a minimum quarterly and repeated until passing results are obtained, or until all "high" vulnerabilities as defined in PCI Requirement 6.1 are resolved. Scan reports must be retained for a minimum of a year. (PCI Requirement 11.2.1)

Quarterly external vulnerability scan results must satisfy the ASV Program guide requirements (for example, no vulnerabilities rated higher than a 4.0 by the CVSS and no automatic failures). External vulnerability scans must be performed by an Approved Scanning Vendor (ASV), approved by the Payment Card Industry Security Standards Council (PCI SSC). Scan reports must be retained for a minimum of a year. (PCI Requirement 11.2.2)

For both internal and external vulnerability scans, Jefferson County Commission shall perform rescans as needed to validate remediation of failures detected during previous scans, as well as after any significant change to the network. Scans must be performed and reviewed by qualified personnel. (PCI Requirement 11.2.3)

If segmentation is used to isolate the CDE from other networks, perform tests at least annually and after any changes to segmentation controls/methods to verify that the segmentation methods are operational and effective, and isolate all out-of-scope systems from in-scope systems. These tests need to be done from multiple locations on the internal network, checking both for improper accessibility from the out-of-scope zones to the in-scope zone as well as the reverse. (PCI Requirement 11.3.4)

For all in-scope systems for which it is technically possible, Jefferson County Commission must deploy a change-detection mechanism (for example, file-integrity monitoring tools) to alert personnel to unauthorized modification of critical system files, configuration files, or content files; and configure the software to perform critical file comparisons at least weekly. The change detection software must be integrated with the logging solution described above, and it must be capable of raising alerts to responsible personnel. (PCI Requirement 11.5.1)

For change-detection purposes, critical files are usually those that do not regularly change, but the modification of which could indicate a system compromise or risk of compromise. Change-detection mechanisms such as file-integrity monitoring products usually come pre-configured with critical files for the related operating system. Other critical files, such as those for custom applications, must be evaluated and defined by the entity (that is, the merchant or service provider). (PCI Requirement 11.5)

## **Requirement 12: Maintain a Policy that Addresses Information Security for Employees and Contractors**

### **Security Policy**

Jefferson County Commission shall establish, publish, maintain, and disseminate a security policy that addresses how the company will protect cardholder data. (PCI Requirement 12.1)

This policy must be reviewed at least annually, and must be updated as needed to reflect changes to business objectives or the risk environment. (PCI requirement 12.1.1)

### **Critical Technologies**

Jefferson County Commission shall establish usage policies for critical technologies (for example, remote-access technologies, wireless technologies, removable electronic media, laptops, tablets, personal data/digital assistants (PDAs), email, and internet usage. (PCI requirement 12.3)

These policies must include the following:

- Explicit approval by authorized parties to use the technologies. (PCI Requirement 12.3.1)
- Authentication for use of the technology. (PCI Requirement 12.3.2)
- A list of all such devices and personnel with access. (PCI Requirement 12.3.3)
- Acceptable uses of the technologies. (PCI Requirement 12.3.5)

- Acceptable network locations for the technologies. (PCI Requirement 12.3.6)
- Automatic disconnect of sessions for remote-access technologies after a specific period of inactivity. (PCI Requirement 12.3.8)
- Activation of remote-access technologies for vendors and business partners only when needed by vendors and business partners, with immediate deactivation after use. (PCI Requirement 12.3.9)

## Security Responsibilities

Jefferson County Commission's policies and procedures must clearly define information security responsibilities for all personnel. (PCI Requirement 12.4)

## Incident Response Policy

The County Administrator shall establish, document, and distribute security incident response and escalation procedures to ensure timely and effective handling of all situations. (PCI requirement 12.5.3)

## Incident Identification

Employees must be aware of their responsibilities in detecting security incidents to facilitate the incident response plan and procedures. All employees have the responsibility to assist in the incident response procedures within their particular areas of responsibility. Some examples of security incidents that an employee might recognize in their day to day activities include, but are not limited to,

- Theft, damage, or unauthorized access (e.g., papers missing from their desk, broken locks, missing log files, alert from a security guard, video evidence of a break-in or unscheduled/unauthorized physical entry).
- Fraud – Inaccurate information within databases, logs, files or paper records.

## Reporting an Incident

The County Administrator should be notified immediately of any suspected or real security incidents involving cardholder data:

Contact the County Administrator to report any suspected or actual incidents. The Internal Audit's phone number should be well known to all employees and should page someone during non-business hours.

No one should communicate with anyone outside of their supervisor(s) or the County Administrator about any details or generalities surrounding any suspected or actual incident. All communications with law enforcement or the public will be coordinated by the County Administrator.

Document any information you know while waiting for the County Administrator to respond to the incident. If known, this must include date, time, and the nature of the incident. Any information you can provide will aid in responding in an appropriate manner.

## Incident Response Policy (PCI requirement 12.10.1)

Responses can include or proceed through the following stages: identification, severity classification, containment, eradication, recovery and root cause analysis resulting in improvement of security controls.

Contain, Eradicate, Recover and perform Root Cause Analysis

1. Notify applicable card associations.

### Visa

Provide the compromised Visa accounts to Visa Fraud Control Group within ten (10) business days. For assistance, contact 1-(650)-432-2978. Account numbers must be securely sent to Visa as instructed by the Visa Fraud Control Group. It is critical that all potentially compromised accounts are provided. Visa will distribute the compromised Visa account numbers to issuers and ensure the confidentiality of entity

and non-public information. See Visa's "What to do if compromised" documentation for additional activities that must be performed. That documentation can be found at [http://usa.visa.com/download/business/accepting\\_visa/ops\\_risk\\_management/cisp\\_what\\_to\\_do\\_if\\_compromised.pdf](http://usa.visa.com/download/business/accepting_visa/ops_risk_management/cisp_what_to_do_if_compromised.pdf)

### **MasterCard**

Contact your merchant bank for specific details on what to do following a compromise. Details on the merchant bank (aka. the acquirer) can be found in the Merchant Manual at [http://www.mastercard.com/us/wce/PDF/12999\\_MERC-Entire\\_Manual.pdf](http://www.mastercard.com/us/wce/PDF/12999_MERC-Entire_Manual.pdf). Your merchant bank will assist when you call MasterCard at 1-(636)-722-4100.

### **Discover Card**

Contact your relationship manager or call the support line at 1-(800)-347-3083 for further guidance.

2.Alert all necessary parties. Be sure to notify:

- a. Merchant bank
- b. Local FBI Office
- c. U.S. Secret Service (if Visa payment data is compromised)
- d. Local authorities (if appropriate)

3.Perform an analysis of legal requirements for reporting compromises in every state where clients were affected. The following source of information must be used:  
<http://www.ncsl.org/programs/lis/cip/priv/breach.htm>

4.Collect and protect information associated with the intrusion. In the event that forensic investigation is required the County Administrator will work with legal and management to identify appropriate forensic specialists.

5.Eliminate the intruder's means of access and any related vulnerabilities.

6.Research potential risks related to or damage caused by intrusion method used.

### **Root Cause Analysis and Lessons Learned**

Not more than one week following the incident, members of the County Administrator and all affected parties will meet to review the results of any investigation to determine the root cause of the compromise and evaluate the effectiveness of the *Incident Response Plan*. Review other security controls to determine their appropriateness for the current risks. Any identified areas in which the plan, policy or security control can be made more effective or efficient, must be updated accordingly.

### **Security Awareness**

Jefferson County Commission shall establish and maintain a formal security awareness program to make all personnel aware of the importance of cardholder data security. (PCI Requirement 12.6)

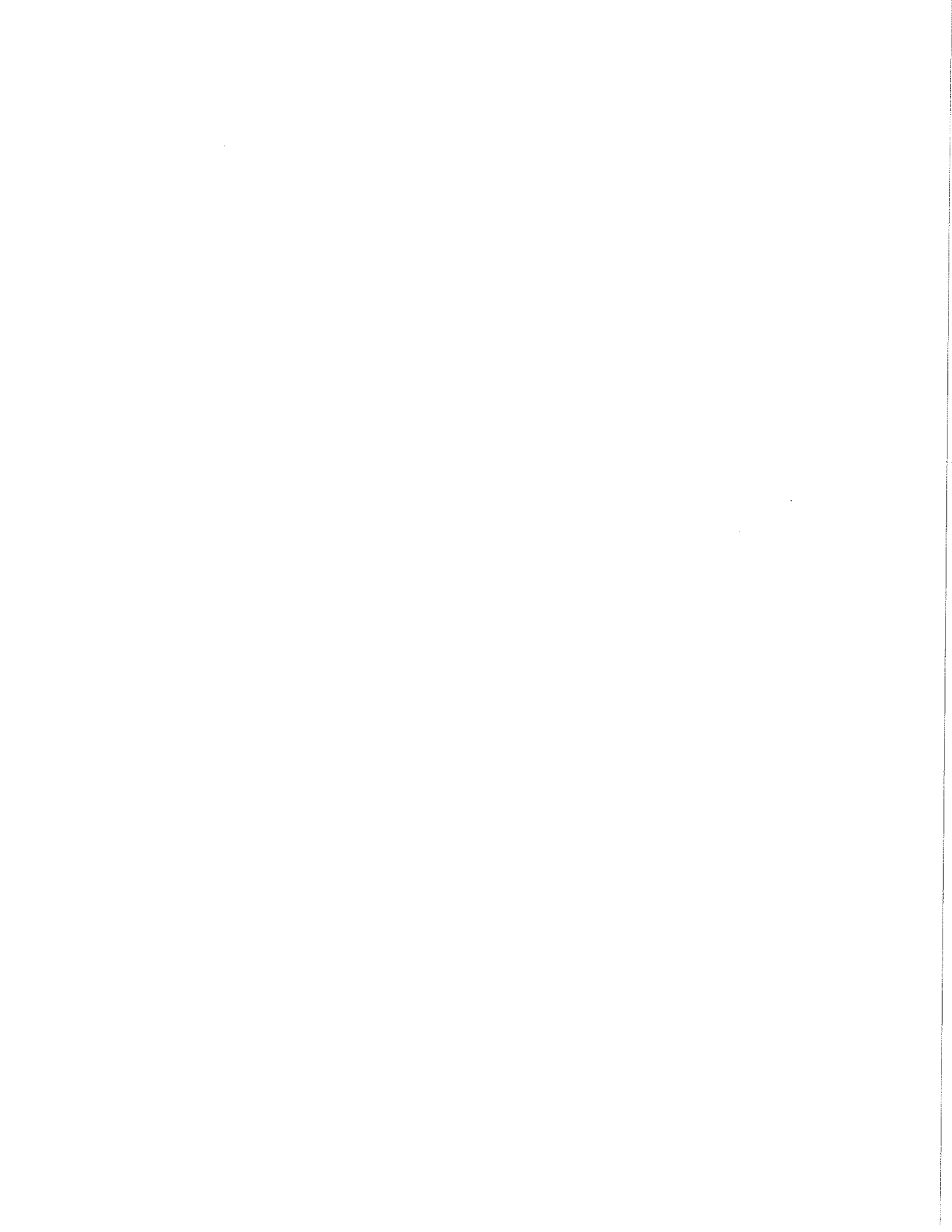
### **Service Providers**

Jefferson County Commission shall implement and maintain policies and procedures to manage service providers. (PCI requirement 12.8)

This process must include the following:

- Maintain a list of service providers. (PCI requirement 12.8.1)
- Maintain a written agreement that includes an acknowledgement that the service providers are responsible for the security of the cardholder data the service providers possess. (PCI requirement 12.8.2)
- Implement a process to perform proper due diligence prior to engaging a service provider. (PCI requirement 12.8.3)

- Monitor service providers' PCI DSS compliance status. (PCI requirement 12.8.4)
- Maintain information about which PCI DSS requirements are managed by each service provider, and which are managed by the entity. (PCI requirement 12.8.5)



**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://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 – 1<sup>st</sup> Choice: **April 2, 2015**

*If a specific date is needed, please provide reason for specific date:* [Click here to enter text.](#)

Date Requested – 2<sup>nd</sup> Choice: [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*): **Set Time to Lay the Levy on Tuesday, April 21 , 2015– 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?                \$

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

|  |
|--|
|  |
|--|

**JEFFERSON COUNTY, WEST VIRGINIA  
LEVY ORDER AND RATE SHEET  
REGULAR CURRENT EXPENSE LEVY  
2015 - 2016**

The following is a true copy from the record of orders entered by Jefferson County Commission on the 21st day of April, 2015.

Signature: Jennifer Maghan, County Clerk

|   | Column E<br>Certificate of Valuation<br>Assessed Value for Tax Purposes | Levy<br>Rate/\$100 | Taxes<br>Levied      |
|---|---|--------------------|----------------------|
| <b>Current Year</b>   |   |                    |                      |
| <b>Class I</b>  |   |                    |                      |
| Personal Property   | \$ _____  | 14.19              | \$ _____             |
| Public Utility  | _____   |                    | _____                |
| <b>Total Class I</b>  | \$ _____  |                    | \$ _____             |
| <b>Class II</b>   |   |                    |                      |
| Real Estate   | \$ 1,975,144,840  | 28.38              | \$ 5,605,461         |
| Personal Property   | 2,753,400   |                    | 7,814                |
| <b>Total Class II</b>   | \$ 1,977,898,240  |                    | \$ 5,613,275         |
| <b>Class III</b>  |   |                    |                      |
| Real Estate   | \$ 539,491,220  | 56.76              | \$ 3,062,152         |
| Personal Property   | 243,671,480   |                    | 1,383,079            |
| Public Utility  | 68,488,839  |                    | 388,743              |
| <b>Total Class III</b>  | \$ 851,651,539  |                    | \$ 4,833,974         |
| <b>Class IV</b>   |   |                    |                      |
| Real Estate   | \$ 278,999,950  | 56.76              | \$ 1,583,604         |
| Personal Property   | 66,734,500  |                    | 378,785              |
| Public Utility  | 31,256,194  |                    | 177,410              |
| <b>Total Class IV</b>   | \$ 376,990,644  |                    | \$ 2,139,799         |
| <b>Total Value &amp; Projected Revenue</b>  | \$ 3,206,540,423  |                    | \$ 12,587,048        |
| Less Delinquencies, Exonerations & Uncollectable Taxes  |   | 4.08% . . . . .    | 513,552              |
| Less Tax Discounts  |   | 1.92% . . . . .    | 231,811              |
| Less Allowance for Tax Increment Financing - see worksheet<br>(Subtracted from regular current expense taxes levied only) |   | . . . . .          | _____                |
| <b>Total Projected Property Tax Collection</b>  |   | . . . . .          | <b>11,841,685</b>    |
| Less Assessor Valuation Fund<br>(Subtracted from regular current expense taxes levied only)                               |   | 1.85% . . . . .    | 219,071              |
| <b>Net Amount to be Raised by Levy of Property Taxes<br/>For Budget Purposes</b>  |   |                    | <b>\$ 11,622,614</b> |

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://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 – 1<sup>st</sup> Choice: **April 2, 2015**

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

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

Subject (*Wording to be placed on agenda*): **Approval of Resolution and grant application – Jefferson County Solid Waste Authority – 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 Jefferson County Solid Waste Authority in the amount of \$2,500 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 2<sup>nd</sup> day of April, 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 M. 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 \$2,500. The funds from this project is for the purchase of equipment for the Roadside Litter, Open Burning and Open Dumping Enforcement Program for the Jefferson County Solid Waste Authority.

Dated: \_\_\_\_\_

\_\_\_\_\_  
JANE M. TABB  
PRESIDENT  
JEFFERSON COUNTY COMMISSION

ATTESTED: \_\_\_\_\_  
County Clerk

15LEDA0068

# Community Participation Grant Program

Fiscal Year 2015

Deadline: April 30, 2015

Grantee: Jefferson Co. Commission

Project Number: 15LEDA0068

Project Title: Jefferson County Solid Waste Authority - Roadside Litter, Amount: \$2,500

Open Burning and Open Dumping Enforcement Program  
Equipment

## Section 1: Grantee (Local Governing Agency)

|                        |                             |         |                     |
|------------------------|-----------------------------|---------|---------------------|
| GOVERNING AGENCY NAME: | Jefferson County Commission |         |                     |
| CONTACT PERSON:        | Sandy McDonald              | E-MAIL: | sandy@jefferson.com |
|                        |                             | PHONE:  | 304 728-3282        |

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

## Section 2: Subgrantee (Nonprofit Organization)

|                         |  |          |                       |
|-------------------------|--|----------|-----------------------|
| NONPROFIT ORGANIZATION: | Jefferson County Solid Waste Authority |          |                       |
| EXECUTIVE DIRECTOR:     | Billy Madert                           | E-MAIL:  | JCSWA@frontiernet.net |
| ADDRESS:                | Po Box 70                              | CITY:    | Ranson                |
|                         |  | ZIP:     | 25438                 |
| PHONE:                  | 304 725 8082                           | WEBSITE: | www.jcswa.com         |

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: |
| See attached            |
|                         |
|                         |
|                         |

## PROJECT LOCATION:

|  |
|--|
| OWNER OF PROJECT SITE, PROPERTY OR BUILDING:                                       |
| LOCATION AND ADDRESS WHERE GRANT FUNDS WILL BE USED (SUFFICIENT TO DRIVE TO SITE): |
| 332 Jefferson Orchard Rd Kearneysville WV 25430                                    |

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<br>GRANT, BANK LOAN,<br>FUNDRAISING, ETC. | STATUS<br>PENDING, APPROVED,<br>ONGOING, ETC. | DOCUMENTATION<br>LETTER, RESOLUTION,<br>ETC. |
|----------------------------------|--------------------|--|---|--|
| GRANT FUNDS REQUESTED            | \$2,500            |  |   |  |
| LOCAL FUNDS (10% REQUIRED MATCH) | \$ 261.55          | Direct Contribution                              | Approved                                      | Letter                                       |
| OTHER FUNDS                      | \$                 |  |   |  |
| OTHER FUNDS                      | \$                 |  |   |  |
| OTHER FUNDS                      | \$                 |  |   |  |
| <b>TOTAL PROJECT COST</b>        | <b>\$ 2,615.55</b> |  |   |  |

March 12, 2015

Grantee: Jefferson County Commission  
 Project Title: Jefferson County Solid Waste Authority –Roadside Litter,  
 Open Burning and Open Dumping Enforcement Program Equipment

**Project Details:**

The Jefferson County Solid Waste Authority, in cooperation with the West Virginia Department of Natural Resources, will use wireless game cameras to assist in the monitoring and enforcement of reported and/or suspected roadside dumps throughout Jefferson County, WV. For over 10 years “Litter Cameras” have played a key role in the successful enforcement of litter laws throughout West Virginia. Technological advancements over the years have created extremely mobile and powerful cameras that not only capture high quality images but also have the ability to communicate with each other. The Jefferson County Solid Waste Authority will use grant funds to purchase three (3) Outdoor Wireless Game Cameras. Grant funds will also be used to purchase memory cards and one year communication plans for the cameras. Communication plans will be purchased through a local wireless service provider, which allow the cameras to send photos directly to DNR officers via text message. With the addition of these cameras the Jefferson County Solid Waste Authority and the West Virginia Department of Natural Resources will be better equipped to enforce laws related to littering, prosecute those committing crimes and deter the use of illegal dump sites.

| <b>Grant Expenses</b>           |           |                 |
|---------------------------------|-----------|-----------------|
| Cameras                         | \$        | 391.61          |
| SD                              | \$        | 30.54           |
| Batteries                       | \$        | 149.70          |
| Data Plan                       | \$        | 300.00          |
| <b>Total for One Camera:</b>    | <b>\$</b> | <b>871.85</b>   |
| <b>Total for Three Cameras:</b> | <b>\$</b> | <b>2,615.55</b> |
| <b>Grant:</b>                   | <b>\$</b> | <b>2,500.00</b> |
| <b>Match:</b>                   | <b>\$</b> | <b>261.55</b>   |
| <b>Total Project:</b>           | <b>\$</b> | <b>2,615.55</b> |

*Physical Address:* 332 Jefferson Orchard Rd, Kearneysville, WV 25430

*Mailing Address:* P.O. Box 70, Ranson, WV 25438

*Phone:* 304.728.0430 • *Fax:* 304.728.3811 • *Email:* jcswa@frontiernet.net • *Web:* www.jcswa.com



March 12, 2015

Sandy Slusher McDonald  
Deputy County Administrator  
Jefferson County Commission  
124 East Washington Street  
PO Box 250  
Charles Town, WV 25414

This letter is to serve as documentation of the local funds match for the Fiscal Year 2015 Community Participation Grant Program.

The Jefferson County Solid Waste Authority is satisfying the match amount of \$261.55 USD with a direct contribution to the Community Participation Grant expenses.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Billy Madert', is written over a light blue horizontal line.

Billy Madert

Director  
Jefferson County Solid Waste Authority

This is a multi-state form. Not all states allow all exemptions listed on this form. Purchasers are responsible for knowing if they qualify to claim exemption from tax in the state that would otherwise be due tax on this sale. The seller may be required to provide this exemption certificate (or the data elements required on the form) to a state that would otherwise be due tax on this sale.

The purchaser will be held liable for any tax and interest, and possibly civil and criminal penalties imposed by the member state, if the purchaser is not eligible to claim this exemption. A seller may not accept a certificate of exemption for an entity-based exemption on a sale made at a location operated by the seller within the designated state if the state does not allow such an entity-based exemption.

1.  Check if you are attaching the Multi-state Supplemental form.  
  If not, enter the two-letter postal abbreviation for the state under whose laws you are claiming exemption.
2.  Check if this certificate is for a single purchase and enter the related invoice/purchase order # \_\_\_\_\_.

**3. Please print**

|  |      |  |                                |
|--|------|--|--------------------------------|
| Name of purchaser<br><b>Jefferson County Solid Waste Authority</b> |      |  |                                |
| Business Address<br><b>PO Box 70 Ranson</b>                        |      | City<br><b>Ranson</b>                          | State<br><b>WV</b>             |
|  |      | Zip Code<br><b>25438</b>                       |                                |
| Purchaser's Tax ID Number<br><b>55-0698785-001</b>                 |      | State of Issue<br><b>West Virginia</b>         | Country of Issue<br><b>USA</b> |
| If no Tax ID Number<br>Enter one of the following:                 | FEIN | Driver's License Number/State Issued ID Number | Foreign diplomat number        |
|  |      | State of Issue: Number                         |                                |
| Name of seller from whom you are purchasing, leasing or renting    |      |  |                                |
| Seller's address   |      | City   | State                          |
|  |      |  | Zip code                       |

**4. Type of business.** Circle the number that describes your business

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>01 Accommodation and food services</li> <li>02 Agricultural, forestry, fishing, hunting</li> <li>03 Construction</li> <li>04 Finance and insurance</li> <li>05 Information, publishing and communications</li> <li>06 Manufacturing</li> <li>07 Mining</li> <li>08 Real estate</li> <li>09 Rental and leasing</li> <li>10 Retail trade</li> </ul> | <ul style="list-style-type: none"> <li>11 Transportation and warehousing</li> <li>12 Utilities</li> <li>13 Wholesale trade</li> <li>14 Business services</li> <li>15 Professional services</li> <li>16 Education and health-care services</li> <li>17 Nonprofit organization</li> <li>18 Government</li> <li>19 Not a business</li> <li>20 Other (<i>explain</i>) _____</li> </ul> |
|--|--|

**5. Reason for exemption.** Circle the letter that identifies the reason for the exemption.

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>A Federal government (<i>department</i>) _____</li> <li>B State or local government (<i>name</i>) _____</li> <li>C Tribal government (<i>name</i>) _____</li> <li>D Foreign diplomat # _____</li> <li>E Charitable organization # _____</li> <li>F Religious or educational organization # _____</li> <li>G Resale # _____</li> </ul> | <ul style="list-style-type: none"> <li>H Agricultural production # _____</li> <li>I Industrial production/manufacturing # _____</li> <li>J Direct pay permit # _____</li> <li>K Direct mail # _____</li> <li>L Other (<i>explain</i>) _____</li> </ul> |
|--|--|

**6. Sign here.** I declare that the information on this certificate is correct and complete to the best of my knowledge and belief.

|                                   |                 |       |      |
|-----------------------------------|-----------------|-------|------|
| Signature of Authorized Purchaser | Print Name Here | Title | Date |
| William Madert                    | Director        |       |      |

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://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 – 1<sup>st</sup> Choice: **April 2, 2015**

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

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

Subject (*Wording to be placed on agenda*): **Approval of Resolution and grant application – Good Shepherd Interfaith Volunteer Caregivers – 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 Good Shepherd Interfaith Volunteer Caregivers in the amount of \$4,000 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 2<sup>nd</sup> day of April, 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 M. 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 \$4,000. The funds from this project is for the purchase of equipment for Good Shepherd Interfaith Volunteer Caregivers.

Dated: \_\_\_\_\_

\_\_\_\_\_  
JANE M. TABB  
PRESIDENT  
JEFFERSON COUNTY COMMISSION

15LEDA0065

**Community Participation Grant Program**  
Fiscal Year 2015

Deadline: April 30, 2015

Grantee: Jefferson Co. Commission  
Project Title: Good Shepherd Interfaith Volunteer Caregivers –  
Capital Improvements

Project Number: 15LEDA0065  
Amount: \$4,000

**Section 1: Grantee (Local Governing Agency)**

|                        |  |         |                 |
|------------------------|--|---------|-----------------|
| GOVERNING AGENCY NAME: | Jefferson County Commission countywv.org |         |                 |
| CONTACT PERSON:        | Sandy Middel                             | E-MAIL: | Sandy@jefferson |
|                        |  | PHONE:  | 304-728-3284    |

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

**Section 2: Subgrantee (Nonprofit Organization)**

|                         |                          |          |                          |
|-------------------------|--------------------------|----------|--------------------------|
| NONPROFIT ORGANIZATION: | Good Shepherd Caregivers |          |                          |
| EXECUTIVE DIRECTOR:     | Paula Martone Reese      | E-MAIL:  | Director@gsivc.org       |
| ADDRESS:                | PO Box 1882              | CITY:    | Shepherdstown ZIP: 25443 |
| PHONE:                  | 304-876-3325             | WEBSITE: | WWW.GSIVC.ORG            |

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:   |
| Contracting work to change home residence to a business<br>computer software, copy machine, computer,<br>telephone for land line. equipment |

**PROJECT LOCATION:**

|  |                                      |
|--|--------------------------------------|
| OWNER OF PROJECT SITE, PROPERTY OR BUILDING:                                       | 7311 Martinsburg Pike, Shepherdstown |
| LOCATION AND ADDRESS WHERE GRANT FUNDS WILL BE USED (SUFFICIENT TO DRIVE TO SITE): | ii                                   |

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<br>GRANT, BANK LOAN,<br>FUNDRAISING, ETC. | STATUS<br>PENDING, APPROVED,<br>ONGOING, ETC. | DOCUMENTATION<br>LETTER, RESOLUTION,<br>ETC. |
|----------------------------------|---------|--|---|--|
| GRANT FUNDS REQUESTED            | \$4,000 |  |   |  |
| LOCAL FUNDS (10% REQUIRED MATCH) | \$ 400  |  |   |  |
| OTHER FUNDS                      | \$      |  |   |  |
| OTHER FUNDS                      | \$      |  |   |  |
| OTHER FUNDS                      | \$      |  |   |  |
| TOTAL PROJECT COST               | \$ 4400 |  |   |  |

Grantee: Jefferson Co. Commission  
Project Title: Good Shepherd Interfaith Volunteer Caregivers - Capital Improvements

Project Number: 15LEDA0065  
Amount: \$4,000

### Section 5: Assurances and Signature

The Grantee hereby assures the State that it and any Subgrantee(s) shall comply with the following laws, regulations, policies, and requirements:

1. The Grantee will perform the work for which the grant was made as determined by the State.
2. The Grantee will start work on the project before the end of the fiscal year in which the grant award is made.
3. The Grantee will comply with the equal employment provision of Titles VI and VII of the 1964 Civil Rights Act and Presidential Executive orders 11246 and 11375 in its hiring practices for work to be performed using grant funds.
4. The Grantee will solicit competitive bids on any major work element exceeding \$2,500 in cost as per West Virginia Purchasing Division procedures outlined in Section 3 of the Purchasing Division handbook, authorized by the WV Code of State Rules Title 148 Series 1.
5. The Grantee will comply with the provisions of the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A for all contracts, involving, but not limited to, construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work necessary for the undertaking and completion of the project, regardless of the source of funds utilized to pay such construction contracts. Bids for such contracts shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions of West Virginia Code §59-3.
6. The Grantee will pay State prevailing wage rates on contract construction unless federal funds are included in the project, in which case, the higher of the State's or Davis-Bacon wage rates will be paid on all contract construction.
7. The Grantee shall obtain professional services, such as consulting, through a request for proposals. Architectural or engineering services shall be pursued in accordance with West Virginia Code §5G.
8. The Grantee assures no costs will be incurred or commitments made relative to a grant prior to the approval of this grant and execution of a contract with the State of West Virginia.
9. The Grantee assures project sites and buildings will be publicly owned or owned by a federally certified nonprofit organization. The use of grant funds at/for private property or private gain is prohibited.
10. The Grantee assures that any part of the project to be occupied by the general public will be made accessible to the handicapped.
11. The Grantee assures that any permits, licenses, or other requirements of particular State or Federal agencies necessary for the project's design, construction, or operation will be secured.
12. The Grantee will not subgrant any of the grant funds received to any of its officials or employees or the members of their families or to employees of the WVDEO or members of the State Legislature in any contracts awarded for work to be performed.
13. The Grantee will maintain and have available for inspection on written request by the State all records kept on the project including bid documents, copies of all contracts, contractors' payrolls, time sheets, and invoices. The Grantee further assures the State that it will schedule an audit of any grant funds to be included in its annual audit as performed by the State Tax Department.
14. The Grantee assures that it has the legal authority to apply for this grant, commit any local matching shares, authorize the person signing the grant to act as an agent for the grantee and abide by the assurances described in section 5 of this application.
15. As the grantee, the county or municipality will act as the administrator of any grant funds provided to nonprofit organizations and will maintain fiduciary responsibility for the expenditure of funds.

Grantee: Jefferson Co. Commission

Project Title: Good Shepherd Interfaith Volunteer Caregivers - Capital Improvements

Project Number: 15LEDA0065

Amount: \$4,000

No application will be processed without the following documentation:

- Application with Original Signature
- Resolution by Unit of Local Government
- Documentation of Local Match (Minimum 10 Percent)
- Current IRS 501(c) Determination Letter - Required for Nonprofit Organizations
- Current Certificate of Existence/Authorization from WV Secretary of State - Required for Nonprofit Organizations
- Deed to Project Site - Required If Property is Not Publicly Owned

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 grantee and any subgrantee will comply with the regulations, policies, guidelines and requirements outlined by the State of West Virginia and in Section 5 of this application. If the recipient is a nonprofit organization, the county or municipality certifies that this nonprofit organization is legally authorized to receive public funds.

Name: Jane M. Tabb Title: President

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Mayor or County Commission President  
ORIGINAL SIGNATURE REQUIRED-USE BLUE INK

Name: Paula Marrone Reese Title: Executive Director

Signature: Paula Marrone Reese Date: 3-16-2015  
Executive Director, Nonprofit Organization  
ORIGINAL SIGNATURE REQUIRED-USE BLUE INK

West Virginia Development Office  
Community Development Division  
Community Participation Grant Program  
1900 Kanawha Boulevard, East Building 6, Room 553  
Charleston, West Virginia 25305  
Phone: 304-558-4010 Fax: 304-558-2246  
[www.wvcommerce.org](http://www.wvcommerce.org)

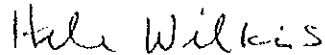
West Virginia  
USA

March 19, 2015

Dear Paula,

It is our pleasure to offer Good Shepherd Interfaith Volunteer Caregiver the local 10 % match of \$400 towards your Community Partnership Grant from Senator John Unger. We appreciate the good work that your agency does in serving the aging and disabled residents in Jefferson County. It is our pleasure to assist you non-profit.

With Kind Regard,

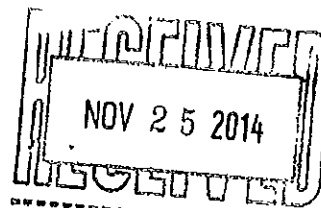
A handwritten signature in cursive script that reads "Helen Wilkins".

Helen & Harry Wilkins



**Natalie E. Tennant**  
Secretary of State  
State of West Virginia

Office of the Secretary of State  
Building 1, Suite 157-K  
1900 Kanawha Blvd., East  
Charleston, West Virginia 25305



Telephone: (304) 558-6000  
Toll Free: 1-866-SOS-VOTE  
Fax: (304) 558-0900  
www.wvsos.com

November 21, 2014

Paula Marrone-Reese, Executive Director  
Good Shepherd Interfaith Volunteer Caregivers  
P.O. Box 1882  
Shepherdstown, WV 25443

Dear Ms. Marrone-Reese:


I am pleased to inform you that the registration statement, fifteen dollar (\$15) registration fee, and supporting documents to renew the registration for Good Shepherd Interfaith Volunteer Caregivers as a charitable organization have been received and filed in my office, and are now a matter of public record.

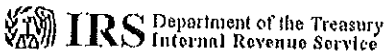
Please keep in mind that a renewal registration will need to be received on or before September 15, 2015, and that all documents required to complete the charitable registration should be received by the expiration date. If, by chance, all documents are not received, we will send you a friendly reminder and may review a brief extension period as a matter of courtesy. However, if you are aware that you will require additional time, you must request an extension, which is a one time only, nonrenewable, 90-day extension. Unfortunately, without this request, the law requires a twenty-five dollar (\$25) late filing fee for each month or part of a month thereof.

In addition, the acceptance of your application for registration does not imply endorsement, nor waive the authority of this office to monitor the operation of your charitable organization, your solicitation materials, or your professional fund-raising counsel or solicitor.

Congratulations to your entire organization on the renewal of your registration. Please know that the Secretary of State's office is truly the "People's Office" and that we are here to assist you at any time, for any reason.

Best Wishes,

  
Natalie E. Tennant  
Secretary of State



P.O. Box 2508  
Cincinnati OH 45201

In reply refer to: 0752857837  
Nov. 28, 2014 LTR 4168C 0  
55-0697743 000000 00

00019399  
BODC: TE

GOOD SHEPHERD INTERFAITH VOLUNTEER  
CAREGIVERS INC  
PO BOX 1882  
SHEPHERDSTOWN WV 25443-1882

11/28/14

5512

Employer Identification Number: 55-0697743  
Person to Contact: Customer Service  
Toll Free Telephone Number: 1-877-829-5500

Dear GOOD SHEPHERD INTERFAITH:

This is in response to your Nov. 18, 2014, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in December 1990.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website [www.irs.gov/eo](http://www.irs.gov/eo) for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

Date Recorded 09/01/2010  
Document Type DEED  
Book-Page 1003-536  
Recording Fee \$11.00  
Transfer Tax \$734.00  
HB4331 Tax \$367.40  
Additional \$25.00

THIS DEED, made and entered into this August 27<sup>th</sup>, 2010, by and among John B. Sheridan and Joan E. Sheridan, parties of the first part and hereinafter referred to as GRANTORS, and Good Shepherd Interfaith Volunteer Caregivers, Inc., a West Virginia corporation, party of the second part and hereinafter referred to as GRANTEE.

WITNESSETH: That for and in consideration of the sum of One Hundred Sixty-Seven Thousand and 00/100 Dollars (\$167,000.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the said Grantors do hereby grant, bargain, sell, and convey, and by these presents have granted, bargained, sold, and conveyed, unto the said Grantee, in fee simple, with covenants of general warranty, all of the following-described realty, together with its improvements and appurtenances, situate, lying and being in Shepherdstown District, Jefferson County, West Virginia, and more particularly described as follows:

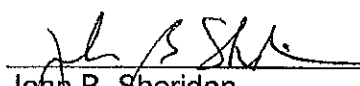
All of Lot 29, Section A of Mecklenburg Heights Subdivision as the same is designated and described on a plat made by John Kusner, Surveyor, dated September 1, 1969, and recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Plat Book 1, at page 35.

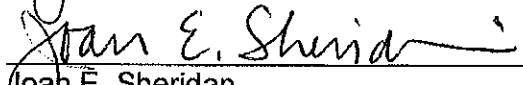
AND BEING the same real estate conveyed to Grantors by Deed dated June 30<sup>th</sup>, 2006, from Robert E. Rose, Jr., et ux., and recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Deed Book 1025, at Page 402.

This conveyance is made subject to and together with agreements, covenants, conditions, easements, rights, rights-of-way and restrictions of record; including, but not limited to those found in the aforesaid Clerk's office in Deed Book 382, at Page 171.

#### DECLARATION OF CONSIDERATION OR VALUE

The undersigned Grantors hereby declare, under penalty of fine and imprisonment as provided by law, that the total value or consideration paid for the realty conveyed herein is \$167,000.00.

  
\_\_\_\_\_  
John B. Sheridan

  
\_\_\_\_\_  
Joan E. Sheridan

STATE OF Kansas  
COUNTY OF Lyon, to-wit:

Acknowledged before me this August 27, 2010, by John B. Sheridan and Joan E. Sheridan.

Affix notarial seal DENISE BRITTON  
STATE OF KANSAS  
My Appt. Exp. 1/21/2011

Denise Britton  
Notary Public

My commission expires 1/21/2011

This document prepared by Randall R. Conrad, II, Esquire, THE CONRAD LAW FIRM, L.C., 55 Meridian Parkway, Suite 103, P.O. Box 738, Martinsburg, WV 25402-0738. (File #26250) After recording, return to Grantee at P.O. Box 1882, Shepherdstown, WV 25443.

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://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 – 1<sup>st</sup> Choice: **April 2, 2015**

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

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

Subject (*Wording to be placed on agenda*): **Approval of Agreement – Xerox Government Systems, Inc.– Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information:  
**Will provide the functionality within Xerox Finance 400 to enter vouchers under one vendor ID and issue the payment check to a second vendor ID (PCard payment to United Bank) and reporting options are included allowing the user to produce the standard Account Payable reports by either the original vendor or the payee**

Is this a funding request?    Y/N  
If so, how much?                **\$ 1,595.00**

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):  
**Motion to approve the Agreement and to have legal counsel review and to authorize the President to affix her signature to the appropriate document**

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**

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



March 20, 2015

MP10623

Mr. Tim Stanton  
Finance Director  
County Commission of Jefferson County  
100 E. Washington St  
Charles Town, WV 25414  
304-724-8425 / 304-725-7916  
[tstanton@jeffersoncountywv.org](mailto:tstanton@jeffersoncountywv.org)

Randy Spillman  
Project Manager  
PACE Systems and Services  
Local Government Solutions -  
Americas

Xerox Government Systems, LLC  
2025 Leestown Road Suite A-1  
Lexington, KY 40511

[randy.spillman@xerox.com](mailto:randy.spillman@xerox.com)  
tel 320.257.1403

Dear Mr. Stanton:

Thank you for the opportunity to present this agreement for the services specified below. This letter will constitute our agreement after you have signed it and returned it to me. The letter outlines the scope of services to be provided, the expected completion date, fees to be paid, and the terms of payment. All future communication regarding this agreement should refer to the MP number as noted in the top left-hand corner of this page.

### Entities

County Commission of Jefferson County (WV), further referred to in this document as "Customer"

Xerox Government Systems, Inc., further referred to in this document as "Xerox"

**Please review the agreement carefully.** We cannot guarantee that these services will be the only services necessary to accomplish your objectives, but we have based this agreement upon our understanding of your requirements at this time. If, subsequently, it is determined that additional services are necessary, those will be proposed and quoted separately. By accepting this agreement, you acknowledge that the services outlined below will satisfy your requirements, as they are now understood.

All work performed under this agreement is separate and distinct from all software applications, subsystems, modifications, or any other software applications obtained from Xerox. Xerox does not assume responsibility for integrating the proposed work with prior or future modifications, updates, corrections, or new program releases unless described below in the Scope of Services. Any such integration work must be quoted separately.

Xerox retains ownership and all rights to code authored as a result of this agreement. No other party shall have the right to copy code developed under this agreement, except to make backups. No other party shall have the right to provide access to code developed under this agreement to any other party without the written consent of Xerox.

If you have any questions or concerns regarding this agreement, please do not hesitate to contact me.

Sincerely,

*W. Randy Spillman*  
W. Randy Spillman, PMP

### **Scope of Services**

Services to be provided under this agreement are as follows:

To provide the functionality within Xerox Finance.400 to enter vouchers under one vendor ID and issue the payment check to a second vendor ID (such as a credit card company), commonly referred to as the West Virginia P-Card system. Reporting options are included allowing the user to produce the standard Accounts Payable reports by either the original vendor or the payee vendor as well as to produce a report of all vouchers with a payee vendor who is not the original vendor (see Attachment A).

### **Professional Fees**

The fee to provide the foregoing Scope of Services is: **\$1,595.00.**

Any special shipping and handling costs, if applicable, will be charged at actual cost in addition to these amounts. **If, subsequently, it is determined, for any reason, that the cost will exceed this amount, work will be suspended until the amount exceeding the foregoing amount has been approved by the client.**

### **Payment Terms**

Xerox will provide you with an invoice upon completion of these services. Any such invoices shall be payable by client within 30 days of the invoice date. Any past due invoices will incur a finance charge of 1.5% monthly, or 18% per year. Client shall be responsible for the payment of any and all applicable taxes, fees or assessments imposed by a government entity (excluding taxes on income, capital stock or personal property belonging to Xerox) with respect to the services provided, or the payments made hereunder.

### **Expected Completion Date**

We expect the services outlined above to be completed within 90 days from the date Xerox receives the signed agreement. We will make every effort to assure timely completion of the project. If it proves necessary to gain additional information from you in order to meet the schedule, it will be very important to have your support and attention. Moreover, any delay, obstruction, or hindrance by client, which materially affects the ability of Xerox to perform its obligations under this Agreement, will excuse an equivalent delay by Xerox in the performance of its obligations under this Agreement.

### **Support Services**

Xerox will provide toll-free telephone assistance and program defect correction on modified programs (as described in the Scope of Services) for 30 days from the date the completed work is delivered to the customer. After that time we may, at our discretion, provide additional support on a contract or hourly fee basis.

### **Warranty**

Xerox warrants that the services provided hereunder will be performed in a professional and workmanlike manner. EXCEPT AS SPECIFICALLY PROVIDED HEREIN, THERE ARE NO WARRANTIES EXPRESSED OR IMPLIED, INCLUDING BUT NOT LIMITED TO, ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

**Limit of Liability**

XEROX AND THE CLIENT ACKNOWLEDGE AND AGREE THAT IN NO EVENT WILL ANY LIABILITY BY XEROX IN CONNECTION WITH THE SERVICES PROVIDED UNDER THIS AGREEMENT, OR ANY OTHER MATTER RELATING TO THIS AGREEMENT (EXCEPT FOR LIABILITY FOR PERSONAL INJURY, LOSS OF LIFE OR DAMAGE TO TANGIBLE PERSONAL PROPERTY ARISING OUT OF NEGLIGENCE OR INTENTIONAL ACTS BY XEROX, WHICH SHALL NOT BE SUBJECT TO A DOLLAR LIMIT), EXCEED THE AMOUNT ACTUALLY PAID TO XEROX BY THE CLIENT UNDER THIS AGREEMENT, AND XEROX WILL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, INCLUDING WITHOUT LIMITATION LOSS OF PROFITS, LOSS OF DATA, AND LOSS OF REVENUES, EVEN IF INFORMED OF THE POSSIBILITY THEREOF IN ADVANCE. THESE LIMITATIONS APPLY TO ALL CAUSES OF ACTION IN THE AGGREGATE, INCLUDING WITHOUT LIMITATION BREACH OF CONTRACT, BREACH OF WARRANTY, NEGLIGENCE ON THE PART OF XEROX, STRICT LIABILITY, MISREPRESENTATION, AND OTHER CAUSES OF ACTION BASED ON SIMILAR LEGAL THEORIES.

**Acceptance**

By signing and returning this agreement to Xerox within 90 days, the client agrees to accept this agreement. If not accepted by that time, the agreement shall be void and non-binding.

**Client Approval:**

I/We accept the terms and conditions of this agreement:

Organization: \_\_\_\_\_

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

Name: \_\_\_\_\_  
(type or print)

Title: \_\_\_\_\_

**Approval: Xerox Government Systems, LLC**

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

Name: John L. Hlavac

Title: Director

Attachment A: List of Available Accounts Payable Reports

|  |  |
|--|--|
| BA031M   | BUDGETING / ACCOUNTING<br>Print Accounts Payable Reports |
| Select one of the following:                             |  |
| 1. Print Vendor Analysis Report                          |  |
| 2. Print Cash Requirements Report                        |  |
| 3. Print Held Vouchers Report                            |  |
| 4. Print Open Payables by Fund Report                    |  |
| 5. Print Vouchers Payable History Report                 |  |
| 6. Print Cash Requirements Report-By Payee Vendor        |  |
| 7. Print Held Vouchers Report-By Payee Vendor            |  |
| 8. Print Open Payables by Fund Report-By Payee Vendor    |  |
| 9. Print Vouchers Payable History Report-By Payee Vendor |  |
| 20. Print Credit Card Voucher Report                     |  |
| Selection or command<br>===>                             |  |

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



Name: Curtis Sharp

Department or Organization: **Keep Jefferson Beautiful**

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: **April 2, 2015**

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

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

Subject (*Wording to be placed on agenda*): **Request to use the County Commission meeting room on Wednesday, April 29, 2015 from 7-8:30 pm to promote the Adopt a Highway Program**

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: April 29, 2015  
Meeting Time: ~~7:00PM~~ <sup>6:30</sup> to 8:30PM  
Organization Name: Keep Jefferson Beautiful  
Purpose of Meeting: Promote Adopt A Highway Program

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 - *some years back*  
 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): Curtis Sharp

Signature of Person Making Request: *Curtis Sharp* Date: March 25 2015

Contact Person: \_\_\_\_\_

(If other than the representative signing above)

Representative's Address: \_\_\_\_\_

321 Acorn Circle, Harpers Ferry WV 25423

Telephone: 304-876-3189 Fax: \_\_\_\_\_

E-mail:

curtissharp@netscape.com

## **Keep Jefferson Beautiful**

Keep Jefferson Beautiful was formed in April 1997 when a group of concerned citizens decided to support and augment the on-going voluntary and public efforts to control litter in Jefferson County. Keep Jefferson Beautiful is an all volunteer organization with the express purpose of promoting and supporting programs leading to the elimination of trash and litter in Jefferson County.

### ***Keep Jefferson Beautiful Goals***

- Promote specific programs leading to the elimination of trash and litter.
- Identify and eliminate open-dumps and hazardous abandoned buildings.
- Lessen the burdens of government responsibility for trash and litter control.
- Educate and encourage citizens to keep Jefferson beautiful.
- Preserve Jefferson County's scenic beauty.

### ***Activities***

#### **Adopt-A-Highway'**

Keep Jefferson Beautiful works closely with the Department of Environmental Protection (DEP), Division of Natural Resources and Division of Highways on this important program by recruiting additional individuals and groups to adopt highways in Jefferson County.

#### **Hot Spots**

Keep Jefferson Beautiful identifies open dumps and hazardous abandoned buildings and assists, as appropriate, with coordination of public and private efforts to clean up these sites.

#### **Education**

Keep Jefferson Beautiful works with DEP and the county schools to promote public awareness of the need to properly dispose of solid and hazardous waste. Public Service Announcements in newspaper articles and on radio and television are used to remind citizens of their civic responsibility and the importance of a clean environment.

#### **Community Service**

Keep Jefferson Beautiful cooperates with the Jefferson County judiciary, and law enforcement by identifying and monitoring the worst hot spots for cleanup by individuals who agree to perform community service.



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

Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **April 2, 2015**

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

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

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

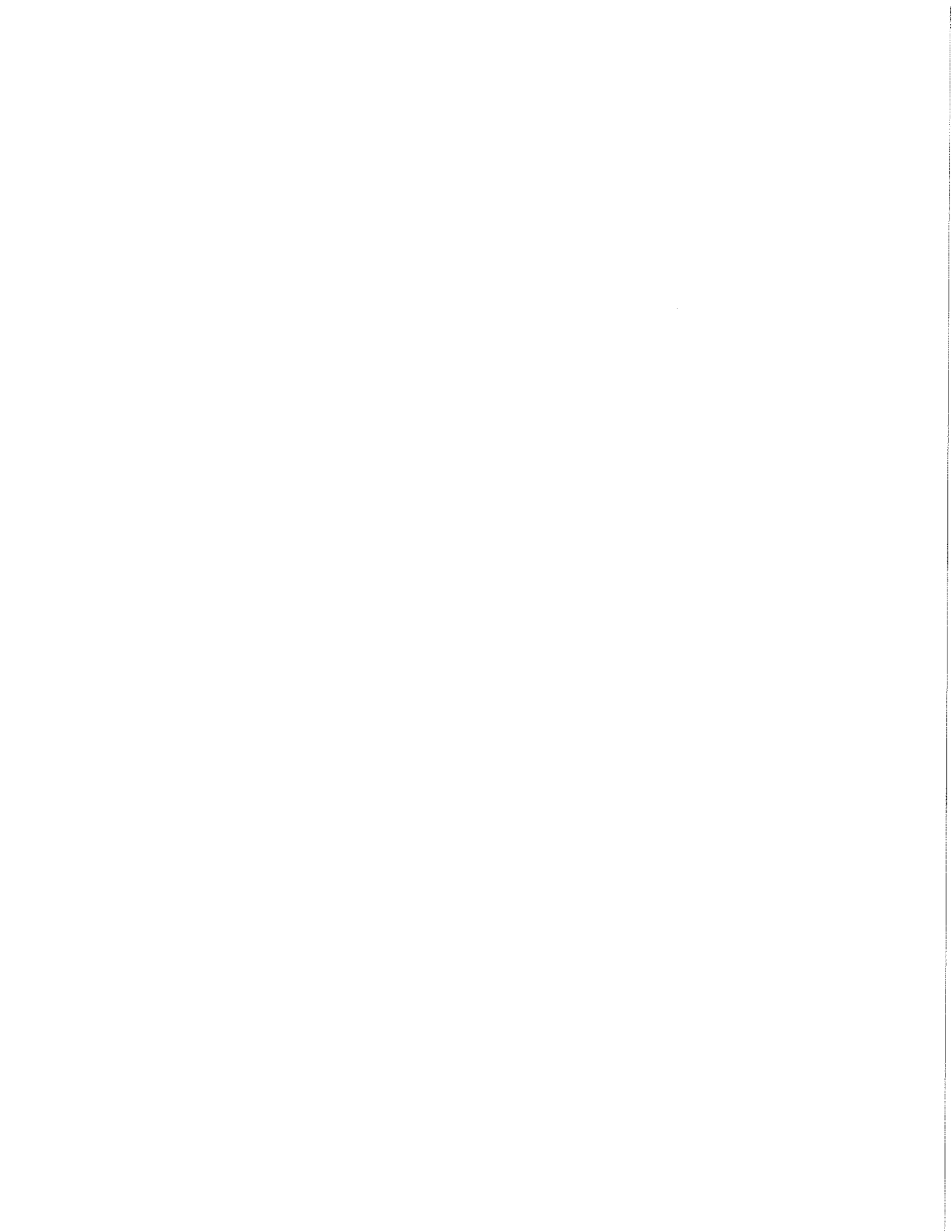
Telephone for conference call Y/N Click here to enter text.

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



Name: Tim Stanton, Finance Director

Department or Organization: County Commission




Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1<sup>st</sup> Choice: March 19, 2015

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

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

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:

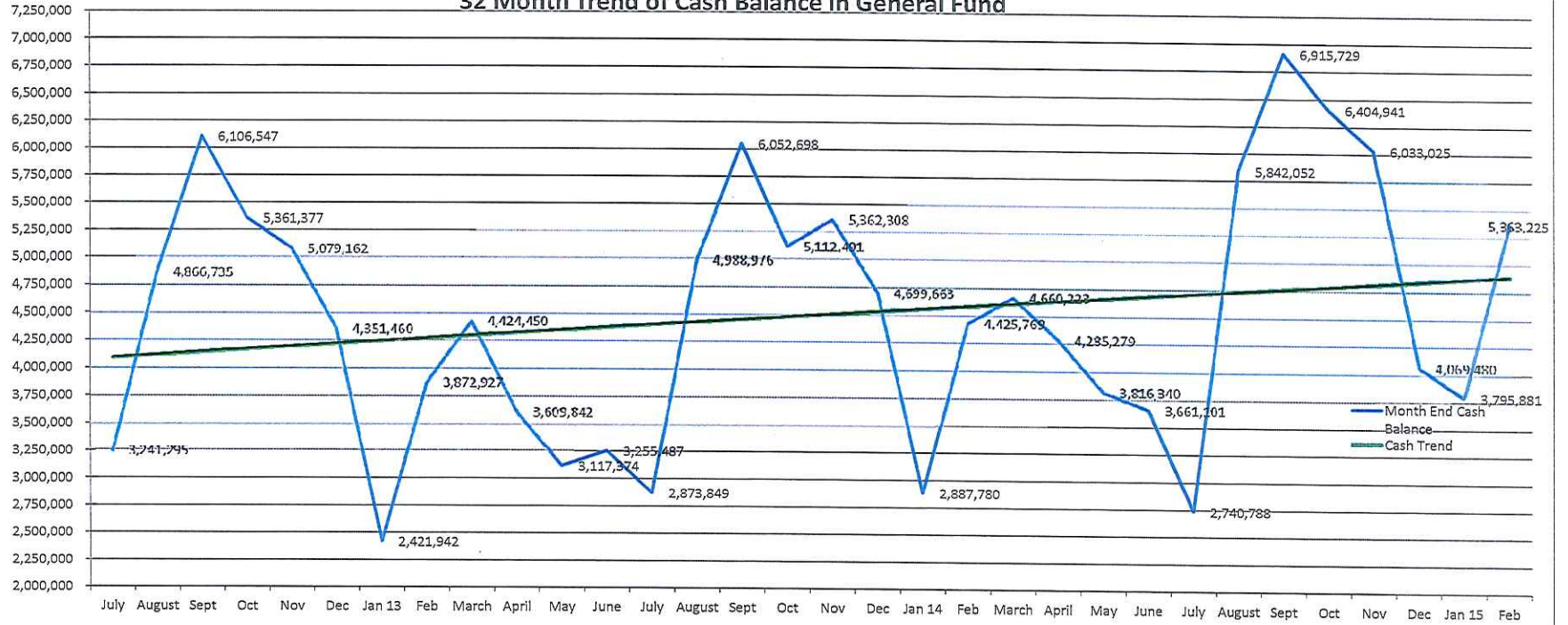
Email address: Click here to enter text. Phone Number: Click here to enter text.

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

None

# Review of Cash

### 32 Month Trend of Cash Balance in General Fund



Capital Outlay Fund  
 Updated 2/28/15

|  |    |           |
|--|----|-----------|
| Cash and Investments as of 2/28/15   | \$ | 4,316,892 |
| CAD amount remaining to be paid  | \$ | 27,822    |
| Shepherdstown Bike Path (cost overrun)   | \$ | 30,000    |
| JCESA Mortgage 10/2015   | \$ | 81,000    |
| County Matching Funds for 12th Cycle<br>Courthouse Grant. Approved 10/2/14<br>by Commissioners | \$ | 250,000   |
| Emergency Reserve  | \$ | 2,000,000 |
| Funds available less approved items  | \$ | 1,928,070 |
|  |    |           |
| Hunter House Renovation  | \$ | 125,000   |
| Mason Bldg elevator  | \$ | 250,000   |
| Assessor Renovations   | \$ | 75,000    |
| Tax Office Renovations   | \$ | 150,000   |
| Possible pending items (unapproved)  | \$ | 600,000   |
| Net Balance  | \$ | 1,328,070 |

Approved

Possible Pending items discussed by Commissioners

Committed under Commissioner approved policy number 307

Listing of Cash Balances by Fund as of February 28, 2015

| Fund           | Discription                  | Balance    |
|----------------|------------------------------|------------|
| 001            | General Operating            | 5,363,225  |
| 002            | Coal Severance               | 113,557    |
| 003            | Dog & Kennel                 | 29,849     |
| 004            | General School               | 21,146     |
| 005            | Magistrate Court             | 6,198      |
| 006            | Worthless Check              | 28,768     |
| 008            | Home Confinement             | 9,843      |
| 009            | Federal Grants               | -          |
| 010            | State Grant                  | 30,096     |
| 023            | Flood Mitigation             | 34,958     |
| 039            | Waste Coal                   | 8,338      |
| 056            | Assessor Valuation           | 594,812    |
| 057            | Farmland Protection          | 1          |
| 059            | Concealed Weapons            | 53,810     |
| 063            | Voter Registration           | 92         |
| 074            | Drug Forfeiture              | 6,469      |
| 075            | Sub Division Bond Forfeiture | 172        |
| 077            | Teen Court                   | 810        |
| 244            | Bardane Public Health Center | 93,906     |
| 246            | Capital Outlay               | 4,316,892  |
| 247            | Parks Land Fund              | -          |
| 249            | Impact Fees                  | 2,201,472  |
| 315            | State Police                 | 60         |
| 369            | Deputy Sheriff Retire        | <u>1</u>   |
| Cash all Funds |                              | 12,914,475 |

**Budget to Actual by  
Object Code as of  
February 28, 2015**

FY15 Revenue and Expenditure  
 Compiled March 16, 2015  
 Expenditures by Object Code

|                               | FY15 budget       | FY15 actual<br>as of 2/28/15 | Variance<br><br>(unfavorable) | % Rec'd/Exp  |
|-------------------------------|-------------------|------------------------------|-------------------------------|--------------|
| <b>Revenue</b>                |                   |                              |                               |              |
| Taxes                         | 12,059,566        | 9,776,920                    | (2,282,646)                   | 81.07        |
| Tax Penalties                 | 301,220           | 223,024                      | (78,196)                      | 74.04        |
| Property Transfer             | 468,000           | 401,181                      | (66,819)                      | 85.72        |
| Gas/oil                       | 81,957            | 81,957                       | -                             | 100.00       |
| Horse Racing                  | 14,219            | 8,240                        | (5,979)                       | 57.95        |
| Wine Liquor                   | 25,433            | 27,049                       | 1,616                         | 106.35       |
| Hotel Occupancy               | 520,000           | 414,130                      | (105,870)                     | 79.64        |
| Decal fees                    | 75                | 26                           | (49)                          | 34.67        |
| Bldg Permits                  | 170,000           | 141,805                      | (28,195)                      | 83.41        |
| Misc Permits                  | 150               | 128                          | (22)                          | 85.33        |
| Grants                        | 121,000           | 131,022                      | 10,022                        | 108.28       |
| Payment in lieu of taxes      | 11,676            | 11,676                       | -                             | 100.00       |
| Sheriff Service Process       | 18,000            | 12,375                       | (5,625)                       | 68.75        |
| Sheriff Earnings              | 28,000            | 19,744                       | (8,256)                       | 70.51        |
| Clerk Earnings                | 206,500           | 114,136                      | (92,364)                      | 55.27        |
| Circuit Clerk Earnings        | 65,183            | 38,246                       | (26,937)                      | 58.67        |
| Prosecuting Earnings          | 1,129             | 933                          | (196)                         | 82.64        |
| Accident reports              | 3,500             | 2,740                        | (760)                         | 78.29        |
| Map Sales                     | 4,200             | 1,655                        | (2,545)                       | 39.40        |
| Rent                          | 47,175            | 24,075                       | (23,100)                      | 51.03        |
| Ambulance Fee                 | 600,000           | 375,000                      | (225,000)                     | 62.50        |
| 911 Fees                      | 1,885,058         | 1,045,272                    | (839,786)                     | 55.45        |
| Franchise Agreements          | 402,796           | 317,551                      | (85,245)                      | 78.84        |
| IRP fees                      | 10,140            | 5,141                        | (4,999)                       | 50.70        |
| Jail fees                     | 96,912            | 96,912                       | -                             | 100.00       |
| Interest                      | 17,273            | 16,365                       | (908)                         | 94.74        |
| Misc revenue                  | 50                | 152                          | 102                           | 304.00       |
| Sheriff Commission            | 12,000            | 11,619                       | (381)                         | 96.83        |
| Table Games                   | 943,444           | 596,025                      | (347,419)                     | 63.18        |
| Video Lottery                 | 3,224,793         | 2,331,922                    | (892,871)                     | 72.31        |
| Reimbursements                | 313,583           | 170,469                      | (143,114)                     | 54.36        |
| General School Reimbursements | 264,000           | 156,164                      | (107,836)                     | 59.15        |
| Trns Assessor Val fund        | 494,949           | -                            | (494,949)                     | -            |
| <b>Total Revenue</b>          | <b>22,411,981</b> | <b>16,553,654</b>            | <b>(5,858,327)</b>            | <b>73.86</b> |

FY15 Revenue and Expenditure  
 Compiled March 16, 2015  
 Expenditures by Object Code

|                                 | FY15 budget       | FY15 actual<br>as of 2/28/15 | Variance<br><br>(unfavorable) | % Rec'd/Exp  |
|---------------------------------|-------------------|------------------------------|-------------------------------|--------------|
| <b>Expenditures</b>             |                   |                              |                               |              |
| Salaries                        | 9,800,361         | 6,275,314                    | 3,525,047                     | 64.03        |
| FICA                            | 751,229           | 490,303                      | 260,926                       | 65.27        |
| Health Insurance                | 2,011,682         | 1,220,804                    | 790,878                       | 60.69        |
| Retirement                      | 1,288,435         | 856,271                      | 432,164                       | 66.46        |
| Telephone                       | 238,298           | 138,093                      | 100,205                       | 57.95        |
| Printing                        | 24,019            | 4,893                        | 19,126                        | 20.37        |
| Utilities                       | 291,700           | 166,206                      | 125,494                       | 56.98        |
| Travel                          | 56,969            | 21,728                       | 35,241                        | 38.14        |
| Bldg Repairs                    | 70,000            | 21,261                       | 48,739                        | 30.37        |
| Equip Repairs                   | 200,908           | 103,372                      | 97,536                        | 51.45        |
| Auto Repairs                    | 8,000             | 1,051                        | 6,949                         | 13.14        |
| Postage                         | 111,411           | 100,956                      | 10,455                        | 90.62        |
| Equipment Rent                  | 139,600           | 93,065                       | 46,535                        | 66.67        |
| Ads/Legal Publications          | 48,926            | 19,599                       | 29,327                        | 40.06        |
| Training                        | 54,955            | 13,810                       | 41,145                        | 25.13        |
| Dues                            | 83,975            | 45,917                       | 38,058                        | 54.68        |
| Professional Services           | 257,202           | 116,472                      | 140,730                       | 45.28        |
| Audit Costs                     | 35,000            | 34,600                       | 400                           | 98.86        |
| Bonds/Workers Comp              | 440,369           | 260,254                      | 180,115                       | 59.10        |
| Sheriff Court Costs             | 1,000             | -                            | 1,000                         | -            |
| Contracted Services             | 404,090           | 185,630                      | 218,460                       | 45.94        |
| Ambulance Fee Remittance        | 600,000           | 375,000                      | 225,000                       | 62.50        |
| Bank Charges                    | 500               | 130                          | 370                           | 26.00        |
| Retired Insurance Prem          | 81,103            | 57,931                       | 23,172                        | 71.43        |
| Materials/supplies              | 400,604           | 182,588                      | 218,016                       | 45.58        |
| Record Books                    | 8,350             | 5,189                        | 3,161                         | 62.14        |
| Vehilce Fuel                    | 229,750           | 108,701                      | 121,049                       | 47.31        |
| Jail Costs                      | 1,100,000         | 888,407                      | 211,593                       | 80.76        |
| Uniforms                        | 40,875            | 13,074                       | 27,801                        | 31.99        |
| State Computer                  | 57,875            | 14,261                       | 43,614                        | 24.64        |
| Computer Software               | 11,500            | 1,357                        | 10,143                        | 11.80        |
| Computer Hardware               | 70,500            | 20,366                       | 50,134                        | 28.89        |
| Tech Support                    | 121,250           | 36,172                       | 85,078                        | 29.83        |
| Tech Fees & Lic                 | 57,945            | 31,811                       | 26,134                        | 54.90        |
| Contributions to other entities | 2,993,949         | 2,338,618                    | 655,331                       | 78.11        |
| Contingency                     | 319,651           | -                            | 319,651                       | -            |
| <b>Total Expenditures</b>       | <b>22,411,981</b> | <b>14,243,204</b>            | <b>8,168,777</b>              | <b>63.55</b> |
| <br>Net                         | <br>-             | <br>2,310,450                |                               |              |

**Budget to Actual by  
Department as of  
February 28, 2015**

FY15 Revenue and Expenditure  
 Compiled March 16, 2015  
 Expenditures by Department

|                               | FY15 budget       | FY14 actual<br>as of 2/28/14 | FY15 actual<br>as of 2/28/15 | Variance<br><br>(unfavorable) | % Rec'd/Exp  |
|-------------------------------|-------------------|------------------------------|------------------------------|-------------------------------|--------------|
| <b>Revenue</b>                |                   |                              |                              |                               |              |
| Taxes                         | 12,059,566        | 9,441,400                    | 9,776,920                    | (2,282,646)                   | 81.07        |
| Tax Penalties                 | 301,220           | 239,075                      | 223,024                      | (78,196)                      | 74.04        |
| Property Transfer             | 468,000           | 1,051,862                    | 401,181                      | (66,819)                      | 85.72        |
| Gas/oil                       | 81,957            | 5,294                        | 81,957                       | -                             | 100.00       |
| Horse Racing                  | 14,219            | 8,845                        | 8,240                        | (5,979)                       | 57.95        |
| Wine Liquor                   | 25,433            | 22,172                       | 27,049                       | 1,616                         | 106.35       |
| Hotel Occupancy               | 520,000           | 346,953                      | 414,130                      | (105,870)                     | 79.64        |
| Decal fees                    | 75                | 42                           | 26                           | (49)                          | 34.67        |
| Bldg Permits                  | 170,000           | 45,065                       | 141,805                      | (28,195)                      | 83.41        |
| Misc Permits                  | 150               | 102                          | 128                          | (22)                          | 85.33        |
| Grants                        | 121,000           | 155,568                      | 131,022                      | 10,022                        | 108.28       |
| Payment in lieu of taxes      | 11,676            | 9,949                        | 11,676                       | -                             | 100.00       |
| Sheriff Service Process       | 18,000            | 9,625                        | 12,375                       | (5,625)                       | 68.75        |
| Sheriff Earnings              | 28,000            | 15,651                       | 19,744                       | (8,256)                       | 70.51        |
| Clerk Earnings                | 206,500           | 129,660                      | 114,136                      | (92,364)                      | 55.27        |
| Circuit Clerk Earnings        | 65,183            | 38,023                       | 38,246                       | (26,937)                      | 58.67        |
| Prosecuting Earnings          | 1,129             | 659                          | 933                          | (196)                         | 82.64        |
| Accident reports              | 3,500             | 2,330                        | 2,740                        | (760)                         | 78.29        |
| Map Sales                     | 4,200             | 2,557                        | 1,655                        | (2,545)                       | 39.40        |
| Rent                          | 47,175            | 31,962                       | 24,075                       | (23,100)                      | 51.03        |
| Ambulance Fees                | 600,000           | -                            | 375,000                      | (225,000)                     | 62.50        |
| 911 Fees                      | 1,885,058         | 976,736                      | 1,045,272                    | (839,786)                     | 55.45        |
| Franshise Agreements          | 402,796           | 300,200                      | 317,551                      | (85,245)                      | 78.84        |
| IRP fees                      | 10,140            | 6,134                        | 5,141                        | (4,999)                       | 50.70        |
| Jail fees                     | 96,912            | 85,651                       | 96,912                       | -                             | 100.00       |
| Interest                      | 17,273            | 10,466                       | 16,365                       | (908)                         | 94.74        |
| Misc revenue                  | 50                | 184                          | 152                          | 102                           | 304.00       |
| Sheriff Commission            | 12,000            | 11,738                       | 11,619                       | (381)                         | 96.83        |
| Table Games                   | 943,444           | 713,127                      | 596,025                      | (347,419)                     | 63.18        |
| Video Lottery                 | 3,224,793         | 2,435,231                    | 2,331,922                    | (892,871)                     | 72.31        |
| Reimbursements                | 313,583           | 297,481                      | 170,469                      | (143,114)                     | 54.36        |
| Trans from other funds        | -                 | 1,764                        | -                            | -                             | #DIV/0!      |
| General School Reimbursements | 264,000           | 167,912                      | 156,164                      | (107,836)                     | 59.15        |
| Trns Assessor Val fund        | 494,949           | -                            | -                            | (494,949)                     | -            |
| <b>Total Revenue</b>          | <b>22,411,981</b> | <b>16,563,418</b>            | <b>16,553,654</b>            | <b>(5,858,327)</b>            | <b>73.86</b> |
| <b>Expenditures</b>           |                   |                              |                              |                               |              |
| Commission                    | 1,704,450         | 1,133,329                    | 1,045,706                    | 658,744                       | 61.35        |
| County Clerk                  | 858,405           | 528,714                      | 464,281                      | 394,124                       | 54.09        |
| Circuit Clerk                 | 684,454           | 446,323                      | 410,387                      | 274,067                       | 59.96        |
| Treasurer                     | 617,390           | 417,695                      | 399,839                      | 217,551                       | 64.76        |
| Prosecuting Attny             | 1,810,398         | 1,234,610                    | 1,146,570                    | 663,828                       | 63.33        |
| Assessor                      | 550,090           | 383,376                      | 363,783                      | 186,307                       | 66.13        |
| Assessor AVF                  | 494,949           | 327,174                      | 300,009                      | 194,940                       | 60.61        |
| Statewide Computer            | 57,075            | 40,146                       | 14,261                       | 42,814                        | 24.99        |
| Agricultural Agent            | 128,222           | 90,177                       | 76,607                       | 51,615                        | 59.75        |

FY15 Revenue and Expenditure  
 Compiled March 16, 2015  
 Expenditures by Department

|                           | FY15 budget       | FY14 actual<br>as of 2/28/14 | FY15 actual<br>as of 2/28/15 | Variance<br><br>(unfavorable) | % Rec'd/Exp  |
|---------------------------|-------------------|------------------------------|------------------------------|-------------------------------|--------------|
| Elections                 | 284,240           | 100,587                      | 201,077                      | 83,163                        | 70.74        |
| Magistrate Court          | 1,000             | 682                          | 581                          | 419                           | 58.10        |
| Courthouse (Maintenance)  | 1,128,469         | 851,040                      | 723,843                      | 404,626                       | 64.14        |
| Other Buildings           | 649,750           | 403,302                      | 349,301                      | 300,449                       | 53.76        |
| Data Processing           | 335,003           | 155,108                      | 152,718                      | 182,285                       | 45.59        |
| Regional Dev Authority    | 19,795            | 19,794                       | 19,794                       | 1                             | 99.99        |
| Economic Development      | 448,017           | 314,889                      | 322,406                      | 125,611                       | 71.96        |
| GIS                       | 242,947           | 166,784                      | 151,358                      | 91,589                        | 62.30        |
| Planning                  | 394,833           | 321,700                      | 219,869                      | 174,964                       | 55.69        |
| Engineering               | 746,637           | 507,405                      | 477,797                      | 268,840                       | 63.99        |
| Zoning                    | 71,338            | 52,851                       | 46,383                       | 24,955                        | 65.02        |
| Transfer to other Funds   | -                 | 6,250                        | -                            | -                             | #DIV/0!      |
| Contingency               | 319,651           | -                            | -                            | 319,651                       | -            |
| Law Enforcement           | 3,491,075         | 2,454,222                    | 2,185,144                    | 1,305,931                     | 62.59        |
| Service of Process        | 18,000            | 17,206                       | 3,198                        | 14,802                        | 17.77        |
| Regional Jail             | 1,100,000         | 778,531                      | 888,407                      | 211,593                       | 80.76        |
| Emergency Services        | 269,635           | 158,814                      | 149,348                      | 120,287                       | 55.39        |
| Communication Center      | 2,001,437         | 1,386,642                    | 1,260,394                    | 741,043                       | 62.97        |
| Fire Depts                | 373,625           | -                            | 286,875                      | 86,750                        | 76.78        |
| JCESA                     | 1,297,562         | 1,648,290                    | 1,085,672                    | 211,890                       | 83.67        |
| Ambulance Fees Remittance | 600,000           | -                            | 375,000                      | 225,000                       | 62.50        |
| Animal Control            | 335,644           | 217,901                      | 200,309                      | 135,335                       | 59.68        |
| Central Garage            | 352,786           | 214,361                      | 166,558                      | 186,228                       | 47.21        |
| Parks and Recs            | 493,529           | 386,916                      | 360,248                      | 133,281                       | 72.99        |
| Arts and Humanities       | 10,400            | 14,886                       | 7,670                        | 2,730                         | 73.75        |
| Historical Commission     | 15,400            | 14,886                       | 11,357                       | 4,043                         | 73.75        |
| Visitors Center           | 260,000           | 186,074                      | 191,748                      | 68,252                        | 73.75        |
| Library                   | 234,000           | 187,200                      | 175,500                      | 58,500                        | 75.00        |
| Public Transportation     | 10,275            | 6,850                        | 7,706                        | 2,569                         | 75.00        |
| Waste Authority           | 1,500             | -                            | 1,500                        | -                             | 100.00       |
| Clerk Capital Equip       | -                 | 23,155                       | -                            | -                             | -            |
| <b>Total Expenditures</b> | <b>22,411,981</b> | <b>15,197,870</b>            | <b>14,243,204</b>            | <b>8,168,777</b>              | <b>63.55</b> |
| Net                       | -                 | 1,365,548                    | 2,310,450                    |                               |              |

FY15 Budget Variances  
 As of February 28, 2015

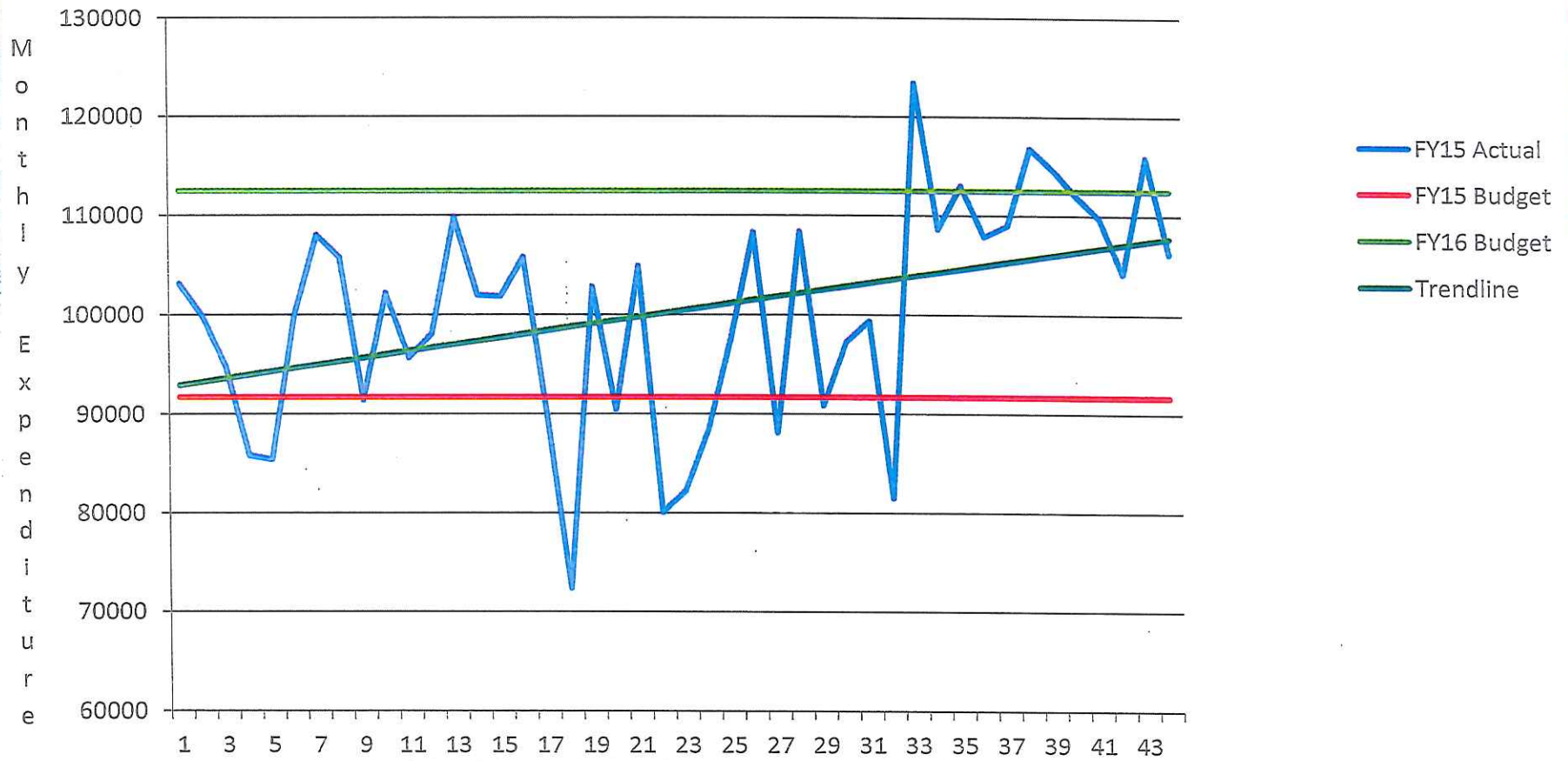
(unfavorable)

|                                   |                                 |                  |                                      |
|-----------------------------------|---------------------------------|------------------|--------------------------------------|
| 001-308-OT-000                    | Wine & Liquor Tax               | 15,000           | Based on actual to budget            |
| 001-304-OT-000                    | Property Tax Transfers          | 133,000          | Based on actual to budget            |
| 001-318-LP-000                    | Building Permits                | 42,000           | Based on actual to budget            |
| 001-322-IG-000                    | Federal Grants                  | 40,000           | Based on actual to budget            |
| 001-331-CS-000                    | Cnty Clerk Earnings             | (34,000)         | Based on actual to budget            |
| 001-346-CS-000                    | 911 Fees                        | (75,000)         | Based on actual to budget            |
| 001-370-OT-000                    | Table Games                     | (28,000)         | Based on actual to budget            |
| 001-382-MM-000                    | Misc Reimbursements             | <u>(40,000)</u>  | Based on actual to budget            |
| Total Revenue Variances           |                                 | 53,000           |                                      |
| 001-700                           | Sheriff Cell Phones             | (14,644)         | Not included in budget               |
| 001-xxx-02-216-000-GG-000         | Equipment Repair                | 12,000           | Based on actual to budget            |
| 001-424-02-218-000-GG-000         | Postage                         | (25,000)         | \$9,000 related to ambulance billing |
| 001-xxx-01-105-000-GG-000         | Health Insurance                | 167,335          | Elected Depts                        |
| 001-717-03-343-001-GG-000         | Central Garage Fuel             | 67,000           | Based on actual to budget            |
| 001-xxx-03-341-000-GG-000         | Materials & Supplies            | 80,000           | Based on actual to budget            |
|                                   | Transfer to Coal Severance Fund | (10,000)         |                                      |
| 001-704-03-344-000-PS-000         | Jail Costs                      | <u>(232,000)</u> | Trend does not support budget        |
| Total Expenditure Variances       |                                 | 44,691           |                                      |
| Contingency Reserve Available     |                                 | <u>319,651</u>   |                                      |
| Possible Increase in Fund Balance |                                 | 417,342          |                                      |

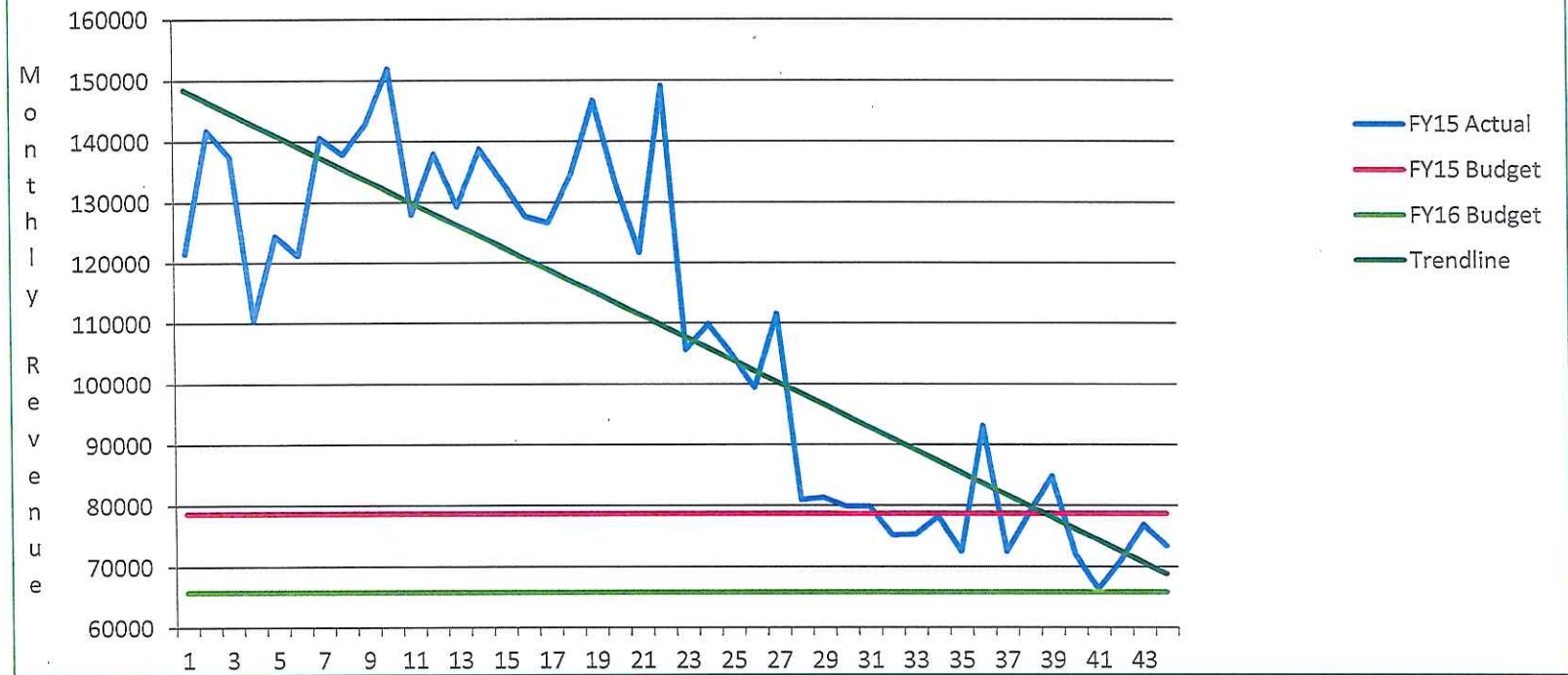
# Jail Costs

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

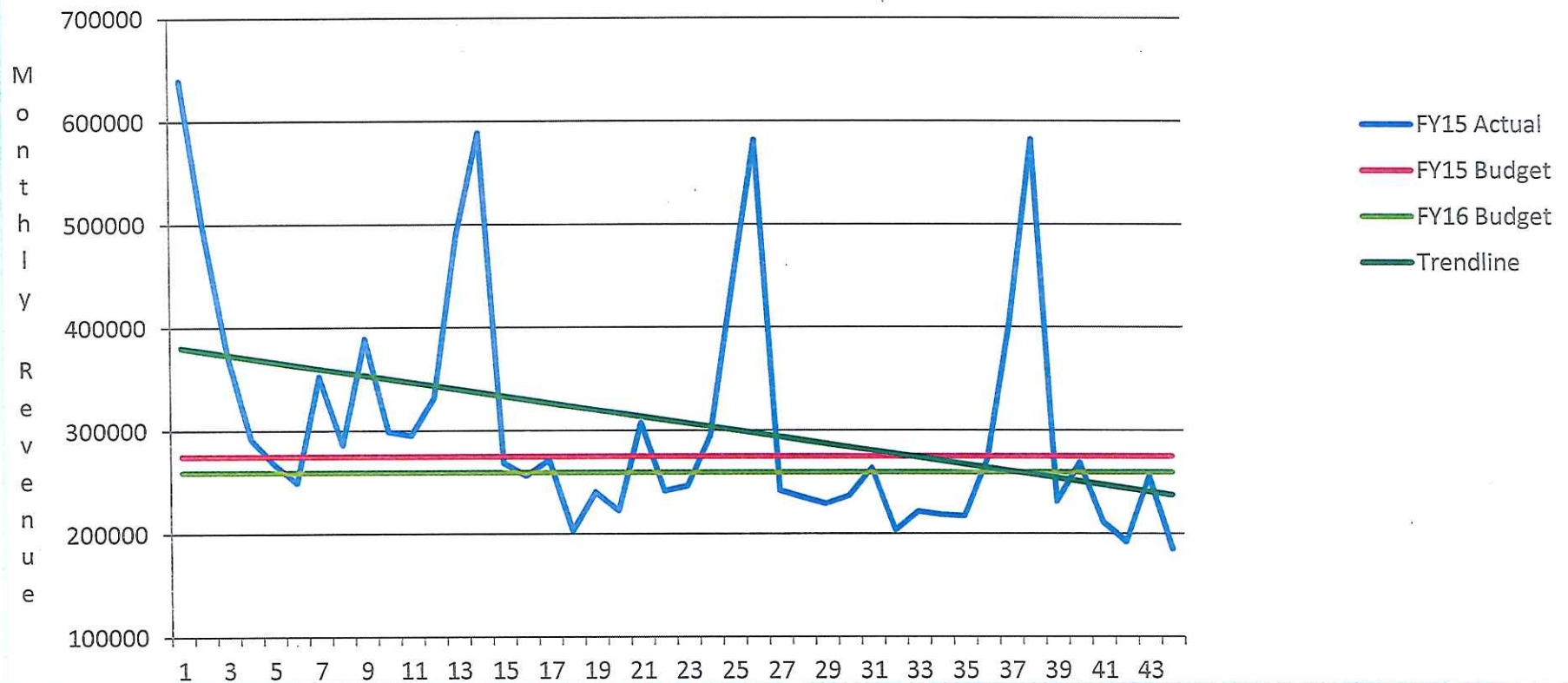
### 44 month Period July 2011 - Feb 2015



# Table Games 001-370-OT-000 44 month Period July 2011 - Feb 2015



# Video Lottery 001-373-OT-000 44 month Period July 2011 - Feb 2015









# **Approved FY16 Budget by Commissioners**

**FY16 Revenue and Expenditure**  
**Compiled March 16, 2015**  
**Expenditures by Department**

|                               | <b>FY16 budget</b> | <b>FY15 budget</b> | <b>FY15 actual<br/>as of 1/31/15</b> |
|-------------------------------|--------------------|--------------------|--------------------------------------|
| <b>Revenue</b>                |                    |                    |                                      |
| Taxes                         | 12,582,514         | 12,059,566         | 7,353,756                            |
| Tax Penalties                 | 295,000            | 301,220            | 215,764                              |
| Property Transfer             | 598,000            | 468,000            | 371,542                              |
| Gas/oil                       | 41,000             | 81,957             | 81,957                               |
| Horse Racing                  | 12,686             | 14,219             | 7,703                                |
| Wine Liquor                   | 32,000             | 25,433             | 27,049                               |
| Hotel Occupancy               | 549,500            | 520,000            | 383,496                              |
| Decal fees                    | 65                 | 75                 | 26                                   |
| Bldg Permits                  | 200,000            | 170,000            | 140,449                              |
| Misc Permits                  | 131                | 150                | 128                                  |
| Grants                        | 160,462            | 121,000            | 131,022                              |
| Payment in lieu of taxes      | 11,676             | 11,676             | 11,676                               |
| Sheriff Service Process       | 17,600             | 18,000             | 10,725                               |
| Sheriff Earnings              | 30,000             | 28,000             | 17,926                               |
| Clerk Earnings                | 192,375            | 206,500            | 102,156                              |
| Circuit Clerk Earnings        | 65,815             | 65,183             | 33,049                               |
| Prosecuting Earnings          | 1,278              | 1,129              | 703                                  |
| Accident reports              | 3,500              | 3,500              | 2,370                                |
| Map Sales                     | 2,700              | 4,200              | 1,591                                |
| Rent                          | 47,400             | 47,175             | 24,075                               |
| Ambulance Fees                | 675,000            | 600,000            | 375,000                              |
| 911 Fees                      | 1,760,000          | 1,885,058          | 953,410                              |
| Franchise Agreements          | 400,000            | 402,796            | 210,718                              |
| IRP fees                      | 8,000              | 10,140             | 4,654                                |
| Jail fees                     | 95,000             | 96,912             | 96,912                               |
| Interest                      | 20,290             | 17,273             | 14,845                               |
| Misc revenue                  | 100                | 50                 | 150                                  |
| Sheriff Commission            | 15,000             | 12,000             | 11,619                               |
| Table Games                   | 790,000            | 943,444            | 522,623                              |
| Video Lottery                 | 3,114,553          | 3,224,793          | 2,146,981                            |
| Reimbursements                | 277,873            | 313,583            | 165,822                              |
| Trans from other funds        | -                  | -                  | -                                    |
| General School Reimbursements | 250,000            | 264,000            | 156,164                              |
| Trns Assessor Val fund        | 464,698            | 494,949            | -                                    |
| <b>Total Revenue</b>          | <b>22,714,216</b>  | <b>22,411,981</b>  | <b>13,576,061</b>                    |
| <b>Expenditures</b>           |                    |                    |                                      |
| Commission                    | 1,646,785          | 1,704,450          | 968,965                              |
| County Clerk                  | 758,820            | 858,405            | 413,301                              |

**FY16 Revenue and Expenditure  
Compiled March 16, 2015  
Expenditures by Department**

|                           | <b>FY16 budget</b> | <b>FY15 budget</b> | <b>FY15 actual<br/>as of 1/31/15</b> |
|---------------------------|--------------------|--------------------|--------------------------------------|
| Circuit Clerk             | 637,694            | 684,454            | 362,111                              |
| Tax Office                | 575,687            | 617,390            | 356,755                              |
| Prosecuting Attny         | 1,782,007          | 1,810,398          | 1,025,486                            |
| Assessor                  | 523,104            | 550,090            | 329,141                              |
| Assessor AVF              | 464,698            | 494,949            | 264,946                              |
| Statewide Computer        | 63,100             | 57,075             | 14,261                               |
| Agricultural Agent        | 130,445            | 128,222            | 68,586                               |
| Elections                 | 337,536            | 284,240            | 192,225                              |
| Magistrate Court          | 1,000              | 1,000              | 497                                  |
| Courthouse (Maintenance)  | 1,128,766          | 1,128,469          | 621,900                              |
| Other Buildings           | 634,750            | 649,750            | 292,691                              |
| Data Processing           | 336,483            | 335,003            | 114,504                              |
| Regional Dev Authority    | 19,795             | 19,795             | 19,794                               |
| Economic Development      | 437,967            | 448,017            | 299,846                              |
| GIS                       | 248,143            | 242,947            | 133,821                              |
| Planning                  | 396,101            | 394,833            | 195,262                              |
| Engineering               | 751,805            | 746,637            | 421,710                              |
| Zoning                    | 72,704             | 71,338             | 40,878                               |
| Contingency               | 354,773            | 319,651            | -                                    |
| Law Enforcement           | 3,521,034          | 3,491,075          | 1,929,836                            |
| Service of Process        | 18,000             | 18,000             | 3,198                                |
| Regional Jail             | 1,350,000          | 1,100,000          | 783,705                              |
| Emergency Services        | 266,458            | 269,635            | 130,843                              |
| Communication Center      | 2,013,285          | 2,001,437          | 1,116,904                            |
| Fire Depts                | 420,000            | 373,625            | 243,500                              |
| JCESA                     | 1,447,562          | 1,297,562          | 1,085,672                            |
| Ambulance Fees Remittance | 675,000            | 600,000            | 375,000                              |
| Animal Control            | 325,809            | 335,644            | 176,965                              |
| Central Garage            | 307,470            | 352,786            | 150,906                              |
| Parks and Recs            | 505,160            | 493,529            | 345,128                              |
| Arts and Humanities       | 10,990             | 10,400             | 7,006                                |
| Historical Commission     | 15,900             | 15,400             | 10,373                               |
| Visitors Center           | 275,110            | 260,000            | 175,140                              |
| Library                   | 250,000            | 234,000            | 175,500                              |
| Public Transportation     | 10,275             | 10,275             | 7,706                                |
| Waste Authority           | -                  | 1,500              | 1,500                                |
| <b>Total Expenditures</b> | <b>22,714,216</b>  | <b>22,411,981</b>  | <b>12,855,562</b>                    |
| <b>Net</b>                | <b>-</b>           | <b>-</b>           | <b>720,499</b>                       |

**FY16 Budget Reconciliation of  
WV State Form**

**FY16 Budget Reconciliation**  
**WV State Form compared to Budget Meetings**

**Revenue**

|   |                    |
|---|--------------------|
| Total Revenue on WV State Form                      | 26,114,216         |
| Less Fund Balance                                   | <u>(3,400,000)</u> |
| Amount Approved by Commissioners in Budget Meetings | 22,714,216         |

**Expenditures**

|   |                |
|---|----------------|
| Total Expenditures on WV State Form                       | 26,114,216     |
| Less Acct 699 Contingency on WV State Form                | (2,200,000)    |
| Less Acct 696 Trns to Stabilization Fund on WV State Form | (1,554,773)    |
| Approved Contingency by Commissioners                     | <u>354,773</u> |
| Amount Approved by Commissioners in Budget Meetings       | 22,714,216     |

**FY16 Budget to be Submitted  
to WV Auditor's Office**

**JEFFERSON COUNTY, WEST VIRGINIA  
FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016**

| Account<br>Number | 01 GENERAL FUND REVENUE SUMMARY | Budgeted<br>Revenues<br>(Including Revisions) | Budgeted<br>Revenues |
|-------------------|---------------------------------|---|----------------------|
|                   |                                 | 2014 - 2015                                   | 2015 - 2016          |
| 295               |                                 |   |                      |
| 296               |                                 |   |                      |
| 297               |                                 |   |                      |
| 298               |                                 |   |                      |
| 299               |                                 | 3,025,097                                     | 3,400,000            |
| 301               | 01                              | 11,203,812                                    | 11,622,614           |
| 301               | 02-05                           | 633,889                                       | 710,900              |
| 301               | 06                              | 181,865                                       | 209,000              |
| 301               | 07                              |   |                      |
| 301               | 08                              | 40,000  | 40,000               |
| 301               | 09                              |   |                      |
| 301               | 10                              |   |                      |
| 301               | 11                              |   |                      |
| 301               | 12                              |   |                      |
| 301               | 90                              |   |                      |
| 301               | 91                              |   |                      |
| 301               | 92                              |   |                      |
| 302               |                                 | 301,220                                       | 295,000              |
| 303               |                                 |   |                      |
| 304               |                                 | 468,000                                       | 598,000              |
| 306               |                                 | 81,957  | 41,000               |
| 307               |                                 | 14,219  | 12,686               |
| 308               |                                 | 25,433  | 32,000               |
| 309               |                                 | 520,000                                       | 549,500              |
| 310               |                                 |   |                      |
| 311               |                                 |   |                      |
| 312               |                                 |   |                      |
| 313               |                                 |   |                      |
| 317               |                                 | 75  | 65                   |
| 318               |                                 | 170,000                                       | 200,000              |
| 319               |                                 | 150   | 131                  |
| 322               |                                 | 121,000                                       | 160,462              |
| 323               |                                 |   |                      |
| 324               |                                 |   |                      |
| 325               |                                 | 11,676  | 11,676               |
| 327               |                                 |   |                      |
| 328               |                                 |   |                      |
| 329               |                                 | 18,000  | 17,600               |
| 330               |                                 | 28,000  | 30,000               |
| 331               |                                 | 206,500                                       | 192,375              |

**JEFFERSON COUNTY, WEST VIRGINIA  
FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016**

| Account<br>Number | 01 GENERAL FUND REVENUE SUMMARY                | Budgeted<br>Revenues<br><small>(Including Revisions)</small> | Budgeted<br>Revenues |
|-------------------|--|--|----------------------|
|                   |  | 2014 - 2015  | 2015 - 2016          |
| 332               | Circuit Clerk's Earnings                       | 65,183   | 65,815               |
| 333               | Prosecuting Attorney's Earnings                | 1,129  | 1,278                |
| 334               | Accident Reports                               | 3,500  | 3,500                |
| 335               | Motor Vehicle License Fee                      |  |                      |
| 336               | Map Sales                                      | 4,200  | 2,700                |
| 337               | Clerk Deed Fees                                |  |                      |
| 339               | Parks & Recreation Fees                        |  |                      |
| 340               | Rents & Concessions                            | 47,175   | 47,400               |
| 341               | Landfill/Incinerator Fees                      |  |                      |
| 342               | Airport Revenue                                |  |                      |
| 343               | Cemetery Revenue                               |  |                      |
| 344               | Ambulance Fees                                 | 600,000  | 675,000              |
| 345               | Emergency Services Fees                        |  |                      |
| 346               | Emergency 911 Fee                              | 1,885,058  | 1,760,000            |
| 347               | Special Patrol/Security Systems                |  |                      |
| 348               | Franchise Agreement                            | 402,796  | 400,000              |
| 349               | Inspection Fees                                |  |                      |
| 350               | IRP Fees (Interstate Registration Plan)        | 10,140   | 8,000                |
| 351               | Jail Fees                                      |  |                      |
| 361               | Fines, Fees & Court Costs                      |  |                      |
| 362               | Regional Jail Operations Partial Reimbursement | 96,912   | 95,000               |
| 365               | Interest Earned                                | 17,273   | 20,290               |
| 366               | Miscellaneous Revenue                          | 50   | 100                  |
| 367               | Sheriff's Commission                           | 12,000   | 15,000               |
| 368               | Confiscated Property                           |  |                      |
| 369               | Commissions                                    |  |                      |
| 370               | Gaming Income                                  | 943,444  | 790,000              |
| 371               | Recycling Programs                             |  |                      |
| 372               | Filing Fees                                    |  |                      |
| 373               | Video Lottery                                  | 3,303,293  | 3,114,553            |
| 374               | Planning Commission Revenue                    |  |                      |
| 375               | Sale of Materials                              |  |                      |
| 376               | Royalties                                      |  |                      |
| 377               | Sale of Bonds                                  |  |                      |
| 378               | Proceeds from Bond Restructuring               |  |                      |
| 379               | Lease Purchase Revenue                         |  |                      |
| 380               | Contributions/Transfer from Other Entities     |  |                      |
| 381               | Charges to Other Entities                      |  |                      |
| 382               | Refunds/Reimbursements (External Sources)      | 310,300  | 277,873              |
| 383               | Parking  |  |                      |

**JEFFERSON COUNTY, WEST VIRGINIA  
FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016**

| Account<br>Number | 01 GENERAL FUND REVENUE SUMMARY            | Budgeted<br>Revenues<br>(Including Revisions) | Budgeted<br>Revenues |
|-------------------|--|---|----------------------|
|                   |  | 2014 - 2015                                   | 2015 - 2016          |
| 384               | Sale of Fixed Assets                       |   |                      |
| 385               | Gain/Loss on Sale of Fixed Assets          |   |                      |
| 388               | Transfers Other Funds                      |   |                      |
| 390               | Emergency 911 Reimbursement                |   |                      |
| 391               | Dog & Kennel Reimbursement                 |   |                      |
| 392               | Concealed Weapons Reimbursements           |   |                      |
| 393               | Home Confinement Reimbursements            |   |                      |
| 394               | General School Reimbursements              | 264,000                                       | 250,000              |
| 395               | Magistrate Court Reimbursements            |   |                      |
| 396               | Worthless Check Reimbursements             |   |                      |
| 397               | Payroll Reimbursements                     |   |                      |
| 398               | Transfers from Rainy Day Fund              |   |                      |
| 399               | Transfers Assessor's Valuation Fund        | 494,949                                       | 464,698              |
| <b>01</b>         | <b>Grand Totals -General Fund Revenues</b> | <b>25,512,295</b>                             | <b>26,114,216</b>    |

**JEFFERSON COUNTY, WEST VIRGINIA**  
**FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016**

| Account<br>Number | 02 COAL SEVERANCE TAX FUND                             | Budgeted<br>Revenues<br>2014 - 2015 | Budgeted<br>Revenues<br>2015 - 2016 |
|-------------------|--|-------------------------------------|-------------------------------------|
| 298               | Assigned Fund Balance                                  | 8,321                               | 5,000                               |
| 305               | Coal Severance Tax                                     | 156,179                             | 145,000                             |
| 365               | Interest Earned on Investment                          | 1,500                               | 250                                 |
| 382               | Refunds/Reimbursements                                 |                                     |                                     |
| <b>02</b>         | <b>Grand Totals - Coal Severance Tax Fund Revenues</b> | <b>166,000</b>                      | <b>150,250</b>                      |

**JEFFERSON COUNTY, WEST VIRGINIA**  
**FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016**

| <b>Expenditures</b>                      | <b>General Fund</b>                  |                       | <b>Coal Severance Fund</b>           |                    |
|--|--------------------------------------|-----------------------|--------------------------------------|--------------------|
|  | <b>General Budget</b>                | <b>General Budget</b> | <b>Coal Budget</b>                   | <b>Coal Budget</b> |
|  | (Including Revisions)<br>2014 - 2015 | 2015 - 2016           | (Including Revisions)<br>2014 - 2015 | 2015 - 2016        |
| <b>GENERAL GOVERNMENT #401 - 699</b>     |                                      |                       |                                      | 135,250            |
| 401 County Commission                    | 1,704,450                            | 1,646,785             |                                      |                    |
| 402 County Clerk                         | 858,405                              | 758,820               |                                      |                    |
| 403 Circuit Clerk                        | 684,454                              | 637,694               |                                      |                    |
| 404 Sheriff - Treasurer                  | 617,390                              | 575,687               |                                      |                    |
| 405 Prosecuting Attorney                 | 1,810,398                            | 1,782,007             |                                      |                    |
| 406 Assessor                             | 550,090                              | 523,104               |                                      |                    |
| 407 Assessor's Valuation Fund            | 494,949                              | 464,698               |                                      |                    |
| 408 Statewide Computer Network           | 57,075                               | 63,100                |                                      |                    |
| 409 Sheriff's Tax Processing             |                                      |                       |                                      |                    |
| 410 County Surveyor                      |                                      |                       |                                      |                    |
| 411 Fiduciary Supervisor                 |                                      |                       |                                      |                    |
| 412 Agricultural Agent                   | 128,222                              | 130,445               |                                      |                    |
| 413 Elections - County Clerk             | 362,740                              | 337,536               |                                      |                    |
| 415 Magistrate Court                     | 1,000                                | 1,000                 |                                      |                    |
| 416 Circuit Court                        |                                      |                       |                                      |                    |
| 417 County Administrator                 |                                      |                       |                                      |                    |
| 418 Purchasing Department                |                                      |                       |                                      |                    |
| 419 Personnel Office                     |                                      |                       |                                      |                    |
| 420 Custodial                            |                                      |                       |                                      |                    |
| 421 Civil Service                        |                                      |                       |                                      |                    |
| 422 Capital Planning                     |                                      |                       |                                      |                    |
| 423 Insurance Program (Self Insured)     |                                      |                       |                                      |                    |
| 424 Courthouse                           | 1,128,469                            | 1,128,766             |                                      |                    |
| 425 Other Buildings                      | 649,750                              | 634,750               |                                      |                    |
| 426 Printing                             |                                      |                       |                                      |                    |
| 427 Microfilm                            |                                      |                       |                                      |                    |
| 428 Data Processing                      | 335,003                              | 336,483               |                                      |                    |
| 429 Regional Development Authority       | 19,795                               | 19,795                |                                      |                    |
| 430 Community Development                |                                      |                       |                                      |                    |
| 431 Economic Development                 | 448,017                              | 437,967               |                                      |                    |
| 432 Industrial Development               |                                      |                       |                                      |                    |
| 433 Geographic Information Systems (GIS) | 242,947                              | 248,143               |                                      |                    |
| 434 Airports                             |                                      |                       |                                      |                    |
| 435 Public Works Department              |                                      |                       |                                      |                    |
| 436 Rehabilitation of Property           |                                      |                       |                                      |                    |
| 437 Acquisition of Property              |                                      |                       |                                      |                    |
| 438 Building Inspection                  |                                      |                       |                                      |                    |
| 439 Planning & Zoning                    | 394,833                              | 396,101               |                                      |                    |
| 440 Engineering                          | 746,637                              | 751,805               |                                      |                    |

**JEFFERSON COUNTY, WEST VIRGINIA**  
**FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016**

| <b>Expenditures</b>  | <b>General Fund</b>                  |                       | <b>Coal Severance Fund</b>           |                    |
|--|--------------------------------------|-----------------------|--------------------------------------|--------------------|
|  | <b>General Budget</b>                | <b>General Budget</b> | <b>Coal Budget</b>                   | <b>Coal Budget</b> |
|  | (Including Revisions)<br>2014 - 2015 | 2015 - 2016           | (Including Revisions)<br>2014 - 2015 | 2015 - 2016        |
| 441 Housing Authority                                      |                                      |                       |                                      |                    |
| 442 Federal Grants   |                                      |                       |                                      |                    |
| 443 State Grants   |                                      |                       |                                      |                    |
| 444 Other Grants   |                                      |                       |                                      |                    |
| 445 Litigation Reserve                                     |                                      |                       |                                      |                    |
| 446 Parking  |                                      |                       |                                      |                    |
| 447 Finance Department                                     |                                      |                       |                                      |                    |
| 448 Courthouse Annex                                       |                                      |                       |                                      |                    |
| 449 Worthless Check  |                                      |                       |                                      |                    |
| 450 Farm Preservation Program                              |                                      |                       |                                      |                    |
| 451 Zoning Board   | 71,338                               | 72,704                |                                      |                    |
| 452 Teen Court   |                                      |                       |                                      |                    |
| 460 County Clerk Operations                                |                                      |                       |                                      |                    |
| 696 Transfer to Financial Stabilization Fun                | 1,155,748                            | 1,554,773             |                                      |                    |
| 697 Contributions to Comms/Authorities                     |                                      |                       |                                      |                    |
| 698 Transfers/Reimbursements                               |                                      |                       |                                      |                    |
| 699 <b>Contingencies - Not to Exceed 10%<br/>of Budget</b> | 2,189,000                            | 2,200,000             |                                      |                    |
| <b>TOTAL GENERAL GOVERNMENT</b>                            | 14,650,710                           | 14,702,163            |                                      | 135,250            |

**JEFFERSON COUNTY, WEST VIRGINIA**  
**FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016**

| <b>Expenditures</b>                     | <b>General Fund</b>                  |                       | <b>Coal Severance Fund</b>           |                    |
|---|--------------------------------------|-----------------------|--------------------------------------|--------------------|
|   | <b>General Budget</b>                | <b>General Budget</b> | <b>Coal Budget</b>                   | <b>Coal Budget</b> |
|   | (Including Revisions)<br>2014 - 2015 | 2015 - 2016           | (Including Revisions)<br>2014 - 2015 | 2015 - 2016        |
| <b>PUBLIC SAFETY #700 - 799</b>         |                                      |                       |                                      |                    |
| 700 Sheriff - Law Enforcement           | 3,489,616                            | 3,521,034             |                                      |                    |
| 701 Sheriff - Service of Process        | 18,000                               | 18,000                |                                      |                    |
| 702 County Jail - Reimbursable J/C      |                                      |                       |                                      |                    |
| 703 County Jail - Nonreimbursable J/C   |                                      |                       |                                      |                    |
| 704 Regional Jail                       | 1,100,000                            | 1,350,000             |                                      |                    |
| 705 Home Confinement                    |                                      |                       |                                      |                    |
| 706 Concealed Weapons                   |                                      |                       |                                      |                    |
| 707 Investigative Services              |                                      |                       |                                      |                    |
| 708 Police Special Duty                 |                                      |                       |                                      |                    |
| 709 Juvenile Detention Center           |                                      |                       |                                      |                    |
| 710 Civil Defense                       |                                      |                       |                                      |                    |
| 711 Emergency Services                  | 269,635                              | 266,458               |                                      |                    |
| 712 Communication Center                | 1,999,613                            | 2,013,285             |                                      |                    |
| 713 Fire Department                     | 373,625                              | 420,000               |                                      |                    |
| 714 Fire Coordinator                    |                                      |                       |                                      |                    |
| 715 Ambulance Authority                 | 1,897,562                            | 2,122,562             | 150,000                              |                    |
| 716 Dog Warden/Humane Society           | 335,644                              | 325,809               |                                      |                    |
| 717 Central Garage                      | 352,786                              | 307,470               |                                      |                    |
| 718 Flood Control                       |                                      |                       |                                      |                    |
| 719 Watershed Project                   |                                      |                       |                                      |                    |
| 720 Dams & Dredging                     |                                      |                       |                                      |                    |
| 721 Local Law Enforcement Block Grant   |                                      |                       |                                      |                    |
| 722 Public Safety Grant                 |                                      |                       |                                      |                    |
| 723 Public Safety Grant                 |                                      |                       |                                      |                    |
| 724 Public Safety Grant                 |                                      |                       |                                      |                    |
| 725 Public Safety Grant                 |                                      |                       |                                      |                    |
| 726 Public Safety Grant                 |                                      |                       |                                      |                    |
| 727 Public Safety Grant                 |                                      |                       |                                      |                    |
| 728 Public Safety Grant                 |                                      |                       |                                      |                    |
| 729 Public Safety Grant                 |                                      |                       |                                      |                    |
| 730 Courthouse Security                 |                                      |                       |                                      |                    |
| 731 Community Based Corrections Program |                                      |                       |                                      |                    |
| 732 Rapid Response                      |                                      |                       |                                      |                    |
| 733 Mapping and Addressing              |                                      |                       |                                      |                    |
| 734 Local Emergency Planning Commission |                                      |                       |                                      |                    |
| 735 Project Lifesaver                   |                                      |                       |                                      |                    |
| 736 K-9                                 |                                      |                       |                                      |                    |
| <b>TOTAL PUBLIC SAFETY</b>              | <b>9,836,481</b>                     | <b>10,344,618</b>     | <b>150,000</b>                       |                    |

**JEFFERSON COUNTY, WEST VIRGINIA**  
**FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016**

| <b>Expenditures</b>                        | <b>General Fund</b>                  |                       | <b>Coal Severance Fund</b>           |                    |
|--|--------------------------------------|-----------------------|--------------------------------------|--------------------|
|  | <b>General Budget</b>                | <b>General Budget</b> | <b>Coal Budget</b>                   | <b>Coal Budget</b> |
|  | (Including Revisions)<br>2014 - 2015 | 2015 - 2016           | (Including Revisions)<br>2014 - 2015 | 2015 - 2016        |
| <b>HEALTH &amp; SANITATION #800 - 899</b>  |                                      |                       |                                      |                    |
| 800 Local Health Department                |                                      |                       |                                      |                    |
| 801 Mental Health                          |                                      |                       | 16,000                               | 15,000             |
| 802 Other Health Programs                  |                                      |                       |                                      |                    |
| 803 Hospital                               |                                      |                       |                                      |                    |
| 804 Dental Clinic                          |                                      |                       |                                      |                    |
| 805 Vital Statistics                       |                                      |                       |                                      |                    |
| 806 Sewer                                  |                                      |                       |                                      |                    |
| 807 Storm Sewer                            |                                      |                       |                                      |                    |
| 808 Solid Waste Authority                  | 1,500                                |                       |                                      |                    |
| 809 Water                                  |                                      |                       |                                      |                    |
| 810 Garbage Department                     |                                      |                       |                                      |                    |
| 811 Landfill/Incinerator                   |                                      |                       |                                      |                    |
| 812 Recycling Center                       |                                      |                       |                                      |                    |
| 813 Litter Control                         |                                      |                       |                                      |                    |
| 814 Federal Grants - H&S                   |                                      |                       |                                      |                    |
| 815 State Grants - H&S                     |                                      |                       |                                      |                    |
| <b>TOTAL HEALTH &amp; SANITATION</b>       | 1,500                                |                       | 16,000                               | 15,000             |
| <b>CULTURE &amp; RECREATION #900 - 949</b> |                                      |                       |                                      |                    |
| 900 Parks & Recreation                     | 493,529                              | 505,160               |                                      |                    |
| 901 Swimming Pools                         |                                      |                       |                                      |                    |
| 902 4 - H Camp                             |                                      |                       |                                      |                    |
| 903 Arts & Humanities                      | 10,400                               | 10,990                |                                      |                    |
| 904 Museum Commission                      |                                      |                       |                                      |                    |
| 905 Fair Associations/Festivals            |                                      |                       |                                      |                    |
| 906 Youth Camp                             |                                      |                       |                                      |                    |
| 907 Summer Youth Program                   |                                      |                       |                                      |                    |
| 908 Community Center                       |                                      |                       |                                      |                    |
| 909 Historical Commission                  | 15,400                               | 15,900                |                                      |                    |
| 910 Civic Promotion                        |                                      |                       |                                      |                    |
| 911 Visitor's Bureau                       | 260,000                              | 275,110               |                                      |                    |
| 912 Travel Council                         |                                      |                       |                                      |                    |
| 913 Beautification                         |                                      |                       |                                      |                    |
| 914 Rails to Trails                        |                                      |                       |                                      |                    |
| 915 Hotel/Motel Promotion of Tourism       |                                      |                       |                                      |                    |
| 916 Library                                | 234,000                              | 250,000               |                                      |                    |
| 917 Law Library                            |                                      |                       |                                      |                    |
| 918 Federal Grants                         |                                      |                       |                                      |                    |
| 919 State Grants                           |                                      |                       |                                      |                    |
| <b>TOTAL CULTURE &amp; RECREATION</b>      | 1,013,329                            | 1,057,160             |                                      |                    |

## JEFFERSON COUNTY, WEST VIRGINIA FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016

| <b>Expenditures</b>                     | <b>General Fund</b>  |                       | <b>Coal Severance Fund</b>                                 |                    |
|---|--|-----------------------|--|--------------------|
|   | <b>General Budget</b>                                      | <b>General Budget</b> | <b>Coal Budget</b>   | <b>Coal Budget</b> |
|   | <small>(Including Revisions)</small><br><b>2014 - 2015</b> | <b>2015 - 2016</b>    | <small>(Including Revisions)</small><br><b>2014 - 2015</b> | <b>2015 - 2016</b> |
| <b>SOCIAL SERVICES #950 - 959</b>       |  |                       |  |                    |
| 950 Social Services                     |  |                       |  |                    |
| 951 Human Resources                     |  |                       |  |                    |
| 952 Senior Citizens                     |  |                       |  |                    |
| 953 Public Transit                      | 10,275   | 10,275                |  |                    |
| 954 Federal Grants                      |  |                       |  |                    |
| 955 State Grants                        |  |                       |  |                    |
| 956 Homeless Shelter                    |  |                       |  |                    |
| 957 Family Law Judge                    |  |                       |  |                    |
| 958 Community Council                   |  |                       |  |                    |
| 959 Cemeteries                          |  |                       |  |                    |
| <b>TOTAL SOCIAL SERVICES</b>            | <b>10,275</b>  | <b>10,275</b>         |  |                    |
| <b>CAPITAL PROJECTS #960 - 999</b>      |  |                       |  |                    |
| 960 General Government                  |  |                       |  |                    |
| 961 Public Safety                       |  |                       |  |                    |
| 962 Health & Sanitation                 |  |                       |  |                    |
| 963 Culture & Recreation                |  |                       |  |                    |
| 964 Social Services                     |  |                       |  |                    |
| 965 Central Garage                      |  |                       |  |                    |
| 966 Geographic Information System (GIS) |  |                       |  |                    |
| 972 Federal Grants                      |  |                       |  |                    |
| 973 Federal Grants                      |  |                       |  |                    |
| 974 State Grants                        |  |                       |  |                    |
| 975 County Clerk                        |  |                       |  |                    |
| 976 Circuit Clerk                       |  |                       |  |                    |
| 977 Assessor                            |  |                       |  |                    |
| 978 Prosecuting Attorney                |  |                       |  |                    |
| 979 Sheriff-Treasurer                   |  |                       |  |                    |
| 980 Sheriff-Law Enforcement             |  |                       |  |                    |
| 981 Sheriff-Jail                        |  |                       |  |                    |
| 982 Data Processing                     |  |                       |  |                    |
| 983 Election - County Clerk             |  |                       |  |                    |
| 984 Circuit Court                       |  |                       |  |                    |
| 985 Community Development               |  |                       |  |                    |
| 986 County Commission                   |  |                       |  |                    |
| 987 Courthouse                          |  |                       |  |                    |
| 988 Other Buildings                     |  |                       |  |                    |
| 989 Extension Services                  |  |                       |  |                    |
| 990 Other Boards & Authorities          |  |                       |  |                    |
| 991 Purchasing                          |  |                       |  |                    |

**JEFFERSON COUNTY, WEST VIRGINIA**  
**FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016**

| <b>Expenditures</b>         | <b>General Fund</b>   |                                      | <b>Coal Severance Fund</b>                                 |                                   |
|-----------------------------|---|--------------------------------------|--|-----------------------------------|
|                             | <b>General Budget</b><br>(Including Revisions)<br>2014 - 2015 | <b>General Budget</b><br>2015 - 2016 | <b>Coal Budget</b><br>(Including Revisions)<br>2014 - 2015 | <b>Coal Budget</b><br>2015 - 2016 |
| 992 Communication Center    |   |                                      |  |                                   |
| 993 Dog Warden              |   |                                      |  |                                   |
| 994 Emergency Services      |   |                                      |  |                                   |
| 995 Service of Process      |   |                                      |  |                                   |
| 996 Ambulance               |   |                                      |  |                                   |
| 997 Water                   |   |                                      |  |                                   |
| 998 Parks & Recreation      |   |                                      |  |                                   |
| 999 Streets and Highways    |   |                                      |  |                                   |
| <b>TOTAL CAPITAL OUTLAY</b> |   |                                      |  |                                   |
| <b>Total Expenditures</b>   | 25,512,295  | 26,114,216                           | 166,000  | 150,250                           |

**FY16 Budget to be Certified by  
County Clerk**

**JEFFERSON COUNTY, WEST VIRGINIA**  
**FISCAL YEAR JULY 1, 2015 - JUNE 30, 2016**

| Account Number                 |     | REVENUE RECAP                    | General Fund      |                   | Coal Severance Tax |                |
|--------------------------------|-----|----------------------------------|-------------------|-------------------|--------------------|----------------|
|                                |     |                                  | Budgeted Revenues |                   | Budgeted Revenues  |                |
|                                |     |                                  | 2014 - 2015       | 2015 - 2016       | 2014 - 2015        | 2015 - 2016    |
| 280                            | 299 | Beginning Balance, July 1st      | 3,025,097         | 3,400,000         | 8,321              | 5,000          |
| 301                            | 302 | Taxes                            | 12,360,786        | 12,877,514        |                    |                |
| 303                            | 312 | Other Taxes                      | 1,109,609         | 1,233,186         | 156,179            | 145,000        |
| 317                            | 319 | Licenses & Permits               | 170,225           | 200,196           |                    |                |
| 322                            | 325 | Intergovernmental                | 132,676           | 172,138           |                    |                |
| 327                            | 350 | Charges for Services             | 3,271,681         | 3,203,668         |                    |                |
| 361                            | 361 | Fines                            |                   |                   |                    |                |
| 362                            | 362 | Regional Jail Op. Partial Reimb. | 96,912            | 95,000            |                    |                |
| 363                            | 365 | Interest                         | 17,273            | 20,290            | 1,500              | 250            |
| 366                            | 385 | Miscellaneous                    | 4,569,087         | 4,197,526         |                    |                |
| 388                            | 399 | Transfers                        | 758,949           | 714,698           |                    |                |
| <b>Grand Totals - Revenues</b> |     |                                  | <b>25,512,295</b> | <b>26,114,216</b> | <b>166,000</b>     | <b>150,250</b> |

| Account Number                     |     | EXPENDITURE RECAP                 | General Fund          |                   | Coal Severance Tax    |                |
|------------------------------------|-----|-----------------------------------|-----------------------|-------------------|-----------------------|----------------|
|                                    |     |                                   | Budgeted Expenditures |                   | Budgeted Expenditures |                |
|                                    |     |                                   | 2014 - 2015           | 2015 - 2016       | 2014 - 2015           | 2015 - 2016    |
| 401                                | 699 | General Government Expenditures   | 14,650,710            | 14,702,163        |                       | 135,250        |
| 698                                | 698 | Transfers                         |                       |                   |                       |                |
| 700                                | 799 | Public Safety Expenditures        | 9,836,481             | 10,344,618        | 150,000               |                |
| 800                                | 899 | Health & Sanitation Expenditures  | 1,500                 |                   | 16,000                | 15,000         |
| 900                                | 949 | Culture & Recreation Expenditures | 1,013,329             | 1,057,160         |                       |                |
| 950                                | 959 | Social Services Expenditures      | 10,275                | 10,275            |                       |                |
| 960                                | 999 | Capital Projects Expenditures     |                       |                   |                       |                |
| <b>Grand Totals - Expenditures</b> |     |                                   | <b>25,512,295</b>     | <b>26,114,216</b> | <b>166,000</b>        | <b>150,250</b> |

**Budget Basis of Accounting:**

**Modified Accrual Except for OPEB Obligations**

STATE OF WEST VIRGINIA  
 JEFFERSON COUNTY, WEST VIRGINIA, WEST VIRGINIA

I, \_\_\_\_\_, CLERK OF THE COUNTY COMMISSION OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING ARE TRUE COPIES FROM THE RECORD OF ORDERS MADE AND ENTERED BY SAID COMMISSION ON THE \_\_\_\_\_ DAY OF MARCH 2015.

\_\_\_\_\_  
 (Signature)

# **FY16 Budget to be Published**

**Jefferson County Commission Levy Estimate (Budget)**  
**2015 - 2016 Fiscal Year**

STATE OF WEST VIRGINIA  
 County of: Jefferson, West Virginia

In accordance with WV Code §11-8-10, as amended, the Jefferson County Commission proceeded to make an estimate of the amounts necessary to be raised by a levy of taxes for the current year, and doth determine and estimate the several amounts to be as follows:

| <b>General Fund</b>                               | <b>Estimated<br/>Revenues</b> |
|---|-------------------------------|
| Fund Balance                                      | \$ 3,400,000                  |
| Property Taxes Current year                       | 11,622,614                    |
| Prior Year Taxes                                  | 959,900                       |
| Tax Penalties, Interest & Publication Fees        | 295,000                       |
| Property Transfer Tax                             | 598,000                       |
| Gas and Oil Severance Tax                         | 41,000                        |
| Horse and Dog Racing Tax                          | 12,686                        |
| Wine & Liquor Tax                                 | 32,000                        |
| Hotel Occupancy Tax                               | 549,500                       |
| Licenses  | 65                            |
| Building Permits                                  | 200,000                       |
| Miscellaneous Permits                             | 131                           |
| Federal Grants / Federal Payment in Lieu of Taxes | 172,138                       |
| Sheriff's Service of Process                      | 17,600                        |
| Sheriff's Earnings                                | 30,000                        |
| County Clerk's Earnings                           | 192,375                       |
| Circuit Clerk's Earnings                          | 65,815                        |
| Prosecuting Attorney's Earnings                   | 1,278                         |
| Accident Reports                                  | 3,500                         |
| Map Sales   | 2,700                         |
| Rents & Concessions                               | 47,400                        |
| Ambulance Fees                                    | 675,000                       |

**Jefferson County Commission Levy Estimate (Budget)**  
**2015 - 2016 Fiscal Year**

|  |           |
|--|-----------|
| Emergency 911 Fee                              | 1,760,000 |
| Franchise Agreement                            | 400,000   |
| IRP Fees (Interstate Registration Plan)        | 8,000     |
| Regional Jail Operations Partial Reimbursement | 95,000    |
| Interest Earned                                | 20,290    |
| Miscellaneous Revenue                          | 100       |
| Sheriff's Commission                           | 15,000    |
| Gaming Income                                  | 790,000   |
| Video Lottery                                  | 3,114,553 |
| Refunds/Reimbursements (External Sources)      | 277,873   |
| General School Reimbursements                  | 250,000   |
| Transfers Assessor's Valuation Fund            | 464,698   |

**Total Estimated General Fund Revenues** \$ 26,114,216

|                               | <u>Estimated Revenues</u> |
|-------------------------------|---------------------------|
| <b>Coal Severance Tax</b>     |                           |
| Assigned Fund Balance         | \$ 5,000                  |
| Coal Severance Tax            | 145,000                   |
| Interest Earned on Investment | 250                       |
| <b>Total Coal Severance</b>   | \$ <u>150,250</u>         |

|   | <u>General Fund</u> | <u>Coal Severance Tax Fund</u> |
|---|---------------------|--------------------------------|
| <b>ESTIMATED EXPENDITURES</b>               |                     |                                |
| <b>GENERAL GOVERNMENT</b>                   |                     |                                |
| County Commission                           | \$ 1,646,785        | \$ 135,250                     |
| County Clerk                                | 758,820             | -                              |
| Circuit Clerk                               | 637,694             | -                              |
| Sheriff - Treasurer                         | 575,687             | -                              |
| Prosecuting Attorney                        | 1,782,007           | -                              |
| Assessor                                    | 523,104             | -                              |
| Assessor's Valuation Fund                   | 464,698             | -                              |
| Statewide Computer Network                  | 63,100              | -                              |
| Agricultural Agent                          | 130,445             | -                              |
| Elections - County Clerk                    | 337,536             | -                              |
| Magistrate Court                            | 1,000               | -                              |
| Courthouse                                  | 1,128,766           | -                              |
| Other Buildings                             | 634,750             | -                              |
| Data Processing                             | 336,483             | -                              |
| Regional Development Authority              | 19,795              | -                              |
| Economic Development                        | 437,967             | -                              |
| Geographic Information Systems (GIS)        | 248,143             | -                              |
| Planning & Zoning                           | 396,101             | -                              |
| Engineering                                 | 751,805             | -                              |
| Zoning Board                                | 72,704              | -                              |
| Transfer to Financial Stabilization Fund    | 1,554,773           | -                              |
| Contingencies - Not to Exceed 10% of Budget | <u>2,200,000</u>    | <u>-</u>                       |

**Jefferson County Commission Levy Estimate (Budget)  
2015 - 2016 Fiscal Year**

|                              |                                |                       |
|------------------------------|--------------------------------|-----------------------|
| TOTAL GENERAL GOVERNMENT     | <u>14,702,163</u>              | <u>135,250</u>        |
| PUBLIC SAFETY                | -                              | -                     |
| Sheriff - Law Enforcement    | 3,521,034                      | -                     |
| Sheriff - Service of Process | 18,000                         | -                     |
| Regional Jail                | 1,350,000                      | -                     |
| Emergency Services           | 266,458                        | -                     |
| Communication Center         | 2,013,285                      | -                     |
| Fire Department              | 420,000                        | -                     |
| Ambulance Authority          | 2,122,562                      | -                     |
| Dog Warden/Humane Society    | 325,809                        | -                     |
| Central Garage               | <u>307,470</u>                 | <u>-</u>              |
| TOTAL PUBLIC SAFETY          | <u>10,344,618</u>              | <u>-</u>              |
| HEALTH AND SANITATION        | -                              | -                     |
| Mental Health                | <u>-</u>                       | <u>15,000</u>         |
| TOTAL HEALTH & SANITATION    | <u>-</u>                       | <u>15,000</u>         |
| CULTURE AND RECREATION       | -                              | -                     |
| Parks & Recreation           | 505,160                        | -                     |
| Arts & Humanities            | 10,990                         | -                     |
| Historical Commission        | 15,900                         | -                     |
| Visitor's Bureau             | 275,110                        | -                     |
| Library                      | <u>250,000</u>                 | <u>-</u>              |
| TOTAL CULTURE & RECREATION   | <u>1,057,160</u>               | <u>-</u>              |
| SOCIAL SERVICES              | -                              | -                     |
| Public Transit               | 10,275                         | -                     |
| TOTAL SOCIAL SERVICES        | <u>10,275</u>                  | <u>-</u>              |
| <b>Total Expenditures</b>    | <b>\$ <u>26,114,216</u> \$</b> | <b><u>150,250</u></b> |

STATE OF WEST VIRGINIA  
JEFFERSON COUNTY, WEST VIRGINIA, WEST VIRGINIA

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\_\_\_\_\_  
(Signature)

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



Name: Tim Stanton, Finance Director

Department or Organization: County Commission

Estimation of amount of time needed for appointment: 10 minutes

Date Requested -- 1<sup>st</sup> Choice: April 2, 2015

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

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

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

- ⚡ Approval of Internal Budget Revisions numbers 11, 12, and 13
- ⚡ Discussion on when ambulance fee revenue should be transferred

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

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

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

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

- Motion to accept Internal Budget Revision numbers 11, 12, and 13 of the General Fund

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**

None



Jefferson County, West Virginia  
 Department of Financial Management  
 Budget Revision for Fiscal Year Ending June 30, 2015  
 Internal Budget Revision  
 IRB # \_\_\_\_\_12\_\_\_\_\_

**Narrative:**

Transfer budgeted funds from workers compensation insurance to liability insurance

| Budget Line No.           | Account Name           | Approved Budget | Requested Additions | Requested Reduction | Revised Budget |
|---------------------------|------------------------|-----------------|---------------------|---------------------|----------------|
| 001-401-02-226-000-GG-000 | Liability Insurance    | 287,191         | 813                 | 0                   | 288,004        |
| 001-401-02-226-001-GG-000 | Workers Comp Insurance | 133,178         | 0                   | 813                 | 132,365        |
|                           |                        |                 |                     |                     |                |
|                           |                        |                 |                     |                     |                |
|                           |                        |                 |                     |                     |                |
| <b>Totals</b>             |                        | 420,369         | 813                 | 813                 | 420,369        |

Requested by: T Stanton

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

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

Reviewed by: 

Date: 3/24/15

T Stanton/Finance Director

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

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

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



## Eric J Lewis CPA

March 13, 2015

Jefferson County Commission  
PO Box 250  
124 E Washington St  
Charles Town, WV 25414

Re: Impact Fee Public Hearing

Commissioners:

My name is Eric Lewis. I am a local CPA and lifelong resident of Jefferson County. I also serve as President of the Jefferson County Development Authority and as a member of the West Virginia School Building Authority. My wife and I have two children who received wonderful educations in Jefferson County Schools.

The views I provide you via this letter are my own and do not represent the JCDA or the WV SBA.

Thank you for holding a public hearing on impact fees. It is important that the true facts about impact fees be presented to the public. Impact Fees are a very easy subject on which to spread misinformation. Those in favor of 100% funding (or higher) really do not have facts or data on which to base their position. Their position is based solely on emotion and the concept that "less revenues will be bad for us", without regard to the hard data and the fact that the County Commission is fully within its legal rights to set Impact Fees at any number up to 100%.

With the comments below I intend to present to you true facts about impact fees.

My intention is to to ask you to set impact fees at 70% of the Tischler/Bice study maximum allowable fee (for all housing types) and to assure that townhouses and duplexes are considered the same so that the impact fee for townhouses is lower than for single family homes.

I do not intend to ask you to completely eliminate impact fees as I believe that would be a mistake. Impact fees are a tremendous benefit to our community. However, they must be set at a reasonable level that does not hinder growth but that adds an additional revenue stream to \*assist\* in the new house paying an additional amount towards the capital costs it generates. Note that I say "assist". Impact fees are not intended, and never should be intended, to cause a house to fully fund its supposed "impact". Our system of funding capital assets as a county and as a state is based on multiple funding sources. Even with impact fees, all alternative funding

Lewis - March 17, 2015

sources should be considered and capital improvements should not be built on the backs of new residents.

I have been involved in the impact fee discussion for over ten years. I was the initial chairman of the School Impact Committee. This committee was appointed by the County Commission twelve years ago to study school construction and determine the cost of school construction per student and per house in Jefferson County. With my experience on that committee and my experience over the past four years as a member of the School Building Authority, I believe I am uniquely suited to offer facts on the impact fee situation in Jefferson County and in particular, school construction funding.

Over the past few weeks I have reviewed considerable facts and data that support the assertion that we should not have impact fees at all. Again, I don't support that ultimate result, but it should be known that the facts would support elimination of impact fees. This is important to understand and consider when the Board of Education is attempting to force the County Commission to fund at 100%.

Here are some of those facts:

- 1) Our growth rate over the past several years does not reach the level the county's own consultant stated is necessary to support impact fees (3-5%). Our school system has grown by 767 students since the 07-08 school year. That represents a 1.49% average yearly increase and a 9.24% overall increase. There is no way to know for sure, but we can be fairly certain that not all 767 students came from new houses. In fact, 138 represent the addition of Pre-K students. Certainly it can be assumed that some percentage of this enrollment increase is due to families moving into preexisting homes with more children than the previous owner and to natural birth rates (i.e. children born in the county in 2009 would be entering Pre-K or Kindergarten in the 13-14 school year).

During this period of time, over \$13,000,000 was collected for school impact fees. Even assuming all 767 students were from impact fee related new housing (which is virtually impossible), that represents \$17,144 per student, which is considerably higher than the actual impact fee during that time. In the 2014-2015 school year, the Board of Education collected \$2,249,548 in impact fees and saw a five student increase in enrollment. Let me repeat that: five. That amounts to \$449,910 in impact fees collected per new student enrolled that year.

- 2) School impact fees are broken into categories based on school type and administrative offices and maintenance. Each fee paid is supposed to go pro-rata to each capital asset type. Our school board and other agencies have not been able to spend the impact fees on components that follow the ordinance. For example, we have overspent on certain types of school because we could not justify spending the allocated impact fees on the school type for which it was intended. The previous Impact Fee Coordinator allowed the BOE to spend impact fee funds on areas that were not specifically allocated.

This is also true for other impact fee areas. As you know, impact fees can only be used for growth related purchases, not for replacements. If we don't have growth related needs we cannot use the impact fees and therefore should not be collecting them (or at least not be collecting as much).

It is commonly mentioned that Shepherdstown may need a new elementary and/or middle school. What is clear is that those needs exist whether or not another new student moves into that district. That means that impact fees could not be used for those projects and impact fees could only be used for that portion of a new school in Shepherdstown which represents the portion necessary to accommodate the students generated by the growth.

The WV School Building Authority has been mentioned many times during this discussion. As a sitting member appointed by both Governor Manchin and Governor Tomblin, I believe I can speak with certainty as to how the SBA works and how county school systems are funded. Make no mistake: local funds provided by county boards of education help secure SBA funding. However, the SBA does not make a distinction between where those local funds come from. Jefferson County is the only county with Impact Fees and Table Games funding. In my time on the SBA, I have never once heard the term "impact fees" uttered in an SBA meeting. Not once. Jefferson County's local contribution is encouraged and appreciated and helps it secure SBA funding, but the source of that local funding is not an issue with the SBA.

Other counties use savings or bonding to fund their local share. There is absolutely no reason why Jefferson County should not consider bonding as an additional funding source. Bonds have funded school construction in WV for 100 years. It allows all citizens of the county to help pay for the schools we need. We have perhaps the wealthiest county in the entire state and yet our Board of Education seems averse to running a bond to pay for some component of new school construction. Why should we think we should be building new schools entirely on the backs of the new residents and gamblers? Since Table Games went live, the Jefferson County Board of Education has collected \$18,000,000 in direct school funding. That represents over 1400 single family homes at the current impact fee level.

If our Board of Education can't stay ahead of school construction with table games, impact fees at 70%, bonding and savings we have a much bigger problem on our hands.

With regard to the legal justification for setting the fee at a number below 100% of the maximum allowable fee: The WV Code that allows impact fees states that the impact fee "shall not exceed" the maximum allowable impact fee when alternative sources of funding are included. Note the use of the term "shall not exceed". Any reasonable reader could determine from the use of that term that the County Commission is well within its rights to set the fee lower than the maximum allowable fee.

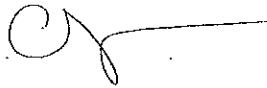
The County Commission was indeed well within its rights to set the fees at 70% and indeed I agree with that decision. I hope that the County Commission follows through with that decision and we can get on to encouraging economic development in this County.

At this point the injunction and the related delays have only served to grind everything to a halt in Jefferson County. Why would a builder pay \$13,000 for a building permit today when it will be \$6,400 when the decrease is finally fully enacted? In my opinion the Board of Education has no legal basis on which to base its legal action and the County Commission should follow through with its original intent to set Impact Fees at 70%.

Let's get this over-with and get Jefferson County moving in the right direction.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'Eric J Lewis', with a long horizontal line extending to the right.

Eric J Lewis CPA

## Jessica Carroll

---

**From:** cspierson@frontiernet.net  
**Sent:** Sunday, March 29, 2015 6:36 PM  
**To:** info@jeffersoncountywv.org  
**Subject:** Subject: Comments re Impact Fees

People are moving in the county from out of state for lower taxes and cheaper homes and expect all the perks of their previous counties where the taxes were probably double the ones in Jefferson County. Because of these people moving here, we need more schools, parks, etc and the maintenance of them. A lot of these people are buying existing homes and not paying impact fees. Example, our development has 36 homes and only 3 houses were purchased or built by people born and raised in Jefferson County. That means that 33 homes were sold and no impact fees collected. I realize that some of the homes were built before impact fees were implemented.

Most homes being built in the county are overpriced because of impact fees and the local people making minimum wage cannot afford to buy these homes. People buying these homes are from out of state, not local people. We need to look out for the people born and raised in the county, not cater to out of state people who want everything yesterday.

People moving in the county should be paying some type of impact fee if the fee was not paid when the house was built. People born and raised in Jefferson County should be grandfathered in and not pay impact fees if they choose to build another home.

Jane Tabb voted against lowering impact fees. It is OK for her daughter to buy an existing home, has 2 children that will impact the school system and not pay a dime for impact fees.

Patsy Noland appears to be the only commissioner who is against the impact fees. Good for her. She is the only logical one saying the tax base should be changed.

I'm all for change in the county but be fair about it. The impact fee of \$13,000 is a ridiculous amount for a retired couple if they want to downsize and build another home.

The County Commission was so used to getting money from the Race Track and the impact fees over the years and built these elaborate schools, expanding parks, etc and appeared to not think about the future and maintaining what was built.

Of course the school board does not want to lower impact fees, why should they - they are getting what they want.

Give the local people a break and either eliminate the impact fees or lower them considerably.

Thank you.

Calvin & Susan Pierson

## Jessica Carroll

---

**From:** Walls, Cassie [Cassie.Walls@loudoun.gov]  
**Sent:** Thursday, March 26, 2015 3:53 PM  
**To:** info@jeffersoncountywv.org  
**Subject:** County Commission Public Hearing: Impact Fee

March 26, 2015

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

Dear Jane Tabb and Commission Members:

I am writing this letter in support of reducing the impact fee for building a new home in Jefferson County, WV. I was born and raised in Jefferson County, and I am currently in the process of buying land in the County. The impact fee is a major obstacle for first time homeowners like myself. A reduction in this fee will strongly encourage me to stay in Jefferson County and raise my family in the same area where I grew up. I am in support of reducing the impact fee because of my lifelong residence in the county and costs related to building a new home.

Thank you for your time,

Cassie Walls

Cassie Walls  
Rural Business Development Assistant  
1 Harrison Street S.E., msc#63  
Leesburg, VA 20175  
Office- 703.737.8458  
Fax- 703.771.5363



## Jessica Carroll

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**From:** cheriereed@frontiernet.net  
**Sent:** Sunday, March 22, 2015 6:47 PM  
**To:** info@jeffersoncountywv.org  
**Subject:** Impact Fees

We are Roy and Cheryl Smoot, a middle class family that has lived in Jefferson County all of our lives. We are not a construction company. We purchased property in Jefferson County hoping to downsize because of retirement. The fees we will have to pay are so outrageous we are now wondering if we have made a huge mistake. Not only will we have to pay over \$13,000 impact fees, there is an over \$3,000 fee for a building permit, over \$2,000 for a water tap, over \$1,000 for a sewer tap and since there is no sewer to our lot, the town has told us we will have to connect to a manhole and bring the sewer to our property which is going to be about \$10,000. We are going to have to come up with over \$30,000 before we even begin to think about building our home. We want to stay in Jefferson County. We want our children and grandchildren to remain in Jefferson County, but the fees are almost making it totally impossible. The impact fees need to be reduced drastically or completely abolished. The impact fees are stopping any growth whatsoever in Jefferson County.

Thank you,  
Roy and Cheryl Smoot  
304-876-6315

3/16/2015

## Impact Fee Statement.

My name is Peter Fricke; I am a resident of Middleway. My professional training is as a sociologist and my specialty is community impact assessment. I have served on a number of County Commissions and Committees, including the Farmland Protection Board, the Comprehensive Plan Steering Committee, and most recently on the Planning Commission. My statement today is a personal one reflecting my own views.

In the draft Comprehensive Plan the Steering Committee addressed the issue of impact fees in two ways. First, in order to focus housing development in areas in which services, e.g schools, and utilities were available, they recommended that the County Commission consider a two-tier schedule of impact fees. The lower fees would be for housing units built in the municipalities and their urban growth zones as services and utilities are available or easily provided. The higher tier of fees would be for new housing units constructed in the rest of the county. The second recommendation related to affordable housing, in particular for county and school employees. This recommendation would have reduced impact fees on houses built for these individuals. Neither set of recommendations was accepted and included in the Comprehensive Plan (Envision 2035) adopted by the County Commission in February, 2015.

Impact fees are useful tools in counties which anticipate growth. They allow new residents to invest in the infrastructure necessary to maintain and, perhaps, improve the physical infrastructure of a community or county to meet their needs in the future. Impact fees are, however, blunt tools unless tied to capital planning (plan-based) programs in which the outcome is in relatively near-term. That said, impact fees used to support infrastructure development are an essential tool in county fiscal planning and complement county economic development and employment-creation planning.

At the Commission's regular meetings of February 5 and 19, 2015, three proposals for new impact fee schedules were considered by the Commission. The first proposal, in the Engineering Department's Annual Report on Impact Fees was for a reduction in single house impact fees of some \$4,000, and small changes in fees for townhouses, duplexes, and multi-unit dwellings. The second proposal, the TischlerBise Consultants report for the Commission recommended similar changes to that of the Engineering Department. Both these reports are data-driven and respond to changes in growth and county needs as required by the County's incremental expansion method of calculating impact fees and State law for reviewing impact fees. On reading these reports, I found a few errors but nothing that would substantially change the analytical conclusions.

The third proposal, put forward in a motion by Commissioner Pellish, was for a reduction in fees equal to 70 percent of the recommendations for single house and multi-unit dwellings made by TischlerBise, and 70 percent of the current fees paid for townhouse/duplexes. In reviewing the minutes and videos of those meetings, I can find no basis for the reductions proposed and agreed to by the County Commission in a 3-2 vote on February 19.

My questions to the Commission concerning the third proposal are as follows:

- Given the County's legislated framework for calculating impact fees, what data provided the reason for the Commission's further reduction of fees?
- What of level of service does the Commission expect to achieve with the reduction of impact fees related to schools, EMS, and parks and recreation?
- What will be the cost of bonds, in lieu of impact fees, for future taxpayers to maintain current levels of service?
- What are the projected costs and benefits of reducing the impact fees to be realized in 2020 and 2025 to county employment, County revenues, and services?

Thank you!

Comparison of proposed fee schedules:

| Dwelling Type | Dept. of Engineering | TischlerBise | Commission Motion 2/19 |
|---------------|----------------------|--------------|------------------------|
| Single house  | \$9,065              | \$8,143      | \$5,700                |
| Townhouse     | \$10,094             | \$9,172      | \$5,992                |
| Duplex        | \$9,850              | \$9,172      | \$5,992                |
| Multi-unit    | \$6,366              | \$5,688      | \$3,981                |

## Mike Wiley

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**From:** Mike Wiley  
**Sent:** Monday, March 16, 2015 4:45 PM  
**To:** 'David Hartley'  
**Subject:** RE: Public Hearing on Impact Fees

### Revised comments:

1. Although as a member of the Impact Fee Study Committee, and we stand behind the descriptions and data within the report (excepting comment #3 below), a reduction or suspension of the fees would be a great assistance to both the residential and commercial building industry, in order to stimulate the economy and needed growth.
2. For residential, since the impact fee is a cost passed on to the homebuyer in the form of the home's sales price, the costs of purchase, and indirectly, financing the impact fee cost clearly adds to the ability to qualify for a certain level of financing, as well as additional payments. For example, the costs of financing just the impact fee costs in a typical 30-year mortgage at nominal rate of 4% are:

| CURRENT FEES                | Single-Family<br>Detached | Townhome             | Multifamily          |
|-----------------------------|---------------------------|----------------------|----------------------|
| Impact Fee                  | \$13,070.00               | \$9,868.00           | \$7,594.00           |
| Finance Rate                | 4%                        | 4%                   | 4%                   |
| Monthly Finance Rate        | 0.33%                     | 0.33%                | 0.33%                |
| Years Financed              | 30                        | 30                   | 30                   |
| Months Financed             | 360                       | 360                  | 360                  |
| Monthly Cost                | (\$62.40)                 | (\$47.11)            | (\$36.25)            |
| <b>Total Cost</b>           | <b>(\$22,463.34)</b>      | <b>(\$16,960.08)</b> | <b>(\$13,051.77)</b> |
| <b>PROPOSED FEES @ 100%</b> |                           |                      |                      |
| Impact Fee                  | \$9,065.00                | \$9,850.00           | \$6,366.00           |
| Finance Rate                | 4%                        | 4%                   | 4%                   |
| Monthly Finance Rate        | 0.33%                     | 0.33%                | 0.33%                |
| Years Financed              | 30                        | 30                   | 30                   |
| Months Financed             | 360                       | 360                  | 360                  |
| Monthly Cost                | (\$43.28)                 | (\$47.03)            | (\$30.39)            |
| <b>Total Cost</b>           | <b>(\$15,579.97)</b>      | <b>(\$16,929.15)</b> | <b>(\$10,941.21)</b> |
| <b>PROPOSED FEES @ 70%</b>  |                           |                      |                      |
| Impact Fee                  | \$6,345.50                | \$6,895.00           | \$4,456.20           |
| Finance Rate                | 4%                        | 4%                   | 4%                   |

|                      |               |               |              |
|----------------------|---------------|---------------|--------------|
| Monthly Finance Rate | 0.33%         | 0.33%         | 0.33%        |
| Years Financed       | 30            | 30            | 30           |
| Months Financed      | 360           | 360           | 360          |
| Monthly Cost         | (\$30.29)     | (\$32.92)     | (\$21.27)    |
| Total Cost           | (\$10,905.98) | (\$11,850.40) | (\$7,658.85) |

Clearly any level of financing the after-tax costs will impact the financing and spending capability of families at all levels.

3. The reports, and ultimately any fee structure decision, need to clarify the discrepancy in the fee structures between single-family detached, townhomes, duplexes, and multi-family units. For example, there is a huge discrepancy in the fire, rescue, and parks report fee chart on Page 4 with the schools report Page 3, relative to whether a townhome should be in the same cost category as single family detached; similarly, why is a duplex in the same category as townhome and not multifamily.
4. For the BoCC to adopt any fee, there needs to be a rational nexus between the charged fee and its use; the BoCC must confirm the needs for these fees in the immediate and near-term, as the provision in the Impact Fee ordinance must demonstrate a need for the fee charged and used in the area for which they would be used, otherwise the fee must be returned to the payee (owner or developer). For example, the BoE should demonstrate through a Capital Improvement Program, that new schools will be needed within the same planning or sunset period as the impact fee collection, to justify any level of impact fees. Further, it has been legally proven elsewhere in the United State that the “legal rational nexus test” is not sustainable when fees are charged at 100%; the reduced fees at 100% of the maximum sustainable level could thus be legally challenged; see The Nollan-Dolan two-pronged Nexus requirement which states:
  - a. First, an “essential nexus” must exist between the asserted legitimate state interest” and the permit condition imposed by government. See Nollan v. California Coastal Comm’n., 483 U.S. 825, 841-842 (1987), and Dolan v. City of Tigard, 512 U.S. 374 at 391 (1994); and
  - b. Second, if the required nexus to a valid public purpose exists, the court must then analyze the “degree of connection” between the exaction and the “projected impact” of the proposed development. There must be “rough proportionality” between the two. See Dolan.

**Michael T. Wiley, PE, PS, Prof LS**

Vice President of Development, The Wormald Companies

Vice President, Piedmont Design Group, LLC



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Jefferson County Commission  
Public Hearing  
March 16, 2015

Good evening. I'm Scott Sudduth, President of the Jefferson County Board of Education, and I'm pleased to be here along with my four fellow Board members. The Jefferson County School district now includes 17 schools, more than 9000 students, and more than 1200 employees.

Tonight's hearing about impact fees and their appropriate level is really about future students. Before I talk about the future, we must pay our respect to the past. Your predecessors deserve thanks and credit for the courage and vision they demonstrated 10 years ago to enact impact fees. As we have learned on the Board of Education, the decisions we make as locally elected officials often have a lasting impact, good and bad, on the community we serve.

Impact fees have had a lasting positive impact on this community. Ten years ago we had one less high school, one less middle school, one less elementary and one less primary-2 school. We had students packed into 85 portable classrooms throughout the county.

This community had recently voted down a bond to fund additional schools. Why should current residents and taxpayers pay for all that additional growth, the dissenters said? Jefferson County schools were overcrowded, unsafe and we had few options. The County Commission paid attention to this dilemma, heard the concerns of the community, and recognized that responsible growth meant those who moved here created a greater demand on services than their share of taxes would cover.

Consequently, over the past decade the Jefferson County Board of Education has managed an aggressive, yet fiscally conservative, capital investment strategy. We've built four new schools and substantially renovated others to accommodate the growth. Impact fees accounted for about 34% of the local funds we used to successfully leverage support from the WV School Building Authority. In total we spend \$100M, with 61% from local sources.

There are three important facts to remember as a result of this investment:

- 1) our students are completely out of portable classrooms (indeed our facilities are excellent)
- 2) the school board did not saddle current residents for any tax increases to pay for school construction bonds
- 3) 10 years later, we are at 94% capacity in our elementary schools, 95% capacity in our middle schools, and 92% capacity in our high schools.

Folks, we caught up. And now the Commission is talking about spurring growth beyond the 1.2-1.5 percent annually we experienced for most of the past decade.

We are not arguing for or against growth – that’s not the purview of the Board of Education. But, growth brings demand and strain on facilities. The community will demand that we meet that need – and indeed state law mandates it.

Just last Friday, the Superintendent and I met with officials of the City of Ranson and learned of plans – already approved – to add more than 2000 households to their community. That’s at least one more elementary school beyond the new schools already contemplated in our annual Capital Improvement Plan over the next 3 years.

We’ve heard in recent weeks that Berkeley County has been able to accommodate growth with new schools and they don’t have impact fees. That’s correct. What Berkeley has, however, that we have been able to avoid – is taxing every resident to support bond financing for schools. Berkeley County residents are paying for \$48.2M of school construction debt through 2025; Jefferson residents are carrying \$9M in bond debt from a Jefferson High School project prior to impact fees that expires in 2020. You do the math!

Over the past 4 years, the County Commission has approached the Board of Education, not once but twice, to help fund a study to reexamine the level of impact fees. Our budget – like most local governments – is tight. But we scraped and found the funds to support the studies – we recognized that the school community benefits greatly from these fees and we believed we had a responsibility to support evidence-based research to inform decision-making at the local level. We also recognized that due to the breadth and depth of the recession a reduction of many of the fees was likely in order – indeed that’s what the evidence suggested, and the Board of Education supports the recommendations in the study.

The Impact Fees currently are set at 100% of the maximum supportable incremental cost for schools. Some commissioners have recommended setting at 70%, others eliminating all together. Either of those recommendations would only serve to benefit developers, while increasing the burden on the taxpayers of our community to meet the demand for services from new growth.

Our job is to prepare a skilled workforce. The top priority of any business looking to site or re-locate its workforce is the quality of the schools (and low taxes). Ask any realtor, it’s among the top priorities of any buyer. Quality starts with the teachers – they and the students they serve deserve facilities that aid and abet rather than deter and distract.

The reductions adopted by the Commission at their February 19 meeting are precipitous and not sustainable if the community wants to keep up with growth. The study was thorough, comprehensive and involved all the local stakeholders. We recommend supporting the recommendations from the study.

Indeed our data shows the monthly fee collection – at current levels -- was up significantly in January after a four month seasonal lull in activity.

**Comments for the Public Hearing on Impact Fees  
Held by the County Commission of Jefferson County, March 16, 2015.**

Commissioners,

I am a Real Estate Broker working in the new homes sector. I am also a board member for the Eastern Panhandle Homebuilders Association. Through my business, I see every day the negative impact of impact fees as buyers are pushed farther West to be able to purchase homes. The price of new homes to which the fee has been added pushes up the price of all homes in the area. This proportionally affects modestly priced homes more than higher priced properties causing lack of availability of homes suitable for workforce housing.

The changes to the Impact Fee Schedule, as recommended by the consultant in the recent review, reflect adjustments based on a more appropriate land cost estimate for property for new schools and the subtraction of funds already contributed by the School Building Authority from the cost of improvements. Let it be noted that this overcharge due to double dipping has been in place from implementation. Your approval of an additional reduction beyond these adjustments, or even a consideration of eliminating the fees altogether, is surely a valid means to address stagnant growth in the county.

So the question is growth or no growth – benefits or negative consequences of impact fees. It sounds like some commissioners are coming to the realization I've always thought would surface, that slowing housing growth slows all growth, including growth in the tax base for the county. This has been an experiment that may not be successful. We all need to speak to the elephant that has been in the room since impact fees were first considered. That is the fact that a no growth movement sought to use fees as tools to slow growth. Now we can see that that movement achieved its goal.

Were our schools suffering in the years prior to impact fees because of growth, or because we were unable to manage the need for constant assessment and management of capital improvement needs before, or even after implementation? No other county in the state collects impact fees, including Berkeley County which has done a decent job of managing growth in all sectors. The model of relying on taxes on citizens and businesses, including taxes returned to us through the School Building Authority distribution, should be reconsidered.

My reading of code finds no indication that you are obliged to assess impact fees that cover the full amount, or for that manner, any of the capital improvement costs associated with the needs of buyers of new homes in the county. I believe a healthy county is one that treats all citizens equally, whether they are new to the area or not.

I support your move to reduce impact fees in order to invite growth into the county that can improve your bottom line and ensure a reasonable level of services to every citizen. I know there are variations in the growth estimates for the last five years, but it appears that we may no longer meet a growth rate that was required to initially implement such fees. Considering that stagnant rate of growth, I would hope that you also seriously study elimination of the fees altogether. Your elimination of the fees for the commercial/business sector has proven to be helpful, and has set precedence for acceptance of eliminating fees to promote growth in the county.

Thank you for your consideration,

Katy Fidler  
48 Trough Road  
P.O. Box 3233  
Shepherdstown, WV 25443

As a parent in Jefferson County I have been in and had a child in the 9<sup>th</sup> grade complex and in CTMS when we had no impact fees. The conditions were crowded and frankly dangerous. I now have a student @ JHS which is almost at capacity + at Iriswood EI where we are at 105% of capacity with homes being built right next door. I do not want my daughter or any other child back in an outside portable.

What makes me the most disappointed is that I look around the room + I see how so many people criss cross paths each + every week. Our lives are connected with each other everyday in multiple ways and that is a good thing. We need to work together. I feel like we heard ~~the~~ from the community ~~that~~ including the developers and took the necessary steps to find a solution to reduce the impact fees to a fair number that everyone could still do the jobs they need to do ~~to~~ make Jeff County a great place to live. ~~We~~ We then came to the commission mtg. and were given a number that made no sense to several of the stakeholders involved. Sometimes it seems ~~like~~ as though everytime we take a step forward to work together as a community something happens to again cause a rift between some parties involved. As a community member it is my hope we can find a resolution quickly that will allow us to keep moving forward.

Good evening I am Mark Osbourn, Vice President of the Jefferson County Board of Education, retired Principal and educator from the Jefferson County School System. I stand before you to encourage you to adopt the impact fee levels that were presented in the February 10, 2015 TisclerBise report at 100% of the recommended level. A reduction in the fee level will decrease the present level that the support groups gain for capital improvements and will decrease the counties level of services provided by several organizations such as the School System and Parks and Recreation.

Many families are residents or move to Jefferson County because they find a high quality of life for themselves and their families. By dropping the impact fee to 70% of the suggested level that was in the TischlerBise report Of 2015 it will most certainly spur economic growth in the housing industry but will create an imbalance at the expense of the related services to our residents. These related services need to stay in harmony with the rate of growth to provide the high quality of life that the residents of Jefferson County expect. This balance of economic growth and level of services needs to be achieve to provide a safe, healthy, educated and stimulating environment for all people in Jefferson County.

The Jefferson Board of Education has worked hard to move all of our students out of portable classrooms and into high quality facilities. This was made possible by 61% local funds, a mixture of table game revenue, impact fees, and general school revenue. Our county was able to tap into state funds to complement our county funds through the School Building Authority at 39%. On a recent trip to our state capitol past Executive Director of the SBA , Mark Manchin shared with fellow board member Scott Suddith and myself that Jefferson County received that level of funding because we were able to bring this level of matching funds from local sources to the table. With an imbalance between the rate of building and the monies available for the level of services this will create growth at a faster rate than these support service can provide. This will lead to school overcrowding which negatively impacts teaching and student learning. In a recent national report it was stated that students in sub-standard school facilities with overcrowding scored as much as 11 % less on national and state testing.

In the TischlerBise report 2015 it projects additional student population growth at approximately 150 students each year In 3 years this may nictitate a new elementary school or in 4 years a new middle school. At the present 5 of our 10 elementary school are at capacity and 1 of our 4 middle schools is at capacity.

As you should be able to recognize a balanced approach to growth and the support service is very important to the high quality of life in Jefferson County so make the right decision to support impact fees at the 100% rate as outlined in the Feb. 10, 2015 TischlerBise report.

**Jefferson County Commission**

**Public Hearing: Impact Fees**

**Ellen May**

**March 16, 2015**

I am here to challenge the logic of slashing impact fees.

I doubt that there is a person in this room that is not in support of economic development for Jefferson County. However, houses are not economic development, businesses & jobs are.

When I first joined the Planning Commission and then the Comp Plan Steering Committee, I kept asking – how many houses have we already approved, and where are they? This is now delineated on our Land use map and equals 3000 approved houses and may be more now.

This information is critical for the School Board to project potential student populations and their location. It is also critical to all other public services. Please remember that in approving subdivisions, part of the package are letters of support from those public services indicating that they can provide. I would imagine from the School Board's perspective that ability to provide was based on projected income from impact fees. Now you are proposing to change the rules of the game. Can the public service providers rescind their support?

If the Commission is in support of economic development for this County then I would like to see a proactive role, not reactive. I have been waiting to see that for the 20+ years that I have lived here. There are many successful models around the country where communities have aggressively and successively relocated businesses, resulting in jobs.

Speaking of models, I would challenge Commissioner Pellish to provide several documented case studies of a county anywhere in the US that has reduced impact fees which have resulted in increased economic development – more long term, living wage and non construction jobs.

Impact fees pay for services and need to remain.



Jefferson County  
Development Authority

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Executive Director

PO BOX 237  
CHARLES TOWN  
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[www.JCDA.net](http://www.JCDA.net)

July 18, 2014

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

Dear Commissioner Pellish,

On behalf of the Jefferson County Development Authority, I am writing to express our views on the current impact fee program in Jefferson County.

As you know, the Jefferson County Commission supported our request last year to amend the commercial impact fee program and reduce the fee by 99% for a period of 24 months. When we presented our request to the Commission, we pointed out that impact fees were a barrier to economic development as we compete for business growth against adjacent jurisdictions that do not impose a commercial impact fee. Because the cost of doing business will always be a primary factor when a business decides where to locate, it is imperative that we strive to foster a positive business climate that reduces costs and limits the barriers to new business development.

To illustrate the positive results of the fee reduction, we look to the recent success in the Burr Business Park. Since the commercial fee reduction last year, the JCDA has welcomed two new businesses from Virginia and one from Berkeley County, West Virginia that have decided to relocate to the county and construct new facilities in the park. Commercial impact fees are not collected in the Commonwealth of Virginia or in Berkeley County and it is our belief that the decision to virtually eliminate the commercial impact fee was a contributing factor for these business relocations. These three small businesses represent the health care industry, national defense procurement, and the engineering and research sectors which provide the very type of highly skilled, better paying jobs that we want to attract to the County. Furthermore, these few examples plainly illustrate that if we provide a level playing field as it relates to cost, Jefferson County can compete very well for new business development.

Therefore, I strongly encourage and recommend that the Jefferson County Commission permanently remove the commercial impact fee on new business development. The JCDA firmly believes that permanently eliminating the commercial impact fee will spur new business growth, create more jobs and provide additional tax revenue for the County that will far exceed the revenue collected by this burdensome impact fee. New business growth will also inject more payroll into the community which will, in turn, result in more financial support for other local small businesses, vendors, and suppliers while also providing more opportunity for Jefferson County residents to live, work, and spend their money right here at home.

In regards to residential impact fees, the JCDA fully recognizes and acknowledges the benefit that these fees have provided to our local school system. We further recognize that an excellent school system is very important to the long-term economic sustainability of the community. We must ensure that we have a robust school system in order to continually provide a pipeline of highly skilled professionals to accomplish the work of an ever-changing and technology driven economy. In short, the students of today will become the business owners and labor force of tomorrow.

Mr. Walt Pellish  
July 18, 2014  
Page 2

While we recognize and embrace the need for residential impact fees, we also believe that they need to be fair, equitable, and reasonable. In fact, the JCDA believes the residential impact fees are too high and should be reduced. According to a national impact fee study conducted by Duncan and Associates in 2012, the school impact fees in West Virginia are among the highest in the nation. The JCDA believes that our disproportionately high impact fees will not only place an undue burden on families and individuals striving to realize the American dream of owning their own home, but it will also negatively affect new business growth. Many types of businesses, particularly the commercial, retail, construction and trade sectors, depend directly on residential growth. In fact, almost all of our business prospects look at our residential demographics when making location decisions. Businesses need to be in a community that is vibrant and growing as this is critical for their success.

In closing, we ask that you carefully consider any decisions that you make regarding both commercial and residential impact fees. We believe that commercial impact fees should be permanently eliminated and that residential impact fees should be lowered so they are fair, equitable, and reasonable so as not to negatively impact growth and development in Jefferson County. We look forward to more discussion of this matter and appreciate this opportunity to provide our input. Please know that the JCDA staff and the Board of Directors are more than willing to be a resource to the County Commission as you make these decisions.

With Best Regards,



John Reisenweber  
Executive Director  
Jefferson County Development Authority

## Jessica Carroll

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**From:** Alissa Meeks [ameeks@charlestownwv.us]  
**Sent:** Tuesday, March 17, 2015 10:09 AM  
**To:** info@jeffersoncountywv.org  
**Cc:** info@jeffersoncountywv.org  
**Subject:** Reduction in Impact Fees

Dear Commissioners,

For several years, the County has conducted workshops, public hearings, and multiple studies to assess the recalculation of impact fees and now this hearing to determine where the general public stands on the fees, and with dedication and persistence I have attended most of those meetings.

I am not affiliated with any interest group – I am not a developer; I am not a real-estate agent; I am simply a 12<sup>th</sup> generation resident of Jefferson County who is trying to work and live in the community I was raised.

My husband and I, who are both law enforcement officers in this county, have been saving to build our home but have not done so because of the rate of impact fees. I love Jefferson County and I'm extremely proud to call this community my home, but I'm not so proud of some of the policies that have been implemented such as impact fees and passed off on the shoulders of "new comers" under the argument, "we're doing it for the children" or "we need this money."

I should add, I also teach at Shepherd University, so I fully appreciate the importance of education, but I also recognize simply by endorsing impact fees, it does not guarantee high student test scores, and it does not support classroom material, supplies, or even increased programs. When 54 other counties in the state can build new schools with standard tax monies and bonds, it's time Jefferson County follows suit and every tax payer covers the expense. The reality is, since the 2007-2008 school year, the BOE experienced a 1.49% growth in student population.

TischlerBise confirmed in an article they published, "a community experiencing a very low growth rate will generate minimal revenues and new capital facilities may not be needed in the foreseeable future for most services. They also concluded it is actually illegal to collect school impact fees in a geographic area that will not generate the need for any increase in school facilities in the foreseeable future. Because we know impact fees cannot be used for replacement schools, only new schools and structures generated by growth, yielding a 1.49% student growth does not demand additional facilities needed as a result of growth.

Furthermore, TischlerBise further confirmed, in some jurisdictions, 50-70% of new home buyers are trading up (building and buying homes) within the same jurisdiction. The reality is that these people have been paying for capital facility needs through their existing tax and now being asked to pay a second time. I, like so many in this county, am part of the 50-70% of long term residents who already pay county taxes and now asked to provide a secondary source of payment. Consider a \$13K impact fee financed into a 30 year mortgage has now grown to \$22K.

A \$13K impact fee represents approximately 43% of a new teacher's salary and 31% of an average police officer's starting salary, respectfully. I encourage each of you to consider the incomes of teachers, law enforcement officers, and other citizens who are trying to live and work in this county. Thank You

Respectfully,

Alissa Meeks

## SCHOOL IMPACT FEES

Please vote to continue Impact Fees at full cost, to keep the schools from becoming crowded, and to keep down taxes on existing businesses and homes.

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When new homes are built, on average they add to the number of students. So the school system will need money to build or expand schools.

For a decade, Jefferson County has charged an "impact fee" on each new home to cover the average cost needed to build the school space needed for about half a child, since the number of new children is about half the number of new homes.

School construction costs to serve new homes are real. The *cost has to be covered* by **business taxes**, by taxes on **existing** homes, or by **impact fees** on new homes. **YOU CHOOSE.**

Impact Fees are the best option because they target the developers and their customers who benefit from expanding schools for the new houses. Many of these developers are from out of state. They buy raw land at a bargain. They build houses on the cheap. They then charge the maximum the market will bear and pocket huge profits.

The alternative is to charge the cost of school expansion to businesses and all property owners. This will harm businesses and those on fixed incomes. This also becomes a government subsidy to the developers. The 99% end up paying for windfall profits for the 1%.

Arguments about new houses attracting businesses are bogus. Convenience stores and fast food restaurants will pop-up to serve a larger population, but large employers will not arrive. In fact, viable businesses, with higher paying jobs, will not come to an area with traffic congestion and over-extended public services.

One of Jefferson County's largest private employers, American Public University moved to the County only after the current impact fees were implemented. Prior to the impact fees, two large employers (Dixie Narco, and 3M) moved OUT of Jefferson County in the face of our under-funded and crowded schools. Impact fees were approved to make Jefferson County more attractive to businesses!

Residential growth bankrupts county governments. Houses require counties to spend \$1.15 to \$1.50 for public services for every \$1.00 in property taxes raised. The burden is then placed on business taxes. This has been documented over the last thirty years across America.

<http://urbanext.illinois.edu/lcr/cost.cfm>

How should a county bridge this gap?

**Reducing Impact Fees.** Cutting impact fees on new homes means (A) *crowded* schools, or (B) *higher taxes* on businesses and existing homes, to pay for expanding schools.

**Business Property Taxes.** Without impact fees, higher property taxes to build schools fall mostly on businesses.. Businesses pay double the rate of tax, and use few county services. House pay half as much as businesses and need most of the county services. Counties balance their budgets on the backs of businesses. Counties without impact fees are charging businesses much of the cost of new schools.

**Before Impact Fees,** we had only one high school, and most schools had classrooms in trailers, since there was not enough money to build new schools.

**Existing Homes.** Existing homes have already paid bonds and/or impact fees to cover construction of enough existing schools to serve the average number of children in those existing homes.

**Existing Property Taxes.** School construction is not covered by property taxes. School property taxes, including the excess levy, cover less than half of the school *operating* budget. The remainder of the *operating* money comes from the state and federal governments. The large cost of *building* new schools must be found elsewhere.

**School Bonds.** Before impact fees, in 2000 voters rejected a \$39,000,000 bond by 65% to 35%. After impact fees were adopted, voters approved a smaller bond in 2004 to supplement impact fees, for \$19,000,000. The cost of this bond on *new* homes is deducted from calculation of their impact fees, so they don't pay twice.

[wvde.state.wv.us/finance/files/Data/2008-09/PropertyTaxes/AttemptedBondElections.pdf](http://wvde.state.wv.us/finance/files/Data/2008-09/PropertyTaxes/AttemptedBondElections.pdf)

Paul Burke, PO Box 1320, Shepherdstown, WV 25443

## Jessica Carroll

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**From:** Debbie Johnson [wv2johnson@aol.com]  
**Sent:** Monday, March 16, 2015 12:33 PM  
**To:** info@jeffersoncountywv.org  
**Subject:** Fwd: Impact Fees

I am forwarding to the above email address my email to the County Commissioners, sent today, for the purpose of getting my comments on the record.

Sent from AOL Mobile Mail  
Get the new AOL app: mail.mobile.aol.com

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From: Debbie Johnson <[wv2johnson@aol.com](mailto:wv2johnson@aol.com)>  
Date: Monday, March 16, 2015  
Subject: Impact Fees  
To: commissionerpnoland <[commissionerpnoland@gmail.com](mailto:commissionerpnoland@gmail.com)>, dmanuel <[dmanuel@frontiernet.net](mailto:dmanuel@frontiernet.net)>, walterpellish <[walterpellish@mac.com](mailto:walterpellish@mac.com)>, vinemont <[vinemont@frontier.net](mailto:vinemont@frontier.net)>, ebell <[ebell@jeffersoncountywv.org](mailto:ebell@jeffersoncountywv.org)>

I am completely Against reducing impact fees on new construction. Bringing more people and businesses into Jefferson County to raise revenue is Not the answer. Just because we've always done it that way does not mean it's the right way or should be continued. How much time and taxpayer dollars were spent on studying wasteful spending or holding back on new projects to lower the budget instead of figuring out ways to stick it to the taxpayer? What happens when you eliminate impact fees, new people move into the County, and more services are needed, which is bound to happen if history serves? MY taxes will go up! Again! I'm sure you get tired of us seniors stating the obvious, but we have to eliminate pleasures in our lives to pay for your whims because we aren't making more money. It's not your money that you're playing with! Find ways to reduce spending instead of ways to increase revenue that impact the citizens! That's what we elected you for, not to support developers...they make money, grant recipients make money, you make money, and the taxpayers are left to adjust their spending and budgets to afford the profiteers.

I have lived in Jefferson County since I married my husband, born and raised in the village of Millville, in 1981. Our life has been negatively impacted by the influx of new businesses, strip malls, residents, and all of the resulting changes that come with this influx (traffic and traffic signals, tourism and tourists, new roads and traffic circles). It takes us twice as long to run our errands in Ranson, Charles Town, and Harpers Ferry than it ever had in the past. This County is becoming so ugly that my husband no longer recognizes the place where he grew up. No longer can he enjoy the river where he fished and played his whole life. No longer can he enjoy the fields where he, his brother and father used to hunt wild quail and deer. No longer can we sit on our property and enjoy the quiet and star-filled night. I noticed just last week when driving on Flowing Springs Road that our students are still in classroom trailers, so we need these impact fees. You even had to create a new tax to pay for fire and ambulance services, for Pete's sake, so how can you even consider lowering impact fees? Don't even compare this County to Berkley either, Patsy Noland! They don't have zoning. Do you think that has any thing to do with why businesses and residents are choosing that county over ours? Do you think we should eliminate zoning and model ourselves on Berkley County's charm just to generate more revenue? I sure don't. That County is depressing; ours is becoming so with all this new development. Please don't lower

## Jessica Carroll

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**From:** Thomas Hintz [tfhintz@hotmail.com]  
**Sent:** Tuesday, March 17, 2015 3:40 PM  
**To:** jcarroll@jeffersoncountywv.org; sandy@jeffersoncountywv.org  
**Subject:** Impact Fees

Your submission:

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Your Name: Thomas Hintz

Your Email Address: [tfhintz@hotmail.com](mailto:tfhintz@hotmail.com)

Subject: Impact Fees

Message: I attended Monday's hearing and commend you on allowing County citizens to present their views. Most speakers made good points supporting their views and Mr. Kubic was worth the time in attendance.

We built a new house in Lake Forest Estates about 2 1/2 years ago paying over \$13,000 in impact fee. As are almost all of my neighbors, we are retired, have no school aged children and could afford the fee. However we strongly agree with those opposing the fee. It has a negative impact that was well expressed by the life long county residents who can not afford to build under the current fees.

There is clearly a need to provide additional funding for new schools and upgrades to existing facilities. Our teachers and children must be provided with funds necessary to provide an excellent education. If necessary these costs should be incorporated in the tax rates using bonds or other sources to finance the improvements.

54 other counties in WV have not implemented impact fees. It is time for Jefferson County to eliminate the impact fee and do the hard work to raise funds through other means. Your task is not easy but that is the game you have chosen to play. I wish you success in your efforts. Thank you for your service.

## Sandy McDonald

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**From:** Kathy Lane <lane19@frontier.com>  
**Sent:** Monday, March 16, 2015 8:49 PM  
**To:** jcarroll@jeffersoncountywv.org; sandy@jeffersoncountywv.org  
**Subject:** Impact Fees

## Your submission:

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**Your Name:** Kathy Lane

**Your Email Address:** lane19@frontier.com

**Subject:** Impact Fees

**Message:** Dear County Commissioners:

You need to eliminate or at the very least reduce the impact fees in Jefferson County.

We need more businesses so we can have more jobs!!!!

## Sandy McDonald

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**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:

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**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.

Rec'd  
3-16-15

Mr. Curtis Myers  
Cambridge, LLC  
11 Manchester Drive  
Charles Town, WV 25414

March 16, 2015

Ms. Jane Tabb, President  
County Commission of Jefferson County  
P.O. Box 250  
Charles Town, WV 25414

Dear Commissioner Tabb,

Thank you for this opportunity to testify on Impact Fees in Jefferson County. Cambridge Manufactured Home Park/Subdivision is the only Manufactured/Mobile Home Park that processed completely through the Jefferson County Subdivision Ordinance. Our Park includes single wide mobile homes and doublewide manufactured homes. We are approved for approximately 170 units of which many are still waiting to be 'Final Platted' in order to finish the development. It has been extremely difficult to continue to plat these lots because of the huge cost of the bonding for each section that needs to be constructed. This development has slowed considerably because of the Impact Fees and the Sewer Capital Improvement Fees (CIF) that were in place through 2013. The combined amount of Impact Fee and CIF was over \$20,000 for each mobile/manufactured home. These \$20,000 in fees were for EACH \$20,000 - \$75,000 home. It is pretty easy to understand why lenders refused to lend \$40,000 on a \$20,000 Mobile Home and \$95,000 on a \$75,000 Manufactured Home. Therefore, one of the only truly affordable home developments in Jefferson County hit a brick wall.

In the last couple of years, the State Public Service Commission overturned the CIF; and, the State Legislature passed a law requiring that the Impact Fee Ordinance include an affordable housing component. Accordingly, the fees have gone down recently. However, it will take some years for Cambridge to rebound with the economy in order for it to continue to develop as a vibrant community. Although we greatly appreciate the reductions in fees over the past several years, we believe that it is time to suspend or terminate the collection of Impact Fees for a while. If the Fees are addressed, Cambridge can again add units to raise the revenue to complete the development of the remaining lots for more affordable units.

The Cambridge Manufactured Home Subdivision is the definition of affordable housing in Jefferson County. We would like to finish developing our 170 units so that the subdivision can provide affordable units to the labor force that works in Jefferson County. As the only 'mobile home park' that processed through the complete subdivision ordinance, it is the only 'mobile home park' in Jefferson County that has paved streets, sidewalks, street lights, storm water management, green space, buffering, parks, etc. In our opinion, Cambridge has more amenities than most stick built communities have. It was extraordinarily expensive to build to this point and will cost quite a bit to finish. It is also very expensive to maintain and is set up to be properly maintained when it is completely built. The only way to do that is if the County would terminate, or at least suspend, Impact Fees until the local economy rebounds.

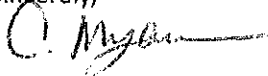
The fees have served their purpose in Jefferson County. The infrastructure needs of the County were lagging behind the pace of growth. For the most part, these services have caught up to where they need

to be. Quite frankly, with the reduction of ad valorem taxes due to the lack of growth, the revenues can't seem to keep up with the operating costs of the new capital facilities built with the Impact Fees.

Based on the above, we respectfully believe that Impact Fees should be suspended. In lieu of the total suspension, the continued approval of the new fees set at 70% (or less) of the TischlerBice study should remain in place. This reduction would of course need to be in conjunction with the affordable housing discount, as well. Furthermore, the Commission should consider reducing the affordable housing amount even further for communities such as Cambridge.

Thank you in advance for your consideration of this testimony.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Myers", with a long horizontal flourish extending to the right.

Curtis Myers  
Cambridge, LLC

cc: Mr. Dale Manuel, Commissioner  
Ms. Patsy Noland, Commissioner  
Mr. Walt Pellish, Commissioner  
Mr. Eric Bell, Commissioner  
Ms. Stephanie Grove, County Administrator

received public hearing 03/16/15

**Don J. Orser**

250 Blue Ridge Loop, Harpers Ferry, West Virginia 25425

djorser@comcast.net

March 16, 2015

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

Subject: TischlerBise Impact Fee Study

Dear President Tabb and Honorable Commissioners:

Attached please find a document that I wish to be included in the Hearing minutes for the March 16, 2015 Public Hearing. Please note that this is similar to a document previously sent to you but with the last half a page modified.

Thank you for your time and effort to read this.

Respectfully,



Don J. Orser

# A Flawed TischlerBise Impact Fee Study?

\*

Don J. Orser

Retired Mathematician

Harpers Ferry, WV

3/16/2015

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 “2<sup>nd</sup> Month Enrollment – Trend Data: Head Count:

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.)

| <b>TischlerBise Impact Fee Study<br/>School Impact Fees Section, pg. 13<br/>Public School Student Projections<br/>(Feb 10, 2015 Draft)</b> |                         |                           |
|--|-------------------------|---------------------------|
| 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                   |                           |

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

Table 1

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.

**TischlerBise Student Enrollment Projection Contrasted with Jefferson County Actual Student Enrollment**

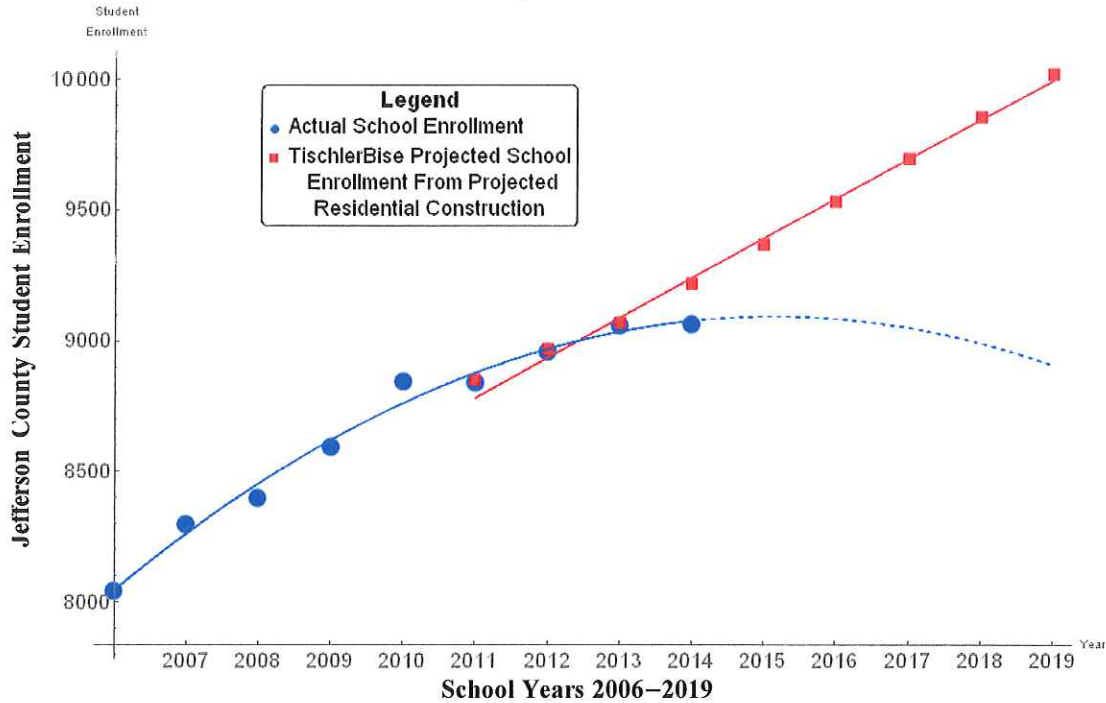


Figure 1

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.

Various mathematical methods for projecting future student enrollment are well represented on the Web. For example, for an immediate five year projection, the grade survival method uses previous grade level enrollment to predict the next years. That is, this year's eleventh grade is used to predict next year's twelfth grade, grade ten to predict grade eleven, and so on, with an estimate of kindergarten enrollment based on the number of local births for the appropriate year. This method uses readily available software on data already collected and archived by the Jefferson County Board of Education.

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. Additionally, assuming TischlerBise's February 10, 2015 future enrollment projection **increase** is correct, how have they arrived at a recommended **reduction** in the impact fee 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". The Circuit Court has set a status hearing for 10AM, March 27, 2015 for this case.

We believe that TischlerBise's methodology of using projected residential construction for future student enrollment is flawed in favor of maintaining an excessively high student enrollment as against the facts suggested by the Jefferson County's Board of Education's Actual Student Enrollment data. We recommend that an independent statistician familiar with regression modeling be hired to supplement the TischerBise Impact Fee Study.

I welcome your comments addressed to [djorser@comcast.net](mailto:djorser@comcast.net).

Presentation to County Commission 3/16/15  
by Lori Stilley, PhD.  
703-888-9058 cell, [stilley@frontiernet.net](mailto:stilley@frontiernet.net)

Good Evening. My name is Dr. Lori Stilley, and I am here tonight to ask the County Commission to reconsider their position on the elimination of impact fees as well as a major reduction to the fee. First, let me review the reason we have impact fees in the first place. New development has a direct impact on the level of services provided to the citizens of Jefferson County. The burden for any needed increase in services must be placed on those increasing the demand, the new houses coming into the county. The burden should not be placed on the current taxpaying citizens of the county. The bottom line is that someone will have to pay for the impact due to the new development and an increase in student population. By eliminating or reducing the impact fee arbitrarily, the county commission is putting an undue burden on our school system, which directly affects each and every student in this county by jeopardizing the current level of service. Without impact fee money and the inability to pass a bond in hard economic times, the school system will not be able to maintain the current level of service, and all students will suffer.

I have heard some believe that reducing or even eliminating the impact fee will spur development in this county. Others believe a reduction is required to help the small developers who are struggling in this county. Let me be clear that reducing the impact fee or eliminating the impact fee will have no effect on bringing more housing development into the county. The current tax issues have been created by economic downturn and housing prices dropping drastically during the recession. Assessments have gone down and this does affect the budget. But how can it possibly make sense to cut a viable, legal, form of income for the schools in this county to give the appearance of helping a few small developers? A major problem with the fee reduction proposed by the CC is that it is arbitrary in nature. Impact fees must be set by using empirical data. That is why the CC hired Tischler to conduct this data analysis. I was told that some commissioners think Tischler's number is too high. Interestingly enough, what we found in 2004 when I was the President of the BOE and working with the CC to pass impact fees was that Tischler's numbers were actually too low, and the CC voted to use the data from the School Board's impact committee. Then local developers like Chair of the School Impact Committee, Terry Marcus, God rest his soul, understood that impact fees would not hurt his business but certainly help the school system and reduce the burden of new services that would be placed on the current tax payers in the county. This CC cannot simply arbitrarily and capriciously set a number on a whim. If the fee needs to be reduced and the data supports a reduction, so be it. Tischler is a nationally recognized firm that has been upheld in court. The CC cannot just say they don't like the number without having data to support their action. Even The National Home Builders Association Manual (2008) states and I quote:

“The technical study is important because it is needed to demonstrate that the impact fees are logically related to a need created by new development and that the amount charged is proportional to the cost of providing public

facilities. The technical study is not part of the impact fee ordinance itself but it provides the necessary background and is the source for the schedule of impact fees contained in the ordinance. In order to determine the fairness and legality of any impact fee charge, it is necessary to illustrate how the impact fees were calculated. The local government should always make the technical study available prior to a public hearing on an impact fee ordinance or at any time after adoption. In rare cases, the technical study is not available or was never prepared. In these instances, the local government is susceptible to legal challenges on the basis that the impact fee schedule was established arbitrarily.” (Chapter 2, pp. 14-17).

I truly hope that these words from the National Home Builders Association will ring true with the CC and allow this process to move forward based on statistical data.

In addition, study after study on impact fees has shown there is no cause and effect between impact fees and growth. Impact fees can actually benefit existing homeowners by lifting the burden of new growth and creating better facilities. In addition, impact fees can also increase the value of land and new homes, which in turn increases the value of existing homes. The new residents will certainly appreciate the fact that a one-time fee maintains a good strong school system and keeps existing taxes lower for all. Without impact fees, new home prices would actually go down and the burden of the cost of growth is shifted to the existing taxpayers. Then a deficit begins to grow between the impact of growth and the availability of services. This deficit then lowers the quality of life in the community and can even hurt future home construction and ownership. I urge you to read the Brookings Institution paper (Arthur C. Nelson and Mitch Moody, *Paying for Prosperity: Impact Fees and Job Growth*, Brookings Institution Center on Urban and Metropolitan Policy, 2003). They looked at the question of impact fees and economic expansion as measured by job growth. They found that when all other factors were accounted for, impact fees actually facilitate job growth. Please be careful not to eliminate one viable source of revenue and actually have it hurt home building and job growth in the county.

I can guarantee you that if this CC sets a fee that is arbitrary or tries to eliminate the fee altogether, law suits will follow. I will not sit idly by and allow this County commission to reduce the level of service in our schools to an unmanageable level for our School Board. I urge you to take the time to make a good decision based on hard data and work with the School Board. Impact fees are not the problem with growth in this county. If anything, they have done nothing but help by providing over 21 million dollars toward our school system's capital projects and saving the local tax-payers' bond payments.

Finally, I am concerned to see that the CC may vote on this issue this evening. The announcement for the public hearings on the budget and zoning clearly state no action taken. I certainly hope that this CC will take time to consider the information from the public hearing before voting on this matter and not just let it be a matter of pro forma to get to a position that has already been decided. WV Sunshine Laws as regulated by the WV Ethics Commission strictly prohibits such behavior.

received 03/16/15 public hearing  
from Leslie Mazeska

Good evening. My name is Leslie Mazeska and I am a parent of three children who attend Jefferson County Schools. My three children are enrolled at Page Jackson Elementary School and Wright Denny Intermediate School. I have a child who will start 6<sup>th</sup> grade at Charles Town Middle School in Fall 2016. I am also a member of the Local School Improvement Council at Page Jackson Elementary School and serve as the Treasurer of the Parent, Teacher, Volunteer Organization at that same school.

I am here tonight to speak as a parent who supports the continuation of impact fees for schools in Jefferson County at an amount that will provide the same or better level of services to students. Further, I believe the amount of school impact fees must accommodate the increased student population that will result from current and future growth in Jefferson County.

I moved to Jefferson County in 2005. In the time I have lived here my children have attended schools that are nearing capacity for student enrollment. My two youngest children attend school at Page Jackson Elementary School where additional growth will be problematic as the school only contains grades Pre-Kindergarten through second grade. Even with those limited grade levels the school has 430 students, which is more students than 7 other elementary, primary, or intermediate schools in the county. Adding more students to this school would cause overcrowding. Building on to the existing school facility is an issue due to limited utilities at the site.

My oldest child is a current 4<sup>th</sup> grade student at Wright Denny Intermediate School. The school is located within the city limits of Charles Town. Due to municipal restrictions, portable classrooms cannot be added to the school campus even if growth increases student population.

Finally, my oldest child will become a student at Charles Town Middle School in Fall 2016. As late as school year 2007, this school was using 9 outside structures to provide 13 portable classrooms and one bathroom facility. I do not want to see my children receiving instruction in portable classrooms in a few years due to the overwhelming growth that some predict will result from a proposed drastic reduction in impact fees.

Portable classrooms and bathroom facilities are a stark contrast to well maintained school buildings. Outdoor structures are inherently more difficult to secure than a campus that houses all students inside one building. The safety concerns only multiply when you consider that students need to change classes throughout the day in and out of the main school building. There are also weather issues that complicate student travel between portable classrooms and the rest of the school campus.

Maintaining school impact fees at an appropriate level will ensure the continued improvement of current school facilities as well as the construction and renovation of school buildings caused by increased growth. I do not want to see Jefferson County Schools revert to overcrowded facilities in need of significant repairs. Please give our county school children the facilities they

FY15 Revenue and Expenditure  
 Compiled February 16, 2015  
 Expenditures by Object Code

|                               | Actual<br>FY<br>10 | Actual<br>FY<br>11 | Actual<br>FY<br>12 | Actual<br>FY<br>13 | Actual<br>FY<br>14 | FY15<br>Budget<br>15 | TREND<br>FY<br>16 |
|-------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|----------------------|-------------------|
| <b>Revenue</b>                |                    |                    |                    |                    |                    |                      |                   |
| Taxes                         | 9,685,309          | 9,868,116          | 10,506,922         | 10,975,396         | 11,725,125         | 12,059,566           | 12,592,505        |
| Tax Penalties                 | 263,115            | 262,733            | 318,554            | 294,156            | 309,714            | 301,220              | 295,000           |
| Property Transfer             | 452,994            | 486,466            | 388,512            | 468,758            | 1,227,350          | 468,000              | 598,000           |
| Gas/oil                       | 28,214             | 33,485             | 49,520             | 38,298             | 5,294              | 81,957               | 41,000            |
| Horse Racing                  | 19,862             | 19,264             | 19,913             | 16,250             | 14,433             | 14,219               | 12,686            |
| Wine Liquor                   | 7,898              | 6,037              | 23,532             | 39,022             | 28,477             | 25,433               | 32,000            |
| Hotel Occupancy               | 483,398            | 550,324            | 612,165            | 545,974            | 490,521            | 520,000              | 549,500           |
| Decal fees                    | 72                 | 132                | 148                | 68                 | 62                 | 75                   | 65                |
| Bldg Permits                  | 209,482            | 262,478            | 163,730            | 182,298            | 200,140            | 170,000              | 200,000           |
| Misc Permits                  | 146                | 158                | 144                | 150                | 110                | 150                  | 131               |
| Grants                        | 122,368            | 177,463            | 203,981            | 97,304             | 180,101            | 121,000              | 160,462           |
| Payment in lieu of taxes      | 12,369             | 16,023             | -                  | 6,211              | 16,597             | 11,676               | 11,676            |
| Sheriff Service Process       | 19,041             | 18,725             | 18,720             | 19,250             | 16,725             | 18,000               | 17,600            |
| Sheriff Earnings              | 27,972             | 25,598             | 27,513             | 27,688             | 24,400             | 28,000               | 30,000            |
| Clerk Earnings                | 194,218            | 183,893            | 189,760            | 206,682            | 181,989            | 206,500              | 192,375           |
| Circuit Clerk Earnings        | 68,584             | 72,250             | 82,103             | 71,138             | 65,166             | 65,183               | 65,815            |
| Prosecuting Earnings          | 662                | 730                | 1,070              | 670                | 1,272              | 1,129                | 1,278             |
| Accident reports              | 4,420              | 3,720              | 3,730              | 3,440              | 3,260              | 3,500                | 3,500             |
| Map Sales                     | 4,796              | 5,583              | 5,130              | 4,216              | 8,018              | 4,200                | 2,700             |
| Rent                          | 46,775             | 46,975             | 46,975             | 46,781             | 43,612             | 47,175               | 47,400            |
| Ambulance Fee                 | -                  | -                  | -                  | -                  | -                  | 600,000              | 675,000           |
| 911 Fees                      | 1,122,600          | 1,316,828          | 1,474,707          | 1,139,976          | 1,562,469          | 1,885,058            | 1,863,000         |
| Franshise Agreements          | 244,938            | 336,988            | 347,469            | 367,425            | 401,111            | 402,796              | 400,000           |
| IRP fees                      | 5,408              | 5,449              | 8,369              | 11,350             | 7,947              | 10,140               | 8,000             |
| Jail fees                     | 421,613            | 377,585            | 410,436            | 100,624            | 85,651             | 96,912               | 95,000            |
| Interest                      | 79,822             | 45,182             | 23,483             | 15,289             | 15,693             | 17,273               | 20,290            |
| Misc revenue                  | 28                 | 277                | 42                 | 5,494              | 694                | 50                   | 100               |
| Sheriff Commission            | 12,654             | 12,451             | 12,109             | 11,915             | 11,738             | 12,000               | 15,000            |
| Table Games                   | 38,882             | 1,180,618          | 1,596,523          | 1,556,479          | 1,032,363          | 943,444              | 790,000           |
| Video Lottery                 | 4,161,930          | 4,121,161          | 4,269,897          | 3,662,503          | 3,365,553          | 3,224,793            | 3,114,553         |
| Reimbursements                | 321,428            | 206,905            | 313,288            | 298,950            | 382,778            | 313,583              | 225,000           |
| Trans from other funds        | 33,971             | 36,009             | 34,006             | 316,558            | 36,924             | -                    | -                 |
| Concealed Weapons             | -                  | -                  | -                  | -                  | 1,625              | -                    | -                 |
| General School Reimbursements | -                  | -                  | -                  | 291,624            | 249,978            | 264,000              | 250,000           |
| Trns Assessor Val fund        | 335,252            | 336,738            | 360,438            | 377,635            | 474,477            | 494,949              | 460,887           |
| <b>Total Revenue</b>          | <b>18,430,221</b>  | <b>20,016,344</b>  | <b>21,512,889</b>  | <b>21,199,572</b>  | <b>22,171,367</b>  | <b>22,411,981</b>    | <b>22,770,524</b> |

Some increases in insurances

Still depending on to balance budget  
 Gaming revenue = \$3.9  
 To



## APPA PLANNING

Dear Reader:

We are pleased to present this article, originally published in *Planning* magazine. TischlerBise is a fiscal, economic and planning consulting firm specializing in:

- Fiscal Impact Analyses
- Impact Fees
- Capital Improvement Programs
- Revenue Strategies
- Market and Economic Analyses
- Growth Policy Studies
- Fiscal Software

TischlerBise has never had to defend any of our 600+ impact fees in court. However, when TischlerBise has critiqued impact fees for the private sector, the fees have been reduced or eliminated. We believe this public and private sector experience is invaluable.

The infrastructure categories for which TischlerBise has prepared impact fees include the following:

- Schools
- Roads
- Water
- Wastewater
- Stormwater
- Parks and Recreation
- Open Space and Trails
- Police/Sheriff
- Fire
- EMS
- General Government Facilities
- Libraries
- Transportation
- Electric
- Jail/Detention Center

TischlerBise has conducted impact fee (and other one-time fee) studies in the following states:

- Alabama
- Arizona
- Arkansas
- California
- Colorado
- Delaware
- Florida
- Georgia
- Idaho
- Illinois
- Iowa
- Maryland
- Mississippi
- Missouri
- Montana
- Nebraska
- Nevada
- New Mexico
- North Carolina
- Ohio
- Oklahoma
- Rhode Island
- South Carolina
- Texas
- Utah
- Virginia
- West Virginia
- Wisconsin

Please contact TischlerBise at 800-424-4318, [www.tischlerbise.com](http://www.tischlerbise.com), or [info@tischlerbise.com](mailto:info@tischlerbise.com) to obtain further information, receive the reprint, "Impact Fees - Understand Them or Be Sorry," TischlerBise Fiscal & Economic Newsletters, or to discuss TischlerBise's impact fee and other consulting services.

# 20 Points to Know About Impact Fees

by Paul S. Tischler  
TischlerBise, Inc.

Impact fees are an increasingly popular revenue source to local governments. While there are a number of advantages to impact fees and related exactions, there are limitations. As communities and development groups become more sophisticated about what should be expected from a thorough impact fee study, they will become more critical and their level of expectation will increase. This article briefly notes 20 nontechnical points of which one should be aware.

**1.** *Impact fees are viewed as a free revenue source without any constituency requirement.*

Impact fees may be voted in without an election, usually apply only to new development (which does not yet exist) and are perceived to exclude current taxpayers. Therefore, impact fees are a fairly painless and free revenue source since there is no obvious increase in cost to current voters.

**2.** *Impact fees pertain only to new capital facilities which reasonably benefit the payer.*

Many people still believe that impact fees can be utilized for capital facilities which benefit existing residents. However, expenditures utilizing impact fees must show a reasonable benefit to those paying. Under some statutes, an existing facility can be included in an impact fee calculation if it was oversized to serve the new development.

**3.** *The impact fees collected must be spent within a reasonable time period.*

A mandated or general rule-of-thumb is about six years, although ten years may suffice. In most cases the jurisdiction must have a good idea that the money will be spent within the reasonable

(continued on next page)

time period for a specific facility. This encourages capital improvement programs to be prepared.

**4.** *The electorate may think that impact fees will pay for all new capital facilities, therefore negating the need for higher taxes.*

This expectation by the electorate could lead to long term negative political consequences. **Even if impact fees are eligible to pay for all capital facilities, which is highly unlikely, they will not negate the need for higher taxes due to operating costs.**

**Educate the electorate on what impact fees do and do not accomplish.**

**5.** *Educate the electorate on what impact fees do and do not accomplish.*

Impact fees relate solely to capital facilities for new development. They do not pertain to rehabilitation, retrofitting, or replacement of existing capital facilities. Also, the greater cash cow of operating expenses must be explained to the electorate. Otherwise, their expectations will be artificially high.

**6.** *The amount of impact fees must be politically acceptable.*

The amount that is politically acceptable will vary by state and jurisdiction. **If an impact fee of \$1,500 is the politically acceptable amount, while the maximum justifiable is \$8,000, it may not make sense to pursue some impact fees. This depends on how much revenue can be obtained by impact fees and/or other sources.**

**7.** *The community should be growing.*

**A 3-5% growth rate may allow the community to raise a reasonable amount of revenues and also show the need for additional capital facilities due to growth. A very low growth rate will generate minimal revenues and new capital facilities may not be needed in the foreseeable future for most services.**

**8.** *Planning departments are probably the most appropriate center for managing impact fee activity.*

The calculation of impact fees is closely related to land use and rational nexus. Planning departments are generally the most appropriate center for managing this activity. Impact fee calculations are not primarily an accounting or engineering exercise. Because rational nexus requires one to show a benefit of the impact fee to the capital facility or the particular service, land use issues are very important. Also, projections, usually provided by planning departments are very important. In jurisdictions where there is an active planning department, this department will probably be the most appropriate center for managing impact fee activity. This should not preclude other departments, such as finance and budget, from playing an integral part.

**Current levels of service must be met.**

**9.** *Current levels of service must be met unless there is a plan to address existing deficiencies.*

There is a tendency for communities and their consultants to assume the adopted level of service for the impact fee study. **You cannot extract a higher level of service and commensurate fee solely from new development unless there is a plan to address deficiencies generated by the current population.**

**Do not rely solely on departmental assumptions.**

**10.** *Do not rely solely on departmental assumptions; instead, obtain your own background information.*

Because departments may not be familiar with the requirements of impact fees, they are unlikely to clearly understand the difference between adopted and existing levels of service, service

delivery areas and their relationship to existing and new capital facilities and several other issues. If the right questions are asked, they should be able to provide the information. The most fail-safe way to ensure this is to obtain your own information from the departments.

**11.** *Analyze the capital improvement budget.*

The potential impact fee revenues will need to be related to the capital improvement budget or capital improvement element. It is important for the analyst to be familiar with this budget and its validity, both short and long term.

**12.** *Be familiar with the possible geographic service areas in order to comply with rational nexus.*

As the development community becomes more concerned about pass-throughs due to tighter markets and fiscal constraints, they are more likely to look at the geographic service areas and their relationships to their project. There is a tendency for jurisdictions to have larger service areas than may be appropriate. The service areas will vary by type of activity.

**13.** *Can a jurisdiction provide the needed capital facilities?*

The recommended impact fees should have some relationship to what the jurisdiction can actually provide. Whether it is due to time lag, backlog of existing facilities, debt ratios or political constraints, the impact fee work will be diminished if the jurisdiction cannot provide the needed capital facilities (assuming that impact fees do not pay 100% of the new cost).

**14.** *Beware of granting credits.*

In some state statutes, the future tax payments of a house or nonresidential property which are utilized for debt service of a particular capital facility will need to be credited on a discounted basis against the impact fee amount. Even in states where this is not required, the "spirit" of impact fees is to avoid any double payments. Therefore, credits will be granted in most cases.

**15.** *What are the realities of charging nonresidential development.*

In many states the jurisdiction may not discriminate between different types of land use for the same service. In one county, a road impact fee was not implemented because the officials did not wish to add another fee to nonresidential development. This particular jurisdiction wanted to attract as much nonresidential development as possible. The question of charging nonresidential development should be raised and answered near the outset of the study in order to avoid extra work if the answer is no.

**16.** *Be aware that some new home buyers are already residents within the jurisdiction.*

In some jurisdictions 50-70% of new home buyers are trading up within the same jurisdiction. The reality is that these people have been paying for capital facility needs through their existing tax base from the time they were in the community and are now being asked to pay a second time. As a point of information, elected officials should understand this.

**17.** *Decision makers should be aware of the "intergenerational equity" issue, a negative aspect of impact fees.*

In many cases, impact fees mark the change from intergenerational equity to site-specific equity. Many of us and almost all of our parents lived in a community where the capital facilities were paid as part of the regular tax burden. The use of impact fees and other exactions means that those who move into a community are now buying into capital facilities with a one time fee.

**Educate elected officials on impact fees.**

**18.** *Educate elected officials on impact fees.*

For many elected officials the term impact fee means a new revenue source that can be utilized in tight times. The only thing they may know

(continued on next page)

about impact fees is that existing taxpayers will not have to pay them. However, there are important pluses and minuses to the use of impact fees which have been noted above and which should be conveyed to elected officials.

**Including a public/private sector advisory group may ease the acceptance process.**

**19. Including a public/private sector advisory group may ease the acceptance process.**

Using this type of group educates everyone on the openness of the process and reasonableness of the data as well as providing a means to reveal, before the end of the study, any major oversights which might have been made. TischlerBise recommends this process to its clients and in over 90% of the cases it is accepted. By coming to closure with such a group prior to the final report, there are fewer acrimonious hearings and less chance of litigation.

**Garbage In – Garbage Out.**

**20. Garbage In – Garbage Out.**

The above 19 points focus more on the non-technical issues; however, they allude to a number of technical issues, such as rational nexus. As noted, communities and development groups will become more sophisticated regarding the substantiation of impact fees. The relationship of level of service, geographic areas, capital improvement budgets, and comprehensive plans are all critical in devising a solid impact fee study. Perhaps most important is the need for the analyst to “get his feet dirty” by reviewing the local data to ensure that it is valid to be included in the study itself. An adopted recreation plan does not necessarily mean the data is valid for impact fee calculations. Overcrowded school conditions may need to be reflected in the level of service definitions. Garbage in will result in garbage out.



**CALL TOLL-FREE (800) 424-4318**

**Please send the following:**

- Reprint “20 Points to Know About Impact Fees”
- Reprint “Impact Fees – Understand Them or Be Sorry”
- Excerpts from: ICMA IQ Report “Introduction to Infrastructure Financing”
- Recent *Fiscal & Economic Newsletters*

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 Also: Pasadena, CA

**Information about TischlerBise Consulting Services:**

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- Impact Fees
- Capital Improvement Programs Title \_\_\_\_\_ Agency \_\_\_\_\_ Telephone \_\_\_\_\_
- Revenue Strategies
- Growth Policy Studies Street \_\_\_\_\_
- Market and Economic Analyses
- Fiscal and Economic Software City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

| Year  | Enrollment | Change | % Change | Yearly Impact Fee Collected | Yearly Impact Fee Per New Student |
|-------|------------|--------|----------|-----------------------------|-----------------------------------|
| 07-08 | 8,299      |        |          |                             |                                   |
| 08-09 | 8,398      | 99     | 1.19%    | \$ 1,785,072                | \$ 18,031                         |
| 09-10 | 8,595      | 197    | 2.35%    | \$ 1,563,800                | \$ 7,938                          |
| 10-11 | 8,845      | 250    | 2.91%    | \$ 1,730,874                | \$ 6,923                          |
| 11-12 | 8,842      | -3     | -0.03%   | \$ 1,427,172                | \$ (475,724)                      |
| 12-13 | 8,958      | 116    | 1.31%    | \$ 1,693,338                | \$ 14,598                         |
| 13-14 | 9,061      | 103    | 1.15%    | \$ 2,676,386                | \$ 25,984                         |
| 14-15 | 9,066      | 5      | 0.06%    | \$ 2,249,548                | \$ 449,910                        |

Total Increase since 07-08      767      \$ 13,126,190      \$ 17,114

Overall % Increase since 07-08      9.24%

Average Yearly Increase      1.49%

Source: WV Board of Education Website & Jefferson County Impact Fee Office

Note: Of the 767 student increase since 07-08, 138 are Pre-K students

How many of these students  
came from new homes?  
How many from existing homes?

|                    |                       |                    |
|--------------------|-----------------------|--------------------|
| 2013               | Schools               | \$2,676,386        |
|                    | Law Enforcement       | \$64,535           |
|                    | Parks and Recreation  | \$177,514          |
|                    | Fire and EMS Services | \$209,635          |
| <b>GRAND TOTAL</b> |                       | <b>\$3,128,070</b> |
| 2014               | Schools               | \$2,249,548        |
|                    | Law Enforcement       | \$55,771           |
|                    | Parks and Recreation  | \$149,072          |
|                    | Fire and EMS Services | \$210,386          |
| <b>GRAND TOTAL</b> |                       | <b>\$2,664,777</b> |
| 2015               | Schools               | \$306,832          |
|                    | Law Enforcement       | \$7,088            |
|                    | Parks and Recreation  | \$20,348           |
|                    | Fire and EMS Services | \$18,884           |
| <b>GRAND TOTAL</b> |                       | <b>\$353,152</b>   |

Since 2004

Schools Total to date: \$ 2,251,936  
 Law Enforcement = \$ 491,914  
 Parks = \$ 1,468,973  
 Fire/EMS = \$ 1,978,895

\$ 2,645,918

## Total Impact Fee Collection by Year

| Year               | Impact Fee Category   | Amount             |
|--------------------|-----------------------|--------------------|
| 2004               | Schools               | \$2,272,800        |
| 2005               | Schools               | \$2,775,737        |
|                    | Law Enforcement       | \$39,118           |
|                    | Parks and Recreation  | \$121,534          |
|                    | Fire and EMS Services | \$100,206          |
| <b>GRAND TOTAL</b> |                       | <b>\$3,036,595</b> |
| 2006               | Schools               | \$3,172,184        |
|                    | Law Enforcement       | \$42,656           |
|                    | Parks and Recreation  | \$232,582          |
|                    | Fire and EMS Services | \$188,181          |
| <b>GRAND TOTAL</b> |                       | <b>\$3,635,603</b> |
| 2007               | Schools               | \$3,138,993        |
|                    | Law Enforcement       | \$75,182           |
|                    | Parks and Recreation  | \$221,753          |
|                    | Fire and EMS Services | \$458,684          |
| <b>GRAND TOTAL</b> |                       | <b>\$3,894,612</b> |
| 2008               | Schools               | \$1,785,072        |
|                    | Law Enforcement       | \$41,542           |
|                    | Parks and Recreation  | \$120,149          |
|                    | Fire and EMS Services | \$174,065          |
| <b>GRAND TOTAL</b> |                       | <b>\$2,120,828</b> |
| 2009               | Schools               | \$1,563,800        |
|                    | Law Enforcement       | \$37,607           |
|                    | Parks and Recreation  | \$103,950          |
|                    | Fire and EMS Services | \$122,016          |
| <b>GRAND TOTAL</b> |                       | <b>\$1,827,373</b> |
| 2010               | Schools               | \$1,730,874        |
|                    | Law Enforcement       | \$45,402           |
|                    | Parks and Recreation  | \$114,921          |
|                    | Fire and EMS Services | \$161,838          |
| <b>GRAND TOTAL</b> |                       | <b>\$2,053,035</b> |
| 2011               | Schools               | \$1,427,172        |
|                    | Law Enforcement       | \$39,680           |
|                    | Parks and Recreation  | \$94,838           |
|                    | Fire and EMS Services | \$154,920          |
| <b>GRAND TOTAL</b> |                       | <b>\$1,716,610</b> |
| 2012               | Schools               | \$1,693,338        |
|                    | Law Enforcement       | \$43,333           |
|                    | Parks and Recreation  | \$112,312          |
|                    | Fire and EMS Services | \$180,080          |
| <b>GRAND TOTAL</b> |                       | <b>\$2,029,063</b> |

New Construction Only

| MONTHLY/YEARLY TOTAL(S)     |               |           |           |           |           |           |           |           |                      |           |           |           |          |          |          |          |              |           |           |           |           |           |          |          |
|-----------------------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------------|-----------|-----------|-----------|----------|----------|----------|----------|--------------|-----------|-----------|-----------|-----------|-----------|----------|----------|
|                             | SINGLE FAMILY |           |           |           |           |           |           |           | TOWNHOUSES *per unit |           |           |           |          |          |          |          | Mobile Homes |           |           |           |           |           |          |          |
|                             | 2008          | 2009      | 2010      | 2011      | 2012      | 2013      | 2014      | 2015      | 2008                 | 2009      | 2010      | 2011      | 2012     | 2013     | 2014     | 2015     | 2008         | 2009      | 2010      | 2011      | 2012      | 2013      | 2014     | 2015     |
| January                     | 12            | 4         | 4         | 9         | 2         | 5         | 5         | 9         | 0                    | 0         | 0         | 0         | 0        | 0        | 0        | 0        | 4            | 2         | 2         | 1         | 1         | 0         | 0        | 0        |
| February                    | 3             | 3         | 2         | 3         | 7         | 3         | 4         | 4         | 0                    | 5         | 0         | 0         | 0        | 0        | 0        | 4        | 0            | 2         | 0         | 0         | 1         | 0         | 0        | 0        |
| March                       | 14            | 5         | 10        | 6         | 3         | 3         | 5         |           | 0                    | 0         | 8         | 8         | 0        | 0        | 0        |          | 2            | 0         | 1         | 0         | 1         | 2         | 0        |          |
| April                       | 11            | 5         | 5         | 11        | 3         | 17        | 14        |           | 7                    | 0         | 0         | 0         | 0        | 0        | 0        |          | 4            | 0         | 1         | 2         | 1         | 0         | 1        |          |
| May                         | 8             | 6         | 12        | 2         | 1         | 7         | 12        |           | 11                   | 8         | 0         | 0         | 0        | 0        | 0        |          | 2            | 1         | 2         | 0         | 0         | 1         | 1        |          |
| June                        | 9             | 11        | 7         | 5         | 6         | 8         | 6         |           | 0                    | 0         | 8         | 8         | 0        | 0        | 0        |          | 3            | 1         | 1         | 2         | 0         | 1         | 0        |          |
| July                        | 13            | 11        | 10        | 3         | 9         | 8         | 11        |           | 15                   | 0         | 0         | 5         | 0        | 0        | 0        |          | 3            | 2         | 3         | 0         | 3         | 0         | 3        |          |
| August                      | 9             | 8         | 6         | 4         | 3         | 10        | 5         |           | 0                    | 5         | 0         | 0         | 0        | 0        | 0        |          | 0            | 1         | 1         | 2         | 0         | 2         | 1        |          |
| September                   | 5             | 9         | 9         | 9         | 4         | 5         | 11        |           | 0                    | 0         | 0         | 0         | 0        | 0        | 0        |          | 1            | 5         | 0         | 2         | 0         | 2         | 1        |          |
| October                     | 6             | 8         | 8         | 4         | 6         | 6         | 6         |           | 0                    | 0         | 0         | 0         | 0        | 0        | 0        |          | 6            | 0         | 3         | 2         | 2         | 1         | 1        |          |
| November                    | 8             | 6         | 6         | 1         | 9         | 6         | 10        |           | 6                    | 8         | 0         | 0         | 0        | 0        | 0        |          | 1            | 5         | 6         | 3         | 1         | 5         | 0        |          |
| December                    | 2             | 2         | 6         | 3         | 5         | 10        | 6         |           | 0                    | 0         | 0         | 0         | 0        | 0        | 0        |          | 0            | 1         | 2         | 0         | 2         | 1         | 0        |          |
| <b>Total</b>                | <b>100</b>    | <b>78</b> | <b>85</b> | <b>60</b> | <b>58</b> | <b>88</b> | <b>95</b> | <b>13</b> | <b>39</b>            | <b>26</b> | <b>16</b> | <b>21</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>4</b> | <b>26</b>    | <b>20</b> | <b>22</b> | <b>13</b> | <b>12</b> | <b>15</b> | <b>8</b> | <b>0</b> |
| Average per month by year   | 8             | 7         | 7         | 5         | 5         | 7         | 8         | 1         | 3                    | 2         | 1         | 2         | 0        | 0        | 0        | 0        | 2            | 2         | 2         | 1         | 1         | 1         | 1        | 0        |
| Average per Quarter by year | 25            | 20        | 21        | 15        | 15        | 22        | 24        | 3         | 10                   | 7         | 4         | 5         | 0        | 0        | 0        | 1        | 7            | 5         | 6         | 4         | 3         | 4         |          | 0        |

2014- 103  
 2013- 103  
 2012- 69  
 2011- 94

2008- 165

| YEAR | DUPLEX/VILLA                  | YEAR | COMMERCIAL |
|------|-------------------------------|------|------------|
|      | <b>Added to Single Family</b> |      |            |
| 2004 | 17 Units                      | 2004 | 21         |
| 2005 | 10 Units                      | 2005 | 20         |
| 2006 | 2 Units                       | 2006 | 13         |
| 2007 | 2 Units                       | 2007 | 15         |
| 2008 | 0 Units                       | 2008 | 8          |
| 2009 | 0 Units                       | 2009 | 4          |
| 2010 | 0 Units                       | 2010 | 14         |
| 2011 | 0 Units                       | 2011 | 17         |
| 2012 | 1 Units                       | 2012 | 6          |
| 2013 | 7 Units                       | 2013 | 7          |
| 2014 | 2 Units                       | 2014 | 8          |
| 2015 | 2 Units                       | 2015 | 0          |
|      |                               |      |            |
|      |                               |      |            |
|      |                               |      |            |



**Tischler &  
Associates, Inc.**

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Bethesda, MD 20816

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(800) 424-4318  
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JEFFERSON COUNTY  
PLANNING COMMISSION

APR 29 1991

## Development Impact Fees

Jefferson County, West Virginia

March, 1991

Fiscal Impact Analysis

Capital Facility Analysis

Impact Fee Systems

Growth Policy Planning

Economic and Market Analysis

The MUNIES System -  
tailored for each community

JEFFERSON COUNTY DEVELOPMENT IMPACT FEE

I. Executive Summary . . . . . 1

II. Legal Foundation . . . . . 6

III. General Data Assumptions . . . . . 7

IV. Public School Impact Fee . . . . . 13

V. Park Impact Fee . . . . . 20

VI. County Library Impact Fee . . . . . 25

VII. Law Enforcement Impact Fee . . . . . 31

VIII. Fire Protection Impact Fee . . . . . 40

IX. Emergency Medical Service Impact Fee . . . . . 49

X. General Credits . . . . . 55

XI. Administrative Procedures . . . . . 62

## JEFFERSON COUNTY DEVELOPMENT IMPACT FEE

### I. Executive Summary

#### Introduction

In 1990, the State of West Virginia passed legislation which enables counties to adopted impact fees if they meet specified criteria and requirements. Jefferson County contracted with Tischler & Associates, Inc. (TA) to conduct an impact fee study and document supportable fees. Beginning in October, TA met with County staff members to gather information on seven types of public facilities. After conducting interviews and reviewing documentation, TA and staff evaluated potential development impact fees. Based on the initial evaluation, six types of public facilities remained in consideration. TA conducted additional staff interviews and developed methodologies for the following public facilities:

- Public Schools
- Parks
- County Libraries
- Law Enforcement
- Fire Protection
- Emergency Medical Service

After gathering data necessary to determine local level of service standards, cost factors and fiscal variables, TA calculated potential development impact fees for these six types of public facilities.

#### Overview of the Report

Each of the development impact fee methodologies presented in

## JEFFERSON COUNTY DEVELOPMENT IMPACT FEE

this report follow the same basic steps. The first component is the calculation of demand generators (such as people or employees) associated with the proposed development. The second component in the calculation of development impact fees is the local level of service standards for each type of public facility. A major work effort in preparing this report was the documentation of actual or "as built" level of service standards for Jefferson County. The third component is the calculation of the maximum gross cost, which is the "cost" of public facilities if there were no credits for the anticipated payment of future revenues to be used for capital improvements. However, for public schools, capital projects will be financed with bonds retired by property taxes. Because **new real estate development will help pay for the retirement of this debt**, a general credit has been used to avoid potential double payment by new development. The calculation of general credits is the fourth component in the development impact fee methodology. The fifth and final component is the calculation of the maximum development impact fee, which is the maximum gross cost minus the general credits.

For each type of public facility, there is a methodology chart showing the steps followed to calculate development impact fees. The methodology chart illustrates the formula and variables which determine the development impact fee. After each methodology chart is a table showing the assumptions and calculated results of each development impact fee formula. All assumptions used in the calculations are clearly shown in the boxed areas of the development impact fee tables.

## JEFFERSON COUNTY DEVELOPMENT IMPACT FEE

### Supportable and Recommended Development Impact Fees

TA has developed supportable methodologies and data for public schools, parks, county libraries, law enforcement, fire protection, and emergency medical services. The maximum development impact fees are summarized at the top of Table 1.

TA recommends the adoption of a fee schedule which is 10% less than the maximum supportable fee amounts. Using a percentage reduction is a common practice in the adoption of this type of fee. This practice discourages legal challenges and thus avoids the expenditure of both time and money by the County in successfully defending any challenges. Finally, community leaders concerned with economic development frequently point out the indirect economic benefit of new development. A percentage reduction in the development impact fees acknowledges the potential indirect economic benefit from new development. The recommended fee schedule, based on the 10% reduction, is shown at the bottom of Table 1.

Before Jefferson County adopts an impact fee ordinance, consideration should be given to a possible reduction in the fee amount for mobile homes. In Jefferson County this type of unit represents "affordable housing" for many residents. However, mobile homes have higher student generation rates and smaller property tax payments than other types of housing units. These factors result in a public school impact fee for a mobile home which is approximately twice the fee for a single family house, and seven times the impact fee for a townhouse. Jefferson County

JEFFERSON COUNTY DEVELOPMENT IMPACT FEE

could recognize mobile homes as a type of affordable housing and thereby adopt a lower impact fees for this public purposes [see Section 7-20-7 (c), West Virginia Code as amended].

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, April 16, 2015, or as soon thereafter as the Commission may decide:

**Jefferson County Development Authority Board - four (4) three-year terms ending April 5, 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 before 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 25<sup>th</sup>, April 1<sup>st</sup> and April 8<sup>th</sup>**

**THANKS - JEFFERSON COUNTY COMMISSION**

Received

MAR 26 2015



Jefferson County Commission

## State of West Virginia

Office of the State Auditor  
Glen B. Gainer III  
State Auditor  
[www.wvsao.gov](http://www.wvsao.gov)

Building 1, Room W-100  
Charleston, West Virginia 25305  
Telephone: (304) 558-2251  
FAX: (304) 558-5200

200 West Main Street  
Clarksburg, West Virginia 26301  
Telephone: (304) 627-2415  
FAX: (304) 627-2417

March 21, 2015

### NOTICE OF APPROVAL OF THE LEVY ESTIMATE (BUDGET)

TO: Jefferson County Commission

In accordance with the provisions of Chapter 11, Article 8, of the West Virginia Code, as amended, the State Auditor of West Virginia hereby approves your Levy Estimate (Budget) for the fiscal year beginning July 1, 2015.

With this written approval, the levying body shall meet on the third Tuesday in April (April 21) to hear and consider any objections and to officially adopt the levy rates for property taxation. The clerk/recording officer, within three days of such meeting, shall prepare and forward to the State Auditor the officially adopted levy rates and levy order.

If you have any questions, please do not hesitate to contact me at 304-627-2415 or 1-877-982-9148 extension 5114, Shellie Humphrey extension 5119 or Karen Drain extension 5101.

Sincerely,  
Glen B. Gainer III  
WV State Auditor

A handwritten signature in blue ink that reads "Ora L. Ash".

By: Ora L. Ash  
Deputy State Auditor  
Local Government Services

## PUBLIC COMMENT

Re: "All Good" special event beer and wine licenses

To the County Commission of Jefferson County, fellow County residents and the media:

The County Commission should vote **not** to sponsor or endorse the event because it would preclude "All Good" from getting a special event beer/wine license.

West Virginia Code 11-16-11 states in part:

The commission may issue a special license for the retail sale of beer at a festival or fair, **provided** the festival or fair is **sponsored or endorsed by the governing body** of ... the county...." (emphasis added)

A corresponding provision applies to wine retail sales. See W. Va. Code 60-8-3h and see 175 CSR 3 [4.2(c)] for travelling wine retailers.

In other words, without the endorsement or sponsorship of the County Commission, "All Good" cannot get a license to sell beer or wine to the anticipated 30 to 50 thousand event participants.

You have voted down Commissioner Manuel's motion to have a public hearing on this issue, saying there have already been too many hearings and if All Good "stubs its toe the wrong way, they will not be invited back".

**Oh, really? Is this how you discharge your solemn duty to the citizens and residents of Jefferson County? To use them as guinea pigs for your experiment in...what do you call it...agrotourism???** You (meaning Mr. Pellish and Ms. Noland, in particular) should be ashamed of your inexcusable and total abrogation of your responsibility to the citizens of Jefferson County. Yet you do have the opportunity to possibly redeem yourselves by voting "no" to the question of County Commission sponsorship or endorsement of the event.

Why, specifically, you ask, would you want to consider the citizens of Jefferson County over smooth-talking event promoters from Maryland?

1. Enclosed are copies of Petitions (20 pages) signed by citizens **OPPOSING** your endorsement or sponsorship of the event and a letter from VDOT to "All Good" regarding use of Clarke County roads. All have been sent to the ABC Commissioner.
2. Who pays for the potential County liability for personal injury and property damage if the County sponsors or endorses the event? The taxpayers, that's who!
3. There will be a gaping hole blown in the County budget as a result of increased jail fees (at

\$48.00 per day) from the inevitable massive increase in felony (mostly drug related) and misdemeanor arrests and an \$85,000.00 per year salary for an additional prosecutor to handle all of the new cases. See previously provided Preston County Commission President Craig Jennings' letter of November 13, 2013 and former Preston County Sheriff Dallas Wolfe's letter of November 25, 2013, regarding that county's experience in 2011. Also reference Ms. Noland's conference with Preston County Commissioner Victoria Cole which caused Ms. Noland to state in an open County Commission meeting that the "All Good" event in Preston County in 2011 was a "total disaster".

4. You have received a letter from a local lawyer representing "All Good" (which Mr. Pellish incorrectly said was right on point, or words to that effect) suggesting that because the BZA approved the event, you have no choice but to endorse it. It is also argued that because the BZA said of the event that "all sales of alcohol shall be regulated by the WVABCA", the WVABCA has to issue a license. Neither of these assertions are correct. Clearly, under Code 11-16-11 and 60-8-3h, you have the discretion to either "sponsor or endorse" the event or not. Further, the suggestion that our BZA can dictate to the WVABCA that it must issue a special event license to "All Good" is not just ridiculous on its face, it is wrong.

5. "All Good" says it would be safer to have the ABC license and its representatives policing the event, as if to say our Sheriff and the State Police are inadequate to the task. I am sure our local law enforcement officials would disagree. Criminal conduct in relation to the sale, dispensing and abuse of alcohol is more than adequately proscribed by State law. Your refusal to endorse or sponsor the event to the ABCA would discourage the sale and abuse of alcohol. The perfecta of illegal drugs and alcohol could be averted to a large degree at this euphemistically described "family" event if you vote "no"..

Ms Noland told me that she thinks "people can change", speaking of what she fantasizes would be different here from Preston County's experience. Just who does she think will "change", the drug dealers and users who attend the event? Speaking out of both sides of her mouth she says she's concerned about the "safety" of Jefferson County citizens. Oh, really, Ms. Noland? Is that why you want to use us as guinea pigs in your effort to render the community in and around Rippon no more than a dust spot on the map?

Mr. Pellish said to Rose Ann Glover that he would not want this event in his backyard in Shepherdstown District. Why then, Mr. Pellish, do you think that we citizens in the Rippon area want it in our backyard? Maybe it is your cozy relationship with a member of the Stolipher family or maybe you just don't care because you are not running for office again. By the way, to avoid even the appearance of impropriety, you should not be voting on this question and should disqualify yourself.

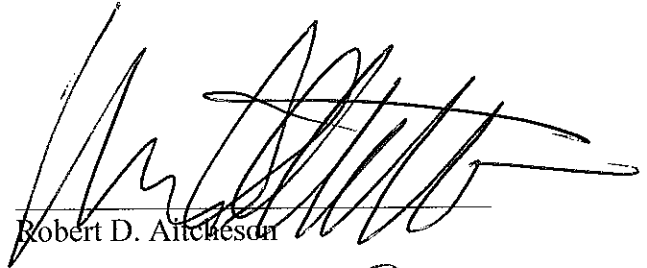
The County Commission has had more than a year to deal with this type of event by enacting a Mass Gathering Ordinance. Attorney Steve Groh prepared an excellent one but it was summarily discarded by Mr. Stolipher's Planning Commission. Mr. Aitcheson has provided you

with such ordinances from other jurisdictions to use as a template and you have done absolutely nothing.

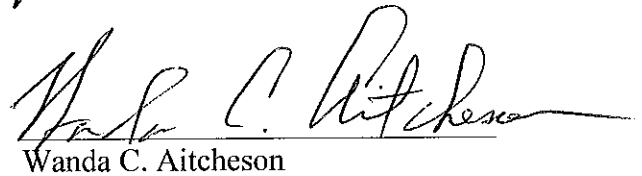
Your endorsement of this event will result in the destruction of the Rippon area as a desirable place to live. We do not understand why you would even consider doing anything to endorse or sponsor an event that has had such a history of negative and even dangerous impact upon another West Virginia community.

Please make certain that the public record discloses the manner in which each Commissioner encourages, supports or opposes the endorsement of the event so that your constituents will know how you voted.

Dated March 5, 2015.



Robert D. Aitcheson



Wanda C. Aitcheson



**RECEIVED**

**MAR - 2 2015**

**Clarke County**

# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

811 Commerce Road  
Staunton, VA 24401-9029  
[www.VirginiaDOT.org](http://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.

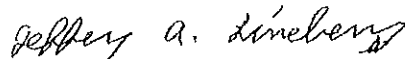
The proposed use of VA Routes 611, 641 and 639 to move this event traffic is unacceptable based on the information reviewed to date. These two lane secondary routes are not designed to handle the traffic volumes that this event is anticipated to generate and creates logistical issues for providing adequate 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 Quym, 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

PETITION

Whereas, the Jefferson County Board of Zoning Appeals granted a seasonal use permit to conduct the "All Good" music festival and campout near Rippon, Jefferson County in summer 2015; and,

Whereas, "All Good" is expected to apply for a Class S ABC license to sell beer at the event; and,

Whereas, under West Virginia Code 11-16-11, the commission shall not issue such a license if the governing body of the county fails to sponsor or endorse the event; and,

Whereas, the undersigned OPPOSE the "All Good" festival and campout and PETITION the Jefferson County Commission to REFUSE to endorse or sponsor the 2015 "All Good" event.

|                    |                    |                         |
|--------------------|--------------------|-------------------------|
| <u>Dale Manuel</u> | <u>Dale Manuel</u> | <u>75 Porter Way</u>    |
| SIGNATURE          | PRINTED NAME       | ADDRESS                 |
|                    |                    | <u>Charles Town, WV</u> |
|                    |                    | <u>25414</u>            |

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Return to: Bob Aitchison  
P.O. Box 188  
Rippon, WV 25441  
304-582-1997

PETITION

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Whereas, the undersigned OPPOSE the "All Good" festival and campout and PETITION the Jefferson County Commission to REFUSE to endorse or sponsor the 2015 "All Good" event.

|                            |                     |  |
|----------------------------|---------------------|--|
| <i>Laura J. Allen</i>      | Laura J. Allen      | 2677 Berryville Pike<br>P.O. Box 115<br>Rippon, WV 25441 |
| SIGNATURE                  | PRINTED NAME        | ADDRESS  |
| <i>Jeffrey S. Allen</i>    | Jeffrey S. Allen    | Box 115 Rippon, W. Va. 25441                             |
| SIGNATURE                  | PRINTED NAME        | ADDRESS  |
| <i>Lewis E. Allen</i>      | Lewis E. Allen      | Box 115 Rippon WV,<br>25441                              |
| SIGNATURE                  | PRINTED NAME        | ADDRESS  |
| <i>Elizabeth A. Pierce</i> | Elizabeth A. Pierce | P.O. Box 153<br>Rippon, WV 25441                         |
| SIGNATURE                  | PRINTED NAME        | ADDRESS  |
| <i>Wayne G. Hall</i>       | Wayne G. Hall       | P.O. Box 206<br>236 Allen Ln<br>Rippon WV 25441          |
| SIGNATURE                  | PRINTED NAME        | ADDRESS  |
| <i>Linda A. Hall</i>       | LINDA A. HALL       | P.O. Box 206<br>Rippon, WV 25441                         |
| SIGNATURE                  | PRINTED NAME        | ADDRESS  |
| <i>William Allen</i>       | William Allen       | P.O. Box 143<br>Rippon W Va 25441                        |
| SIGNATURE                  | PRINTED NAME        | ADDRESS  |
| <i>Richard Holmes</i>      | Richard Holmes      | Box 24 Rawhide Dr.<br>Bunker Hill WV 25412               |
| SIGNATURE                  | PRINTED NAME        | ADDRESS  |
| <i>Robert McDonagh</i>     | Robert McDonagh     | 136 Hammar Way<br>Charles Town WV 25714                  |
| SIGNATURE                  | PRINTED NAME        | ADDRESS  |



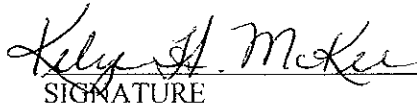
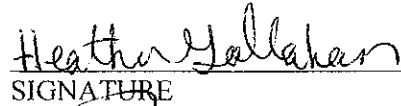
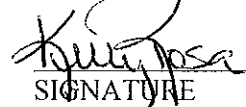
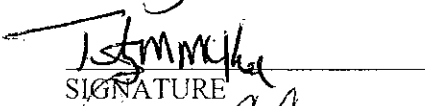



PETITION

Whereas, the Jefferson County Board of Zoning Appeals granted a seasonal use permit to conduct the "All Good" music festival and campout near Rippon, Jefferson County in summer 2015; and,

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Whereas, the undersigned OPPOSE the "All Good" festival and campout and PETITION the Jefferson County Commission to REFUSE to endorse or sponsor the 2015 "All Good" event.

|   |                     |  |
|---|---------------------|--|
|    | Richard J. Jenkins  | 190 Kelcar Drive, Summit Point, WV                   |
| SIGNATURE   | PRINTED NAME        | ADDRESS  |
|    | Monica F. Ballenger | 1098 Wheatland Charles Town WV 25414                 |
| SIGNATURE   | PRINTED NAME        | ADDRESS  |
|   | Kelye H. McKee      | <del>885 Franklinton, WV</del><br>Summit Point 25446 |
| SIGNATURE   | PRINTED NAME        | ADDRESS  |
|  | Heather Gallahan    | 29 Quail Run Summit Point WV 25446                   |
| SIGNATURE   | PRINTED NAME        | ADDRESS  |
|  | Kelly Rosa          | 495 Quail Run Rd. Summit Point, WV 25446             |
| SIGNATURE   | PRINTED NAME        | ADDRESS  |
|  | Denise Ceravalo     | 885 FRANKLINTOWN ROAD Summit Point WV 25446          |
| SIGNATURE   | PRINTED NAME        | ADDRESS  |
|  | Denise Ceravalo     | 149 Patent House Rd Charles Town, WV 25414           |
| SIGNATURE   | PRINTED NAME        | ADDRESS  |
|  | Lisa Jenkins        | 190 Kelcar Dr Summit Pt WV 25446                     |
| SIGNATURE   | PRINTED NAME        | ADDRESS  |
|  | Tracy Tevays        | 198 Kelcar Dr Summit Pt. WV                          |
| SIGNATURE   | PRINTED NAME        | ADDRESS  |

*[Handwritten Signature]*

SIGNATURE

Jared Hawthorne

PRINTED NAME

199 Kelcar Dr.  
Summit Point, WV  
25446

ADDRESS

*[Handwritten Signature]*

SIGNATURE

Cardynn Hawthorne

PRINTED NAME

199 Kelcar Dr.  
Summit Point WV 25446

ADDRESS

*[Handwritten Signature]*

SIGNATURE

Brian Sokel

PRINTED NAME

45 Kelcar Dr.  
Summit Point 25446

ADDRESS

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SIGNATURE

Tammy Sokel

PRINTED NAME

45 Kelcar Dr.  
Summit Point, WV 25446

ADDRESS

*[Handwritten Signature]*

SIGNATURE

LINDA HAWTHORNE

PRINTED NAME

58 Kelcar DR  
Summit Pt WV  
25446

ADDRESS

*[Handwritten Signature]*

SIGNATURE

KEVIN HAWTHORNE

PRINTED NAME

58 Kelcar DR  
Summit Pt. WV  
25446

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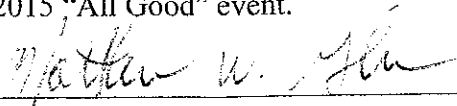


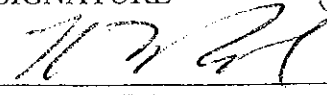
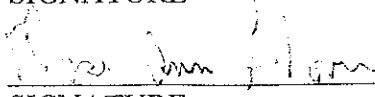
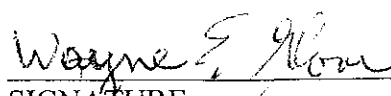
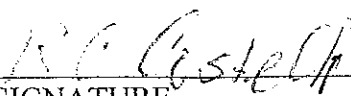
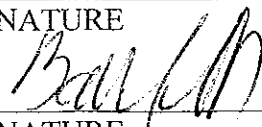
PETITION

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|   |                      |  |
|---|----------------------|--|
|    | Matthew W. Glavin    | 318 Pleasant Hill Rd, Sp<br>Summit, WV       |
| SIGNATURE   | PRINTED NAME         | ADDRESS                                      |
|   | Ron Brantley         | 267 Pheasant Hill SE, WV                     |
| SIGNATURE   | PRINTED NAME         | ADDRESS                                      |
|  | Michael Brantley     | 267 Pheasant Hill Rd SP<br>Summit, WV        |
| SIGNATURE   | PRINTED NAME         | ADDRESS                                      |
|  | Kevin T. Parvatis Sr | 229 Quail Run Rd<br>Summit Point WV 25446    |
| SIGNATURE   | PRINTED NAME         | ADDRESS                                      |
|  | Rose Henderson       | 228 Quail Run Rd<br>Summit Point WV 25446    |
| SIGNATURE   | PRINTED NAME         | ADDRESS                                      |
|  | Wayne E. Glover      | 228 Quail Run Rd<br>Summit Point WV<br>25446 |
| SIGNATURE   | PRINTED NAME         | ADDRESS                                      |
|  | Richard Castello     | 94 Quail Run Rd<br>Summit Point WV           |
| SIGNATURE   | PRINTED NAME         | ADDRESS                                      |
|  | Barbara Miller       | 94 Pheasant Hill<br>Summit Pt, WV<br>25446   |
| SIGNATURE   | PRINTED NAME         | ADDRESS                                      |

*Margaret A. Spruill* MARGARET A. SPRUILL 345 QUAIL Run Rd Summit Point, WV  
SIGNATURE PRINTED NAME ADDRESS

*Holly Waymire* Holly Waymire 447 Pleasant Hill Rd  
SIGNATURE PRINTED NAME ADDRESS

*Susan Taylor* Susan Taylor 394 Quail Run Rd  
SIGNATURE PRINTED NAME ADDRESS

*Pamela Lees* Pamela Lees 494 Quail Run Rd Summit Point  
SIGNATURE PRINTED NAME ADDRESS

*Amanda Glover* Amanda Glover 388 Pleasant Hill Rd  
SIGNATURE PRINTED NAME ADDRESS

*Jan Loy* Jan Loy 3264 Withers LaRue Rd Rippon, WV  
SIGNATURE PRINTED NAME ADDRESS

*Sarah Loy* Sarah Loy 3269 Withers LaRue Rd Rippon, WV 25491  
SIGNATURE PRINTED NAME ADDRESS

*Tom Loy* Tom Loy 3269 Withers LaRue Rd Rippon  
SIGNATURE PRINTED NAME ADDRESS

*Shirley Burne* Shir Burne 741 Burns Farm Rd, Charles Town  
SIGNATURE PRINTED NAME ADDRESS  
654 Ward Clipping

*Wanda C. Aitchison* Wanda C. Aitchison Charles Town, WV 25414  
SIGNATURE PRINTED NAME ADDRESS

*Robert D. Aitchison* Robert D. Aitchison 654 Ward Clipping Charles Town, WV 25414  
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*A.M.S. Morgan III* A.M.S. MORGAN III 2547 BERRYVILLE PIKE, Rippon WV 25441  
SIGNATURE PRINTED NAME ADDRESS

*Otis P Morgan* OTIS P MORGAN 2547 BERRYVILLE PIKE Rippon Lodge Farm Rippon WV  
SIGNATURE PRINTED NAME ADDRESS

*Jeanne Cooper* JEANNE COOPER 3132 Withers Larue Rd  
SIGNATURE PRINTED NAME ADDRESS

*Robert T Shea* ROBERT T SHEA 3132 WITHERS LARUE RD  
SIGNATURE PRINTED NAME ADDRESS

*Teresa Morgan* TERESA MORGAN 2181 Berryville Pike Rippon WV  
SIGNATURE PRINTED NAME ADDRESS

*Alicia Morgan* ALICIA MORGAN 2181 Berryville Pike Charles Town WV  
SIGNATURE PRINTED NAME ADDRESS

*Mark D. Hollis, Jr.* MARK D. HOLLIS, JR. 709 TURNBERY DR CHARLES TOWN, WV  
SIGNATURE PRINTED NAME ADDRESS

*Ron Molter* RON MOLTERE 45 CARTER LANE HARRISBURG WV  
SIGNATURE PRINTED NAME ADDRESS

*Thomas V Katrinak* THOMAS V KATRINAK 107 HALSEY CT MARTINSBURG WV 25405  
SIGNATURE PRINTED NAME ADDRESS

|                          |                   |                                       |
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| <i>Gregory A Corliss</i> | Gregory A Corliss | 948 Daniel Rl<br>Shenandoal. ST<br>WV |
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| <i>Pearl Corliss</i> | PEARL L. Corliss | "       |
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| <i>Douglas J. Parsons</i> | DOUGLAS J. PARSONS | 3505 WITHERS LARUE ROAD<br>RIPPON, WV<br>25444 |
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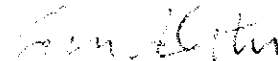
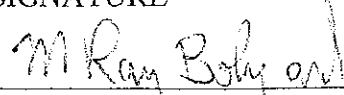
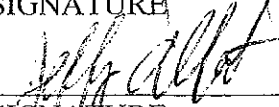


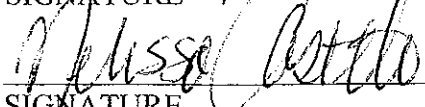


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Whereas, the undersigned OPPOSE the "All Good" festival and campout and PETITION the Jefferson County Commission to REFUSE to endorse or sponsor the 2015 "All Good" event.

|   |                  |   |
|---|------------------|---|
|    | DAVID VIDERA     | 951 CUMBERLAND CD.                            |
| SIGNATURE   | PRINTED NAME     | ADDRESS                                       |
|    | M. Ray Bolyard   | 874 Pheasant Hill Rd                          |
| SIGNATURE   | PRINTED NAME     | ADDRESS                                       |
|  | Jeffrey Albert   | 126 Pheasant Hill Rd                          |
| SIGNATURE   | PRINTED NAME     | ADDRESS                                       |
|  | CHRIS GODWIN     | 109 GROUSE KNOLL LN                           |
| SIGNATURE   | PRINTED NAME     | ADDRESS                                       |
|  | LISA COMPTON     | 206 PHEASANT HILL                             |
| SIGNATURE   | PRINTED NAME     | ADDRESS                                       |
|  | Melissa Costello | 48 Grouse Knoll Ln                            |
| SIGNATURE   | PRINTED NAME     | ADDRESS                                       |
|  | John Barile      | 597 Pheasant Hill Rd                          |
| SIGNATURE   | PRINTED NAME     | ADDRESS                                       |
|  | Kameen Fuller    | 509 Pheasant Hill Rd<br>Summit Point WV 25446 |
| SIGNATURE   | PRINTED NAME     | ADDRESS                                       |

Return to: Bob Aitchison  
P.O. Box 188  
Rippon, WV 25441  
304-582-1997

PETITION

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Aitchison

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Anne Larue  
SIGNATURE

ANNE LARUE  
PRINTED NAME

3622 Wellbush & Larue  
Rippon, WV. PO Box  
1617  
ADDRESS

Warren Larue  
SIGNATURE

WARREN LARUE  
PRINTED NAME

3622 Wellbush & Larue Rd  
Rippon, WV. 25441  
P.O. ADDRESS T11  
ADDRESS

Michael J. Clark  
SIGNATURE

Michael J. Clark  
PRINTED NAME

2677 Berryville Pike  
Rippon, WV 25441  
ADDRESS

Anita A. Clark  
SIGNATURE

Anita A. Clark  
PRINTED NAME

2677 Berryville Pike  
Rippon, WV 25441  
ADDRESS

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Return to: Bob Aitchison  
P.O. Box 188  
Rippon, WV 25441  
304-982-1997



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|  |                   |   |
|--|-------------------|---|
|   | Thomas Sandretsky | 61 Rocky Ledge Ln<br>Shen. Jct WV         |
| SIGNATURE  | PRINTED NAME      | ADDRESS                                   |
|  | Margaret Lee      | 896 Wadswelle Rd<br>Berryville, Va. 22611 |
| SIGNATURE  | PRINTED NAME      | ADDRESS                                   |

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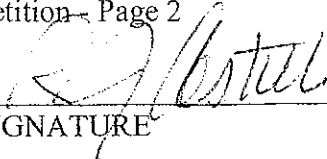
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|  | RICHARD OSTELLO | 44 QUAIL HOLLOW RD |
| SIGNATURE   | PRINTED NAME    | ADDRESS            |

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|  |   |                                       |                                      |
|--|---|---------------------------------------|--------------------------------------|
| <u>Martha E. Burns</u><br>SIGNATURE    | <u>Martha E. Burns</u><br>PRINTED NAME    | <u>121 Vermeer Lane</u><br>ADDRESS    | <u>Charles Town<br/>W.V. 25411</u>   |
| <u>Katherine V. Burns</u><br>SIGNATURE | <u>Katherine V. Burns</u><br>PRINTED NAME | <u>108 Birdland Way</u><br>ADDRESS    | <u>Charles Town<br/>WV 25414</u>     |
| <u>Jason R. Burns</u><br>SIGNATURE     | <u>Jason R. Burns</u><br>PRINTED NAME     | <u>108 Birdland way</u><br>ADDRESS    | <u>Charles Town<br/>WV 25414</u>     |
| <u>W.D. Carlisle, Jr.</u><br>SIGNATURE | <u>W.D. Carlisle Jr.</u><br>PRINTED NAME  | <u>1326 Wheatland Rd.</u><br>ADDRESS  | <u>Charles Town, W<br/>25411</u>     |
| <u>Charlotte VanPelt</u><br>SIGNATURE  | <u>Charlotte VanPelt</u><br>PRINTED NAME  | <u>1326 Wheatland Road</u><br>ADDRESS | <u>Charles T.<br/>W.V.<br/>25411</u> |

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|                          |                   |   |
|--------------------------|-------------------|---|
| <i>Victoria B. Burns</i> | VICTORIA B. BURNS | 558 LLOYD RD.<br>SUMMIT POINT, WV 25446 |
| SIGNATURE                | PRINTED NAME      | ADDRESS                                 |

|                      |               |   |
|----------------------|---------------|---|
| <i>Cindy Stauber</i> | Cindy Stauber | PO Box 599<br>Rainsen, WV 25438<br>Hampers Fleety |
| SIGNATURE            | PRINTED NAME  | ADDRESS   |

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Bob Aitchison  
 304-725-7639  
 P.O. Box 188  
 Rippon, WV 25441

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|                          |                  |  |
|--------------------------|------------------|--|
| <i>Jonathan E. Burns</i> | Jonathan E Burns | 558 Lloyd Road<br>Summit Point, WV<br>25446        |
| SIGNATURE                | PRINTED NAME     | ADDRESS  |
| <i>Sue Lloyd</i>         | Sue Lloyd        | 2785 W. Withers Larue Rd<br>Summit Point, WV 25446 |
| SIGNATURE                | PRINTED NAME     | ADDRESS  |
| <i>Richard Lloyd</i>     | RICHARD LLOYD    | 2785 Withers Larue Rd<br>Summit Point, WV 25446    |
| SIGNATURE                | PRINTED NAME     | ADDRESS  |
| <i>Don Cervado</i>       | DON CERVADO      | 1411 LLOYD ROAD<br>CHARLES TOWN WV<br>25414        |
| SIGNATURE                | PRINTED NAME     | ADDRESS  |
| <i>Marian M Smith</i>    | Marian M. Smith  | 109 Southwinds Dr<br>Charles Town, WV 25414        |
| SIGNATURE                | PRINTED NAME     | ADDRESS  |

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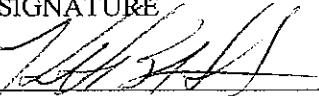
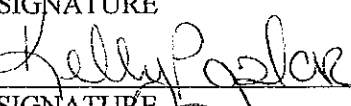


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|   |               |  |
|---|---------------|--|
|    | Brenda Hite   | 304 Independence Lane<br>Summit Point WV 25446 |
| SIGNATURE   | PRINTED NAME  | ADDRESS  |
|    | Kenneth Hite  | 304 Independence Lane<br>Summit Point WV 25446 |
| SIGNATURE   | PRINTED NAME  | ADDRESS  |
|   | Kelly Poplar  | 282 Independence Ln<br>Summit Pt, WV 25446     |
| SIGNATURE   | PRINTED NAME  | ADDRESS  |
|  | Robert Poplar | 282 Independence Ln<br>Summit Pt, WV 25446     |
| SIGNATURE   | PRINTED NAME  | ADDRESS  |
|  | Jeanne Morton | 2449 Berryville Pike<br>Rippon, WV 25444       |
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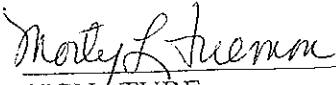
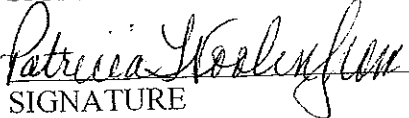
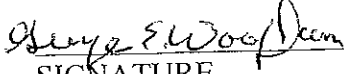
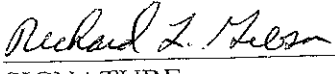
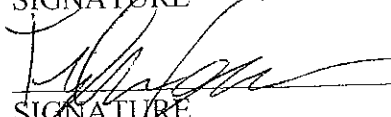
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|  |                                      |   |
|--|--------------------------------------|---|
| <br>SIGNATURE   | Phyllis Painter<br>PRINTED NAME      | Seven Springs Rd<br>Member-Mt Zion Church<br>ADDRESS                |
| <br>SIGNATURE   | Marty L. Freeman<br>PRINTED NAME     | Tab John Risser Rd<br>Charles Town WV<br>ADDRESS                    |
| <br>SIGNATURE | Patricia Woolingham<br>PRINTED NAME  | Seven Springs Rd<br>Charles Town WV.<br>ADDRESS<br>SEVEN SPRINGS RD |
| <br>SIGNATURE | GEORGE E. WOOLINGHAM<br>PRINTED NAME | CHARLESTOWN, W.V.<br>ADDRESS<br>243 Rabbits Rest Lane               |
| <br>SIGNATURE | Richard L. Bibson<br>PRINTED NAME    | Shepherdstown, WV 25443<br>ADDRESS                                  |
| <br>SIGNATURE | Ty Gibson<br>PRINTED NAME            | 11<br>ADDRESS   |
| _____<br>SIGNATURE   | _____<br>PRINTED NAME                | _____<br>ADDRESS  |
| _____<br>SIGNATURE   | _____<br>PRINTED NAME                | _____<br>ADDRESS  |
| _____<br>SIGNATURE   | _____<br>PRINTED NAME                | _____<br>ADDRESS  |





## Jessica Carroll

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**From:** Benjamin Jones [benjones1366@yahoo.com]  
**Sent:** Saturday, March 21, 2015 5:35 PM  
**To:** jcarroll@jeffersoncountywv.org; sandy@jeffersoncountywv.org  
**Subject:** Lack of sidewalks and pedestrian walkways in Charles Town vicinity

Your submission:

---

Your Name: Benjamin Jones

Your Email Address: [benjones1366@yahoo.com](mailto:benjones1366@yahoo.com)

Subject: Lack of sidewalks and pedestrian walkways in Charles Town vicinity

Message: Question about the Lack of sidewalks and pedestrian walkways in Charles Town vicinity. I see people walking on the shoulder of 340 east of the Casino with traffic shouting by at night as there are not sidewalks or pedestrian walkways from the Casino down to the Walmart, Food lion or Golds Gym.

Many folks that work at the track and stay at the motels have no transportation it seem and are force to walk on the busy highway. Also communities such as Demory farm residence have no sidewalks or trail on Keys Ferry road and are forced to walk in the road with dips and valleys making it difficult to see approaching vehicles while walking or jogging from the home to the Gym or Food Lion.

Why no sidewalks on keys Ferry Road or other rural roads that now serve multiple housing complexes.

In Colorado, all new home complexes have wide street and paved sidewalks and trails throughout the communities.

What's up with the Panhandle that this is not even mentioned as far as I can tell by the government or the local news media?

## Jessica Carroll

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**From:** Benjamin Jones [benjones1366@yahoo.com]  
**Sent:** Saturday, March 21, 2015 5:22 PM  
**To:** jcarroll@jeffersoncountywv.org; sandy@jeffersoncountywv.org  
**Subject:** Lack of growth and amenities for WV citizens and tourists

Your submission:

---

Your Name: Benjamin Jones

Your Email Address: [benjones1366@yahoo.com](mailto:benjones1366@yahoo.com)

Subject: Lack of growth and amenities for WV citizens and tourists

Message: Years ago it seems we heard there was going to be a new hospital built in Charles Town and a new Movie theater.

Nothing seems to have come of it.

Having lived here only a couple of years, there doesn't seem to be much growth in this panhandle despite the draw of the Casino. Leave the Casino and there is nothing to draw the tourist dollars. Washington street should be nuked and rebuilt for the Casino and I would rebuild 340 from the Maryland line with flowing trees and landscaped shoulders with a new modern visitor site/Truck stop off Harpers ferry.

From the Maryland line to the Casino is a nothing ride and view. Both Maryland and Virginia have tree lined parkways with bike and running trails to lure citizens and visitors alike to the area. No such amenities in West Virginia panhandle it seems. Why not?

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

|   |                     |
|---|---------------------|
| <b>Week Ending Date</b>                                 | March 14, 2015      |
| <b>To be Deposited on:</b>                              | March 20, 2015      |
| <b>Amount Played</b>                                    | 64,437,575.87       |
| <b>Amount Won</b>                                       | 57,743,883.07       |
| <b>Amount Promo</b>                                     | 313,384.00          |
| <b>MWAP Contribution</b>                                | <u>3,380.07</u>     |
| <b>Adjusted Gross Terminal Revenue</b>                  | <u>6,376,928.73</u> |
| <b>Administrative Costs @ 4%</b>                        | 0.00                |
| <b>Excess Lottery Fund @ 4%</b>                         | <u>255,077.15</u>   |
| <b>Net Terminal Revenue</b>                             | <u>6,121,851.58</u> |
| <b>Surcharge @ 10%</b>                                  | 612,185.15          |
| <b>State Share Excess @ 58% &amp; 10% of 42%</b>        | 380,779.16          |
| <b>Track Share of Capital Reinvestment @ 90% of 42%</b> | <u>231,405.99</u>   |
| <i>Track Share of Capital Reinvestment @ 96%</i>        | 222149.75           |
| <i>Track Share of Capital Reinvestment @ 4%</i>         | 9256.24             |
| <b>Adjusted Net Terminal Revenue</b>                    | <u>5,509,666.43</u> |
| <b>Racetrack @ 46.50% / 42%</b>                         | 2,314,059.90        |
| <b>Lottery Fund @ 30% / 0%</b>                          | 0.00                |
| <b>Excess Lottery Fund @ 0% / 41%</b>                   | 2,258,963.25        |
| <b>Excess Lottery Fund @ 12.85% / 9.55%</b>             | 526,173.14          |
| <b>Race Track Purses @ 90% of 7% / 4%</b>               | 198,347.99          |
| <b>Employee Pension Fund @ 1% / .5%</b>                 | 27,548.33           |
| <b>Greyhound Development @ 90% of .75%</b>              | 37,190.25           |
| <b>Thoroughbred Development @ 90% of .75%</b>           | 37,190.25           |
| <b>County/Municipality @ 2%</b>                         | <u>110,193.32</u>   |
|   | <u>5,509,666.43</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<br>ADJ. NET<br>REVENUE | TO<br>JEFFERSON<br>COUNTY | TO<br>FIVE<br>CITIES | BOLIVAR<br>7.93% | CHARLES<br>TOWN<br>39.90% | HARPERS<br>FERRY<br>2.17% | RANSON<br>33.68% | SHEPHERDS<br>TOWN<br>16.32% |
|----------------------------|------------------------------|---------------------------|----------------------|------------------|---------------------------|---------------------------|------------------|-----------------------------|
| 5 days ending:<br>07/05/14 | \$ 106,819.12                | \$ 106,819.12             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| Week ending:               |                              |                           |                      |                  |                           |                           |                  |                             |
| 07/12/14                   | \$ 111,792.16                | \$ 111,792.16             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 07/19/14                   | \$ 116,320.32                | \$ 116,320.32             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 07/26/14                   | \$ 112,502.48                | \$ 112,502.48             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/02/14                   | \$ 117,145.12                | \$ 117,145.12             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/09/14                   | \$ 114,374.60                | \$ 114,374.60             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/16/14                   | \$ 114,105.32                | \$ 114,105.32             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/23/14                   | \$ 116,097.04                | \$ 116,097.04             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/30/14                   | \$ 117,652.72                | \$ 60,280.02              | \$ 57,372.70         | \$ 4,549.65      | \$ 22,891.71              | \$ 1,244.99               | \$ 19,323.13     | \$ 9,363.22                 |
| 09/06/14                   | \$ 122,840.56                | \$ 61,420.28              | \$ 61,420.28         | \$ 4,870.63      | \$ 24,506.69              | \$ 1,332.82               | \$ 20,686.35     | \$ 10,023.79                |
| 09/13/14                   | \$ 102,729.92                | \$ 51,364.96              | \$ 51,364.96         | \$ 4,073.24      | \$ 20,494.62              | \$ 1,114.62               | \$ 17,299.72     | \$ 8,382.76                 |
| 09/20/14                   | \$ 101,329.08                | \$ 50,664.54              | \$ 50,664.54         | \$ 4,017.70      | \$ 20,215.15              | \$ 1,099.42               | \$ 17,063.82     | \$ 8,268.45                 |
| 09/27/14                   | \$ 100,254.44                | \$ 50,127.22              | \$ 50,127.22         | \$ 3,975.09      | \$ 20,000.76              | \$ 1,087.76               | \$ 16,882.85     | \$ 8,180.76                 |
| 10/04/14                   | \$ 107,062.56                | \$ 53,531.28              | \$ 53,531.28         | \$ 4,245.03      | \$ 21,358.98              | \$ 1,161.63               | \$ 18,029.34     | \$ 8,736.30                 |
| 10/11/14                   | \$ 102,254.00                | \$ 51,127.00              | \$ 51,127.00         | \$ 4,054.37      | \$ 20,399.67              | \$ 1,109.46               | \$ 17,219.57     | \$ 8,343.93                 |
| 10/18/14                   | \$ 112,829.28                | \$ 56,414.64              | \$ 56,414.64         | \$ 4,473.88      | \$ 22,509.44              | \$ 1,224.20               | \$ 19,000.45     | \$ 9,206.87                 |
| 10/25/14                   | \$ 99,780.40                 | \$ 49,890.20              | \$ 49,890.20         | \$ 3,956.29      | \$ 19,906.19              | \$ 1,082.62               | \$ 16,803.02     | \$ 8,142.08                 |
| 11/01/14                   | \$ 104,484.68                | \$ 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                 |
| 03/14/15                   | \$ 110,193.32                | \$ 55,096.66              | \$ 55,096.66         | \$ 4,369.17      | \$ 21,983.57              | \$ 1,195.60               | \$ 18,556.55     | \$ 8,991.77                 |
| Subtotal                   | \$ 3,812,143.56              | \$ 2,362,103.52           | \$ 1,450,040.04      | \$ 114,988.18    | \$ 578,565.95             | \$ 31,465.89              | \$ 488,373.50    | \$ 236,646.52               |

Benchmark Goal @ 2% \$ 912,063.48  
 Remainder until 1% / 1% Split \$ -

## VIDEO LOTTERY REPORT

| FY 2011    |            | FY 2012    |            | FY 2013    |            | FY 2014    |            | FY 2015    |            |
|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Date       | Amount     | Date       | Amount     | Date       | Amount     | Date       | Amount     | Date       | Amount     |
| 7/3/2010   | 115,402.58 | 7/1-2/2011 | 69,824.12  | 7/7/2012   | 161,637.92 | 7/6/2013   | 123,196.88 | 7/5/2014   | 106,819.12 |
| 7/10/2010  | 205,731.64 | 7/9/2011   | 171,717.28 | 7/14/2012  | 129,458.04 | 7/13/2013  | 128,060.40 | 7/12/2014  | 111,792.16 |
| 7/17/2010  | 161,386.76 | 7/16/2011  | 143,019.52 | 7/21/2012  | 130,037.00 | 7/20/2013  | 115,128.84 | 7/19/2014  | 116,320.32 |
| 7/24/2010  | 160,368.28 | 7/23/2011  | 146,508.00 | 7/28/2012  | 137,164.44 | 7/27/2013  | 123,049.56 | 7/26/2014  | 112,502.48 |
| 7/31/2010  | 157,802.08 | 7/30/2011  | 144,510.28 | 8/4/2012   | 132,931.16 | 8/3/2013   | 116,180.80 | 8/2/2014   | 117,145.12 |
| 8/7/2010   | 136,494.98 | 8/6/2011   | 151,495.28 | 8/11/2012  | 134,212.88 | 8/10/2013  | 120,078.64 | 8/9/2014   | 114,374.60 |
| 8/14/2010  | 78,376.68  | 8/13/2011  | 117,350.38 | 8/18/2012  | 110,241.90 | 8/17/2013  | 124,888.56 | 8/16/2014  | 114,105.32 |
| 8/21/2010  | 76,199.02  | 8/20/2011  | 71,614.12  | 8/25/2012  | 66,209.90  | 8/24/2013  | 89,882.12  | 8/23/2014  | 116,097.04 |
| 8/28/2010  | 72,460.03  | 8/27/2011  | 63,432.14  | 9/1/2012   | 67,133.42  | 8/31/2013  | 58,913.18  | 8/30/2014  | 60,280.02  |
| 9/4/2010   | 76,362.84  | 9/3/2011   | 80,837.76  | 9/8/2012   | 74,029.40  | 9/7/2013   | 67,758.74  | 9/6/2014   | 61,420.28  |
| 9/11/2010  | 82,969.36  | 9/10/2011  | 84,845.80  | 9/15/2012  | 61,838.04  | 9/14/2013  | 53,374.22  | 9/13/2014  | 51,364.96  |
| 9/18/2010  | 67,638.78  | 9/17/2011  | 66,748.62  | 9/22/2012  | 56,996.90  | 9/21/2013  | 54,277.94  | 9/20/2014  | 50,664.54  |
| 9/25/2010  | 70,435.06  | 9/24/2011  | 68,929.80  | 9/29/2012  | 61,611.40  | 9/28/2013  | 54,881.50  | 9/27/2014  | 50,127.22  |
| 10/2/2010  | 71,013.86  | 10/1/2011  | 68,871.64  | 10/6/2012  | 62,715.20  | 10/5/2013  | 55,950.74  | 10/4/2014  | 53,531.28  |
| 10/9/2010  | 69,311.50  | 10/8/2011  | 70,866.90  | 10/13/2012 | 60,710.18  | 10/12/2013 | 55,837.92  | 10/11/2014 | 51,127.00  |
| 10/16/2010 | 75,234.62  | 10/15/2011 | 75,262.66  | 10/20/2012 | 62,333.08  | 10/19/2013 | 61,327.20  | 10/18/2014 | 56,414.64  |
| 10/23/2010 | 70,290.80  | 10/22/2011 | 68,757.72  | 10/27/2012 | 58,073.54  | 10/26/2013 | 52,854.06  | 10/25/2014 | 49,890.20  |
| 10/30/2010 | 65,615.04  | 10/29/2011 | 60,507.98  | 11/3/2012  | 56,545.30  | 11/2/2013  | 57,543.54  | 11/1/2014  | 52,242.34  |
| 11/6/2010  | 61,337.62  | 11/5/2011  | 70,673.88  | 11/10/2012 | 56,110.96  | 11/9/2013  | 54,666.76  | 11/8/2014  | 52,819.26  |
| 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  | 3/7/2015   | 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  | 3/14/2015  | 55,096.66  |
| 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 |

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TOTALS **4,016,541.01**

**4,124,906.80**

**3,580,645.18**

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**3,261,565.02**

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**2,362,103.52**

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

| <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     |
| February, 2015  | 66,262.78     |

|                        |                   |
|------------------------|-------------------|
| <b>Total 2014-2015</b> | <b>589,043.45</b> |
|------------------------|-------------------|

**Table Game Revenue Distribution - Jefferson County School Board**

| <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       | <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          | February, 2015         | 198,788.34          |
| March, 2012            | 455,536.38          | March, 2013            | 447,100.86          | March, 2014            | 234,604.53          |                        |                     |
| April, 2012            | 383,586.78          | April, 2013            | 316,635.69          | April, 2014            | 217,142.18          |                        |                     |
| May, 2012              | 413,715.39          | May, 2013              | 329,242.14          | May, 2014              | 279,575.67          |                        |                     |
| June, 2012             | 387,706.12          | June, 2013             | 314,410.11          | June, 2014             | 217,052.10          |                        |                     |
| <b>Total 2011-2012</b> | <b>4,808,702.50</b> | <b>Total 2012-2013</b> | <b>4,608,334.13</b> | <b>Total 2013-2014</b> | <b>2,995,460.18</b> | <b>Total 2014-2015</b> | <b>1,767,130.35</b> |

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

**Week Ending Date**

**March 21, 2015**

**To be Deposited on:**

**March 27, 2015**

|   |                            |
|---|----------------------------|
| <b>Amount Played</b>                                    | <b>62,154,886.67</b>       |
| <b>Amount Won</b>                                       | <b>55,655,418.60</b>       |
| <b>Amount Promo</b>                                     | <b>352,396.00</b>          |
| <b>MWAP Contribution</b>                                | <b><u>3,427.50</u></b>     |
| <b>Adjusted Gross Terminal Revenue</b>                  | <b><u>6,143,644.57</u></b> |
| <b>Administrative Costs @ 4%</b>                        | <b>0.00</b>                |
| <b>Excess Lottery Fund @ 4%</b>                         | <b><u>245,745.78</u></b>   |
| <b>Net Terminal Revenue</b>                             | <b><u>5,897,898.79</u></b> |
| <b>Surcharge @ 10%</b>                                  | <b>589,789.89</b>          |
| <b>State Share Excess @ 58% &amp; 10% of 42%</b>        | <b>366,849.31</b>          |
| <b>Track Share of Capital Reinvestment @ 90% of 42%</b> | <b><u>222,940.58</u></b>   |
| <i>Track Share of Capital Reinvestment @ 96%</i>        | <i>214022.96</i>           |
| <i>Track Share of Capital Reinvestment @ 4%</i>         | <i>8917.62</i>             |
| <b>Adjusted Net Terminal Revenue</b>                    | <b><u>5,308,108.90</u></b> |
| <b>Racetrack @ 46.50% / 42%</b>                         | <b>2,229,405.74</b>        |
| <b>Lottery Fund @ 30% / 0%</b>                          | <b>0.00</b>                |
| <b>Excess Lottery Fund @ 0% / 41%</b>                   | <b>2,176,324.67</b>        |
| <b>Excess Lottery Fund @ 12.85% / 9.55%</b>             | <b>506,924.39</b>          |
| <b>Race Track Purses @ 90% of 7% / 4%</b>               | <b>191,091.92</b>          |
| <b>Employee Pension Fund @ 1% / .5%</b>                 | <b>26,540.54</b>           |
| <b>Greyhound Development @ 90% of .75%</b>              | <b>35,829.74</b>           |
| <b>Thoroughbred Development @ 90% of .75%</b>           | <b>35,829.74</b>           |
| <b>County/Municipality @ 2%</b>                         | <b><u>106,162.16</u></b>   |
|   | <b><u>5,308,108.90</u></b> |

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

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

| DATE                       | 2% OF<br>ADJ. NET<br>REVENUE | TO<br>JEFFERSON<br>COUNTY | TO<br>FIVE<br>CITIES | BOLIVAR<br>7.93% | CHARLES<br>TOWN<br>39.90% | HARPERS<br>FERRY<br>2.17% | RANSON<br>33.68% | SHEPHERDS<br>TOWN<br>16.32% |
|----------------------------|------------------------------|---------------------------|----------------------|------------------|---------------------------|---------------------------|------------------|-----------------------------|
| 5 days ending:<br>07/05/14 | \$ 106,819.12                | \$ 106,819.12             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| Week ending:               |                              |                           |                      |                  |                           |                           |                  |                             |
| 07/12/14                   | \$ 111,792.16                | \$ 111,792.16             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 07/19/14                   | \$ 116,320.32                | \$ 116,320.32             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 07/26/14                   | \$ 112,502.48                | \$ 112,502.48             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/02/14                   | \$ 117,145.12                | \$ 117,145.12             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/09/14                   | \$ 114,374.60                | \$ 114,374.60             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/16/14                   | \$ 114,105.32                | \$ 114,105.32             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/23/14                   | \$ 116,097.04                | \$ 116,097.04             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/30/14                   | \$ 117,652.72                | \$ 60,280.02              | \$ 57,372.70         | \$ 4,549.65      | \$ 22,891.71              | \$ 1,244.99               | \$ 19,323.13     | \$ 9,363.22                 |
| 09/06/14                   | \$ 122,840.56                | \$ 61,420.28              | \$ 61,420.28         | \$ 4,870.63      | \$ 24,506.69              | \$ 1,332.82               | \$ 20,686.35     | \$ 10,023.79                |
| 09/13/14                   | \$ 102,729.92                | \$ 51,364.96              | \$ 51,364.96         | \$ 4,073.24      | \$ 20,494.62              | \$ 1,114.62               | \$ 17,299.72     | \$ 8,382.76                 |
| 09/20/14                   | \$ 101,329.08                | \$ 50,664.54              | \$ 50,664.54         | \$ 4,017.70      | \$ 20,215.15              | \$ 1,099.42               | \$ 17,063.82     | \$ 8,268.45                 |
| 09/27/14                   | \$ 100,254.44                | \$ 50,127.22              | \$ 50,127.22         | \$ 3,975.09      | \$ 20,000.76              | \$ 1,087.76               | \$ 16,882.85     | \$ 8,180.76                 |
| 10/04/14                   | \$ 107,062.56                | \$ 53,531.28              | \$ 53,531.28         | \$ 4,245.03      | \$ 21,358.98              | \$ 1,161.63               | \$ 18,029.34     | \$ 8,736.30                 |
| 10/11/14                   | \$ 102,254.00                | \$ 51,127.00              | \$ 51,127.00         | \$ 4,054.37      | \$ 20,399.67              | \$ 1,109.46               | \$ 17,219.57     | \$ 8,343.93                 |
| 10/18/14                   | \$ 112,829.28                | \$ 56,414.64              | \$ 56,414.64         | \$ 4,473.68      | \$ 22,509.44              | \$ 1,224.20               | \$ 19,000.45     | \$ 9,206.87                 |
| 10/25/14                   | \$ 99,780.40                 | \$ 49,890.20              | \$ 49,890.20         | \$ 3,956.29      | \$ 19,906.19              | \$ 1,082.62               | \$ 16,803.02     | \$ 8,142.08                 |
| 11/01/14                   | \$ 104,484.68                | \$ 52,242.34              | \$ 52,242.34         | \$ 4,142.82      | \$ 20,844.69              | \$ 1,133.66               | \$ 17,595.22     | \$ 8,525.95                 |
| 11/08/14                   | \$ 105,638.52                | \$ 52,819.26              | \$ 52,819.26         | \$ 4,188.57      | \$ 21,074.88              | \$ 1,146.18               | \$ 17,789.53     | \$ 8,620.10                 |
| 11/15/14                   | \$ 103,620.64                | \$ 51,810.32              | \$ 51,810.32         | \$ 4,108.56      | \$ 20,672.32              | \$ 1,124.28               | \$ 17,449.72     | \$ 8,455.44                 |
| 11/22/14                   | \$ 92,457.24                 | \$ 46,228.62              | \$ 46,228.62         | \$ 3,665.93      | \$ 18,445.22              | \$ 1,003.16               | \$ 15,569.80     | \$ 7,544.51                 |
| 11/29/14                   | \$ 111,186.88                | \$ 55,593.44              | \$ 55,593.44         | \$ 4,408.56      | \$ 22,181.78              | \$ 1,206.38               | \$ 18,723.87     | \$ 9,072.85                 |
| 12/06/14                   | \$ 93,585.00                 | \$ 46,792.50              | \$ 46,792.50         | \$ 3,710.64      | \$ 18,670.21              | \$ 1,015.40               | \$ 15,759.71     | \$ 7,636.54                 |
| 12/13/14                   | \$ 81,809.96                 | \$ 40,904.98              | \$ 40,904.98         | \$ 3,243.76      | \$ 16,321.09              | \$ 887.64                 | \$ 13,776.80     | \$ 6,675.69                 |
| 12/20/14                   | \$ 83,201.68                 | \$ 41,600.84              | \$ 41,600.84         | \$ 3,298.95      | \$ 16,598.73              | \$ 902.74                 | \$ 14,011.16     | \$ 6,789.26                 |
| 12/27/14                   | \$ 116,229.36                | \$ 58,114.68              | \$ 58,114.68         | \$ 4,608.49      | \$ 23,187.76              | \$ 1,261.09               | \$ 19,573.02     | \$ 9,484.32                 |
| 01/03/15                   | \$ 136,554.56                | \$ 68,277.28              | \$ 68,277.28         | \$ 5,414.39      | \$ 27,242.63              | \$ 1,481.62               | \$ 22,995.79     | \$ 11,142.85                |
| 01/10/15                   | \$ 74,198.68                 | \$ 37,099.34              | \$ 37,099.34         | \$ 2,941.98      | \$ 14,802.64              | \$ 805.05                 | \$ 12,495.06     | \$ 6,054.61                 |
| 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      | \$ 15,008.65              | \$ 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                 |
| 03/14/15                   | \$ 110,193.32                | \$ 55,096.66              | \$ 55,096.66         | \$ 4,369.17      | \$ 21,983.57              | \$ 1,195.60               | \$ 18,556.55     | \$ 8,991.77                 |
| 03/21/15                   | \$ 106,162.16                | \$ 53,081.08              | \$ 53,081.08         | \$ 4,209.33      | \$ 21,179.35              | \$ 1,151.86               | \$ 17,877.71     | \$ 8,662.83                 |
| Subtotal                   | \$ 3,918,305.72              | \$ 2,415,184.60           | \$ 1,503,121.12      | \$ 119,197.51    | \$ 599,745.30             | \$ 32,617.75              | \$ 506,251.21    | \$ 245,309.35               |

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  | 3/7/2015   | 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  | 3/14/2015  | 55,096.66  |
| 3/19/2011  | 73,113.26  | 3/17/2012  | 76,883.92  | 3/23/2013  | 59,841.02  | 3/22/2014  | 50,734.62  | 3/21/2015  | 53,081.08  |
| 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**

**2,415,184.60**

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

| <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     |
| February, 2015  | 66,262.78     |

**Total 2014-2015**      **589,043.45**

**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          | February, 2015         | 198,788.34          |
| March, 2012            | 455,536.38          | March, 2013            | 447,100.86          | March, 2014            | 234,604.53          |                        |                     |
| April, 2012            | 383,586.78          | April, 2013            | 316,635.69          | April, 2014            | 217,142.18          |                        |                     |
| May, 2012              | 413,715.39          | May, 2013              | 329,242.14          | May, 2014              | 279,575.67          |                        |                     |
| June, 2012             | 387,706.12          | June, 2013             | 314,410.11          | June, 2014             | 217,052.10          |                        |                     |
| <b>Total 2011-2012</b> | <b>4,808,702.50</b> | <b>Total 2012-2013</b> | <b>4,608,334.13</b> | <b>Total 2013-2014</b> | <b>2,995,460.18</b> | <b>Total 2014-2015</b> | <b>1,767,130.35</b> |