

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**THURSDAY, APRIL 16, 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**

- April 2, 2015 Regular Meeting
- April 6, 2015 Special Session

**APPROVAL OF PURCHASE ORDERS**

- April 16, 2015

**APPROVAL OF ACCOUNTS PAYABLE**

- April 9, 2015
- April 16, 2015

**PAYROLL APPROVAL**

- April 9, 2015

**ANNOUNCEMENTS**

- Report if there are changes in the agenda if applicable

**PUBLIC COMMENT**

**PRESENTATIONS**

1. 9:45 a.m. Pete Dougherty, Sheriff
  - Hire of replacement Deputy - Discussion/Action
  - Raise hourly rate for Trip Guards - Discussion/Action
  - Appoint Jeffrey Sager and Douglas Pittinger as part-time bailiffs and trip guards - Discussion/Action

2. 10:00 a.m. Jennifer Maghan, County Clerk  
- Approval to hire for vacant position within the County Clerk's Office-  
Discussion/Action
3. 10:15 a.m. Peggy Smith, Mayor of City of Charles Town and Annette Gavin, CEO  
Jefferson County CVB  
- Program Report 2015 - John Brown Walking Tour and request of approval  
of the use of the Courthouse to be open for John Brown Tours starting May  
23, 2015 - Discussion/Action
4. 10:30 a.m. John Reisenweber, Director of the Jefferson County Development Authority  
- Approval of Resolution - Participation and Cooperation - Local Economic  
Development Grant Program - Discussion/Action
5. 10:45 a.m. **BREAK**
6. 11:00 a.m. Lynn Fields, Probate Office  
- Quarterly review to approve and close estates since last term in January,  
2015 - Discussion/Action
7. 11:15 a.m. Judy Matlick and Shay McNeil, Ag Agents, Jefferson County Extension Office  
- Funds for substitute for employee on maternity leave - Discussion/Action
8. 11:30 a.m. Chief Ross L. Morgan, Shepherdstown Fire Department  
- Discuss the "Quickest Route Feature" of CAD - Discussion/Action
9. 11:45 a.m. Interviews and Appointments to the Jefferson County Development Authority  
Board of Directors - Four 3-year terms ending April 5, 2018 -  
Discussion/Action
10. 12:00 p.m. Barbara J. Miller, Jefferson County Homeland Security and Emergency  
Management  
- Approval to hire Deputy Director/Planner/Program Manager -  
Discussion/Action

**NEW BUSINESS**

11. Discuss the process toward establishing water and sewer impact fees in our county -  
Discussion/Action (DM)
12. Discuss Road Summit with the WV Division of Highways which includes a tour of problem  
sites on our county roads - Discussion/Action (DM)
13. Amend "Ordinance to Reconstitute the Jefferson County Emergency Services Agency" to

include the Emergency Services Agency Medical Director as an ex officio, non-voting member of the board - Discussion/Action

14. Request for Exoneration/Modification of the Ambulance Fee Bill for Charles Town Associates of Charles Town LP, also known as Charles Towers Apartment's - Discussion/Action
15. Approval of Resolution and contract - Community Participation Grant program for the Jefferson County Parks and Recreation in the amount of \$6,000 - Discussion/Action
16. Approval of Resolution and grant application - Virginia Lodge #1 - Discussion/Action
17. Decision on the following:
  - ▶ 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) - Discussion/Action
  - ▶ 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) - Discussion/Action
  - ▶ 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) - Discussion/Action

#### **COUNTY ADMINISTRATOR REPORTS**

- Clarification of Impact Fee Commercial Rate - Discussion/Action
- Implementation of \$500.00 pay raise for next fiscal year - Discussion/Action
- Determination of manner in which monetary allocation to volunteer fire departments should be distributed - Discussion/Action
- Update on Bolivar Urban Growth Boundary

#### **COUNTY COMMISSION REPORTS**

#### **18. ADJOURN**

#### **DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY WRITTEN REPORTS**

- Engineering Department Quarterly Update Report

## **CORRESPONDENCE/INFORMATION**

Notice of Lay the Levy - April 21, 2015.

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

Impact Fee Status Report for March 2015.

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

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

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

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

Jefferson County Public Service District Regular Meeting minutes for March 2, 2015.

Call for Volunteers to help plant trees at Sam Michaels Park.

Notice of Keep Jefferson Beautiful/Adopt a Highway informational meeting.

Notice of 22<sup>nd</sup> Annual Golf Classic at Cress Creek Golf & Country Club.

Salute to Armed Forces & Veterans Event in Downtown Charles Town.

Jefferson County Animal Control Rabies Clinic flyer.

Public Correspondence on the All Good Music Festival as submitted by Bob Aitcheson.

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

WV Lottery Weekly Settlement for Charles Town - week ending April 4, 2015.

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

## **Minutes**

### **Jefferson County Commission**

**Thursday, April 2, 2015**

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A meeting of the Jefferson County Commission was held on Thursday, April 2, 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, April 2, 2015 meeting is available through the Jefferson County Commission Office.)

#### **PLEDGE OF ALLEGIANCE**

Commissioner Manuel led the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

**Motion by Ms. Noland to approve the March 16, 2015 Public Hearing Minutes. Motion seconded and unanimously approved.**

**Motion by Mr. Manuel to approve the March 17, 2015 Public Hearing Minutes. Motion seconded and unanimously approved.**

**Motion by Ms. Noland to approve the March 19, 2015 Regular Meeting Minutes. Motion seconded and unanimously approved.**

**Motion by Mr. Bell to approve the March 19, 2015 Public Hearing Minutes. Motion seconded and unanimously approved.**

**Motion by Ms. Noland to approve the March 26, 2015 Public Hearing Minutes. Motion seconded and unanimously approved.**

## APPROVAL OF PAYROLL

Motion by Ms. Noland to approve the Regular Payroll for March 26, 2015 in the amount of \$226,056.39. Motion seconded and unanimously approved.

## APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
074032	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ -	\$ 4,315.32	\$ 4,315.32
074033	717	AUTOZONE		\$ -	\$ 109.49	\$ 109.49
074034	425	B-K OFFICE SUPPLY INC		\$ -	\$ 1,184.56	\$ 1,184.56
074035	717	BRUCE'S AUTO REPAIR		\$ -	\$ 53.50	\$ 53.50
074036	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
074037	406	MONICA BENNETT		\$ -	\$ 138.00	\$ 138.00
074038	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
074039	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
074040	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
074041	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
074042	402	CLERK OF CO. COMMISSION		\$ -	\$ 26.60	\$ 26.60
074043	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
074044	712	CPI COMPUTR PROJECT F/IL		\$ -	\$ 1,716.00	\$ 1,716.00
074045	PAYROLL	COLONIAL LIFE		\$ -	\$ 516.18	\$ 516.18
074046	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
074047	406	RHONDA FIELDS		\$ -	\$ 138.00	\$ 138.00
074048	451	STEPHEN V GROH		\$ -	\$ 683.59	\$ 683.59
074049	451	JUDY R. GOLDEN		\$ -	\$ 100.00	\$ 100.00
074050	PAYROLL	VOYA FINANCIAL		\$ -	\$ 3,040.00	\$ 3,040.00
074051	ALLOC	JEFFERSON CO EMERGENCY		\$ -	\$ 211,890.50	\$ 211,890.50
074052	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 40.30	\$ 40.30
074052	424	JEFFERSON PUBLISH CO INC		\$ -	\$ 96.60	\$ 96.60
074053	424	THE JOURNAL		\$ -	\$ 298.56	\$ 298.56
074054	712	ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
074055	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,720.00	\$ 5,720.00
074056	405	JENNIFER E. MAY-SANNER		\$ -	\$ 83.36	\$ 83.36
074057	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
074058	700	ROBIN MAHONY		\$ -	\$ 15.97	\$ 15.97
074059	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
074060	402	PIFER OFFICE SUPPLY, INC		\$ -	\$ 178.25	\$ 178.25
074060	406	PIFER OFFICE SUPPLY, INC		\$ -	\$ 163.94	\$ 163.94
074061	700	WILLIAM POTTER		\$ -	\$ 48.28	\$ 48.28
074062	425	RCS SECURITY		\$ -	\$ 618.00	\$ 618.00

074063	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 3.62	\$ 3.62
074063	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 0.84	\$ 0.84
074063	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 9,720.84	\$ 9,720.84
074063	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 41,565.24	\$ 41,565.24
074063	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 2.55	\$ 2.55
074063	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 38,783.67	\$ 38,783.67
074064	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 30,186.59	\$ 30,186.59
074064	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 2,132.51	\$ 2,132.51
074064	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.34	\$ 1.34
074064	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 204.56	\$ 204.56
074065	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 10,557.27	\$ 10,557.27
074065	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 15,525.34	\$ 15,525.34
074066	405	TERESA TRITELLI		\$ -	\$ 275.50	\$ 275.50
074067	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 1.32	\$ 1.32
074067	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 4.12	\$ 4.12
074067	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 76,732.06	\$ 76,732.06
074067	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 24,663.92	\$ 24,663.92
074068	PAYROLL	WV CPRB/LOAN DIVISION		\$ -	\$ 166.50	\$ 166.50
074069	700	WILLIAM WALTERS		\$ -	\$ 18.01	\$ 18.01
<b>TOTAL</b>						<b>\$ 485,176.33</b>
<b>TOTAL</b>				<b>\$ -</b>	<b>\$ 485,176.33</b>	<b>\$ 485,176.33</b>

**Motion by Ms. Noland to approve the accounts payable for March 26, 2015 in the amount of \$485,176.33. Motion unanimously approved.**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
074071	712	AT&T/GA		\$ -	\$ 32.84	\$ 32.84
074072	406	BERKELEY PRINTING/DESIGN		\$ -	\$ 1,081.00	\$ 1,081.00
074073	ALLOC	BOLIVAR/HARPERS FERRY		\$ -	\$ 14,625.00	\$ 14,625.00
074074	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
074075	PAYROLL	BUREAU F/CHILD SPprt ENF		\$ -	\$ 212.31	\$ 212.31
074076	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
074077	401	201 N. GEORGE ST LLC		\$ -	\$ 9,638.92	\$ 9,638.92
074078	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
074079	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
074080	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
074081	425	CDW-GOVERNMENT LLC		\$ -	\$ 689.14	\$ 689.14
074082	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00

074082	ALLOC	OLD CHARLES TOWN LIBRARY		\$ -	\$ 14,625.00	\$ 14,625.00
074083	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
074084	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
074085	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 5,982.63	\$ 5,982.63
074086	ALLOC	EASTERN PANHANDLE TRANSI		\$ -	\$ 2,568.75	\$ 2,568.75
074087	PAYROLL	GUARDIAN		\$ -	\$ 1,939.49	\$ 1,939.49
074087	PAYROLL	GUARDIAN		\$ -	\$ 1,709.90	\$ 1,709.90
074088	401	RICOH USA, INC		\$ -	\$ 29.06	\$ 29.06
074088	403	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
074088	404	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
074088	405	RICOH USA, INC		\$ -	\$ 87.21	\$ 87.21
074088	406	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
074088	425	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
074088	433	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
074088	440	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
074088	700	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
074088	712	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
074089	PAYROLL	VOYA FINANCIAL		\$ -	\$ 3,040.00	\$ 3,040.00
074090	ALLOC	JEFF CO DEVELOPMENT AUTH		\$ -	\$ 33,223.50	\$ 33,223.50
074091	402	JEFFERSON PUBLISH CO INC		\$ -	\$ 84.58	\$ 84.58
074091	402	JEFFERSON PUBLISH CO INC		\$ -	\$ 33.00	\$ 33.00
074092	ALLOC	JEFFERSON DAY REPORT CNT		\$ -	\$ 25,000.00	\$ 25,000.00
074093	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,720.00	\$ 5,720.00
074094	433	LYLE SIGNS, INC.		\$ -	\$ 334.72	\$ 334.72
074095	406	MONROE SYS FOR BUSINESS		\$ -	\$ 183.10	\$ 183.10
074096	PAYROLL	HIGHMARK WV		\$ -	\$ 168,244.11	\$ 168,244.11
074097	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
074098	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
074099	712	OFFICEMAX		\$ -	\$ 288.52	\$ 288.52
074100	ALLOC	JEFF CO PARKS &		\$ -	\$ 62,332.25	\$ 62,332.25
074101	402	PIFER OFFICE SUPPLY, INC		\$ -	\$ 188.85	\$ 188.85
074101	402	PIFER OFFICE SUPPLY, INC		\$ -	\$ 17.44	\$ 17.44
074101	406	PIFER OFFICE SUPPLY, INC		\$ -	\$ 15.69	\$ 15.69
074102	712	LAURA POPE		\$ -	\$ 355.00	\$ 355.00
074103	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 7,181.00	\$ 7,181.00
074104	ALLOC	SHEPHERDSTOWN PUB LIBRAR		\$ -	\$ 14,625.00	\$ 14,625.00
074105	704	ST/WV REGIONAL JAIL &		\$ -	\$ 102,647.75	\$ 102,647.75
074106	ALLOC	SOUTH JEFFERSON PUBLIC		\$ -	\$ 14,625.00	\$ 14,625.00
074107	425	THOMPSON GAS		\$ -	\$ 741.84	\$ 741.84
074108	424	TRENARY SERVICE CO		\$ -	\$ 570.26	\$ 570.26

074109	PAYROLL	UNICARE EAP		\$ -	\$ 322.20	\$ 322.20
074110	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 655.77	\$ 655.77
074111	ALLOC	WVU		\$ -	\$ 3,488.75	\$ 3,488.75
<b>TOTAL</b>						<b>\$ 501,553.50</b>
<b>TOTAL</b>				<b>\$ -</b>	<b>\$ 501,553.50</b>	<b>\$ 501,553.50</b>

**Motion by Mr. Manuel to approve the accounts payable for April 2, 2015 in the amount of \$501,553.50. Motion unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

**Motion by Mr. Bell to approve the Manual Checks for March 26, 2015 in the amount of \$70,870. Motion seconded and unanimously approved.**

**Motion by Mr. Bell to approve the Manual Checks for April 2, 2015 in the amount of \$870.00. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:**

Scott Sudduth, resident and President of the Jefferson County Board of Education – stated he and the school board were in support of a reduction of impact fees but urged the Commission to make a reasonable decision based on the information provided in the 2015 TischlerBise Recalculation Report.

Jessica Gettman, resident and general manager of the Harpers Ferry KOA – voiced her concerns regarding the campground’s inclusion in the Bolivar Urban Growth Boundary, stating that she and her staff were opposed to being included in the Bolivar UGB because Bolivar was not providing the KOA with any services or benefits such as water, sewer, or infrastructure.

**PRESENTATIONS**

1. Angie Banks, Assessor – requested the approval of the following Exonerations:

NAME	TYPE	DISTRICT	TICKET #	AMOUNT
Bryan Lewis	2014 Personal Property	Middleway	312031	61.12

- **Motion by Ms. Noland to approve the Exoneration as presented by the Assessor. Motion seconded and unanimously approved.**

2. Pete Dougherty, Sheriff
  - a. Requested approval of 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.
    - **Motion by Mr. Manuel to approve the application of the Homeland Security Grant in the amount of \$35,000 and authorize the President of the Commission to affix her signature to the associated documents. Motion seconded and unanimously approved.**
  - b. Requested the approval of Deputy First Class designation for Deputy Douglas Fletcher and an associated salary increase of \$1,000.
    - **Motion by Ms. Noland to approve the designation change of Deputy First Class for Deputy Douglas Fletcher. Motion seconded and unanimously approved.**
3. Bolivar Corporation – requested the approval and establishment of the Bolivar Urban Growth Boundary.
  - o It was the consensus of the Commission to hold a public hearing regarding the Bolivar Urban Growth Boundary, scheduled for Thursday, April 30, 2015 during the Regular County Commission meeting.
4. Annette Gavin, Jefferson County Convention and Visitor's Bureau – presented the Commission with the JCCVB's FY16 Budget pending MAPP approval.
5. The Commission recessed for break at 10:45 am.  
The Commission reconvened at 11:00 am.
6. Interviews and Appointments to the Jefferson County Planning Commission – two three-year terms ending March 31, 2018.
  - **Motion by Mr. Pellish to reappoint Gene Taylor and Stephen Stolipher to the Jefferson County Planning Commission each for one three-year term ending March 31, 2018. Motion seconded and unanimously approved.**
7. Decision on the consideration of Impact Fee funding levels.
  - **Motion by Mr. Manuel to adopt and approve the Impact Fees as the amounts outlined and recommended in the most recent TischlerBise recalculation report. Motion seconded but fails on a vote of 2-3 with Ms. Tabb, Ms. Noland, and Mr. Pellish opposing.**

- **Motion by Mr. Pellish to reestablish the Impact Fees as discussed and voted upon during the February 19, 2015 Regular County Commission Meeting. Motion seconded.**
  - **Motion by Ms. Tabb to amend the 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, effective May 1, 2015. Motion seconded and unanimously approved.**
8. Jennie Brockman, Director of Planning and Zoning
- a. Requested 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.
    - **Motion by Mr. Manuel to approve a full refund of the \$100.00 zoning variance fee be returned to Thomas and Patricia Mills. Motion seconded and unanimously approved.**
  - b. Requested a total refund of the zoning variance fee for Thomas Marshall as Staff found the zoning variance unnecessary after the fee was deposited.
    - **Motion by Ms. Tabb to approve a full refund of \$100.00 zoning variance fee be returned to Thomas Marshall. Motion seconded and unanimously approved.**
  - c. Requested the permission to hire a Zoning Administrator to fill the vacant position.
    - **Motion by Mr. Manuel to approve the hiring of A. David Simon as the County Zoning Administrator with a state date of May 4, 2015 at a Grade V, Step B with a move to Step C after a successful six month probationary period. Motion seconded and unanimously approved.**
9. Dr. David Didden, Jefferson County Health Department – requested the approval of dental services provided through the Jefferson County Health Department.
- **Motion by Ms. Tabb to approve the dental services provided through the Jefferson County Health Department. Motion seconded and unanimously approved.**

**NEW BUSINESS**

10. Decision on the Land owner 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).

- **Motion by Ms. Tabb to approve the rezoning from Rural/Residential to Residential – Light Industrial – Commercial 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) having found the rezoning consistent with the 2014 Comprehensive Plan. Motion seconded and unanimously approved.**

11. Approval of the Jefferson County Commission Ambulance Fee Privacy Policy and Credit Card Security Policies.

- **Motion by Mr. Bell to approve the Jefferson County Commission Ambulance Fee Privacy Policy and Credit Card Security Policy as presented. Motion seconded and unanimously approved.**

12. Set time to Lay the Levy on Tuesday, April 21, 2015

- It was the consensus of the Commission to Lay the Levy at 10:00 am on Tuesday, April 21, 2015.

13. Approval of Resolution and grant application for the Jefferson County Solid Waste Authority.

- **Motion by Ms. Tabb 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. Motion seconded and unanimously approved.**

14. Approval of Resolution and grant application for Good Shepherd Interfaith Volunteer Caregivers.

- **Motion by Ms. Noland 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. Motion seconded and unanimously approved.**

15. Approval of Agreement with Xerox Government Systems, Inc.

- **Motion by Mr. Bell to approve the Agreement in the amount \$1,595 and to authorize the President to affix her signature to the appropriate documents. Motion seconded and unanimously approved.**

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.

- **Motion by Mr. Manuel to approve the use of the Jefferson County Commission meeting room on Wednesday, April 29, 2015 from 6:30-8:30 pm to promote the Adopt-a-Highway Program. Motion seconded and unanimously approved.**

17. 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.

### **FINANCIAL DIRECTOR REPORTS**

➤ Internal Budget Revisions

- **Motion by Ms. Noland to approve Internal Budget Revisions #11, #12, and #13 as presented by Mr. Stanton. Motion seconded and unanimously approved.**

### **COUNTY ADMINISTRATOR REPORTS**

- Special Session – Ms. Grove stated the Commission needed to schedule a special session regarding an update on pending litigation before the 14<sup>th</sup> of April. It was the consensus of the Commission to schedule the Special Session for 10:00 am on Monday, April 6, 2015.
- Supply Kits for Elections – Ms. Grove stated Ms. Nikki Painter in the Elections department has developed her own supply kits for the polling locations rather than purchasing them from the Secretary of States’s Office. Ms. Grove complemented Ms. Painter’s efforts, stating the new kits are user-friendly, comprehensive, and cost effective.
- CLE Class – Ms. Grove stated she attended a free CLE class on unclaimed property in Martinsburg last week.
- ESA Selection Committee for New Director – Ms. Grove stated she was asked to be a part of an ESA Selection Committee for the new ESA Director; however, she did not feel comfortable agreeing to serve on the Committee until she had the Commission’s approval. It was the consensus of the Commission to allow Ms. Grove to serve on the ESA Selection Committee for their new director.

- Ambulance Fee Update – Ms. Grove stated approximately \$716,013 has been collected in Ambulance Fee money to date. She also stated the delinquent notices have been printed and the Jefferson County Council on Aging will be stuffing the envelopes for a small fee.

### **COUNTY COMMISSION REPORTS**

Patsy Noland

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

Jane Tabb

- Attended a Farmland Protection Board monitoring visit.
- Stated she was looking for farms to participate in Farm Day on June 20, 2015.

Dale Manuel

- Attended the public hearings on Standard Land, LLC and the proposed amendments to the Subdivision and Land Use Development regulations.
- Attended the WV Thoroughbred Breeder's Dinner.
- Attended a tour of Hite Road Park.
- Attended an Affordable Housing meeting.

Eric Bell

- Attended a Fire Chief meeting.
- Attended an Eastern Panhandle Business Association meeting.

Walt Pellish

- Attended a Development Authority meeting.
- Stated he had a CAT scan scheduled for Tuesday and would proceed with round 8 of chemotherapy.

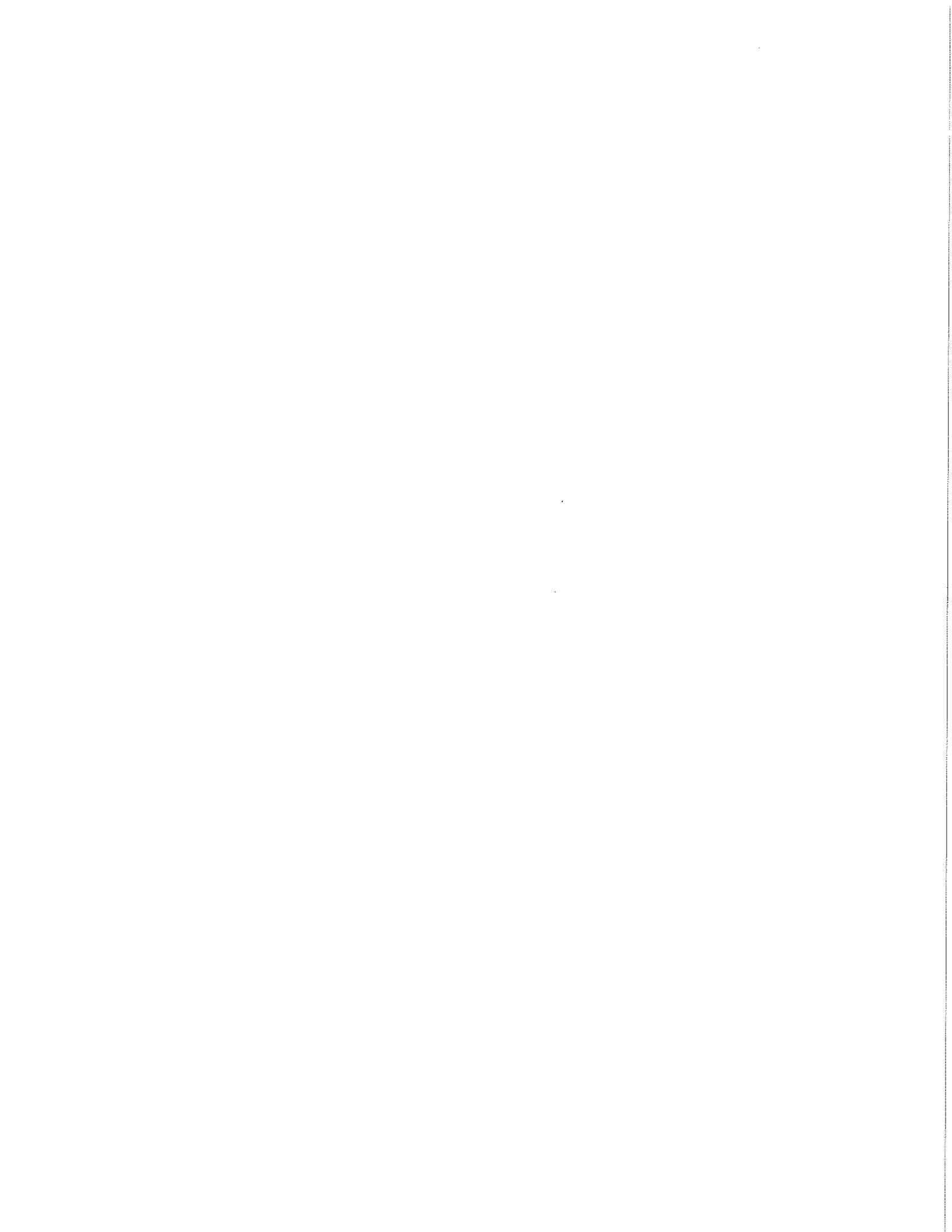
18. The Commission meeting adjourned at 12:23 pm on a motion by Mr. Bell. Motion was seconded and unanimously approved.

---

JANE M. TABB, PRESIDENT

Respectfully submitted

Jessica D. Carroll  
Administrative Assistant



SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414 on April 6, 2015 at 10:00 am (An audio file of the April 6, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President  
Patsy Noland, Vice President  
Eric Bell, Commissioner  
Dale Manuel, Commissioner  
Stephanie Grove, County Administrator  
Nathan Cochran, Assistant Prosecuting Attorney  
Jessica Carroll, Administrative Assistant

RE: **Update on 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**

Commissioner Tabb called the meeting to order at 10:02 am and stated the purpose of the meeting was to receive an update on pending litigation concerning the cases listed above.

- **Motion by Ms. Noland to enter into Executive Session citing §6-9A-4 to discuss pending litigation. Motion seconded and unanimously approved.**

The Commission came out of Executive Session at 10:42 a.m.

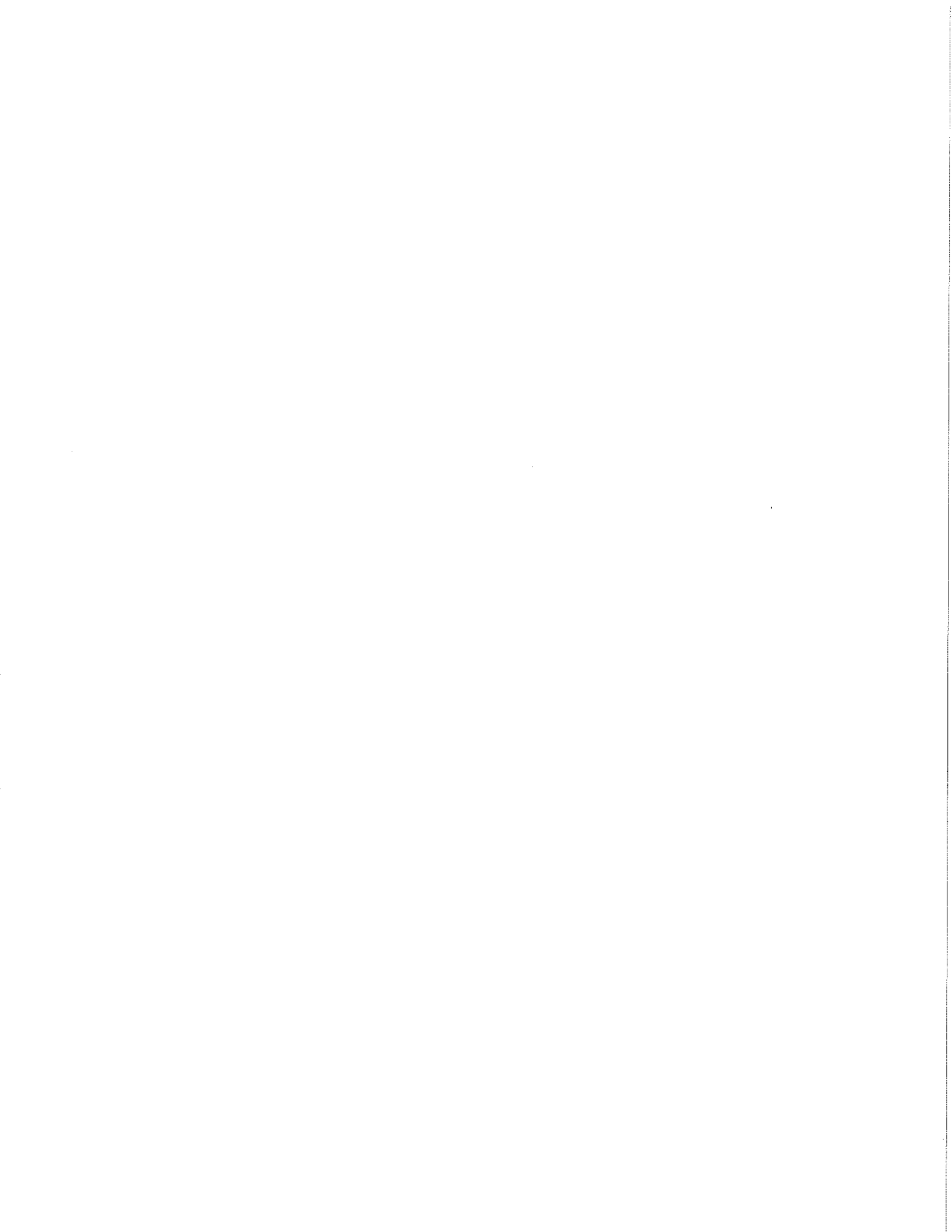
- **Motion by Ms. Noland to direct counsel to proceed with settlement as discussed in Executive Session. Motion seconded and unanimously approved.**
- **Motion by Mr. Bell to adjourn. Motion seconded and unanimously approved.**

The special session adjourned at 10:47 am.

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JANE TABB, PRESIDENT

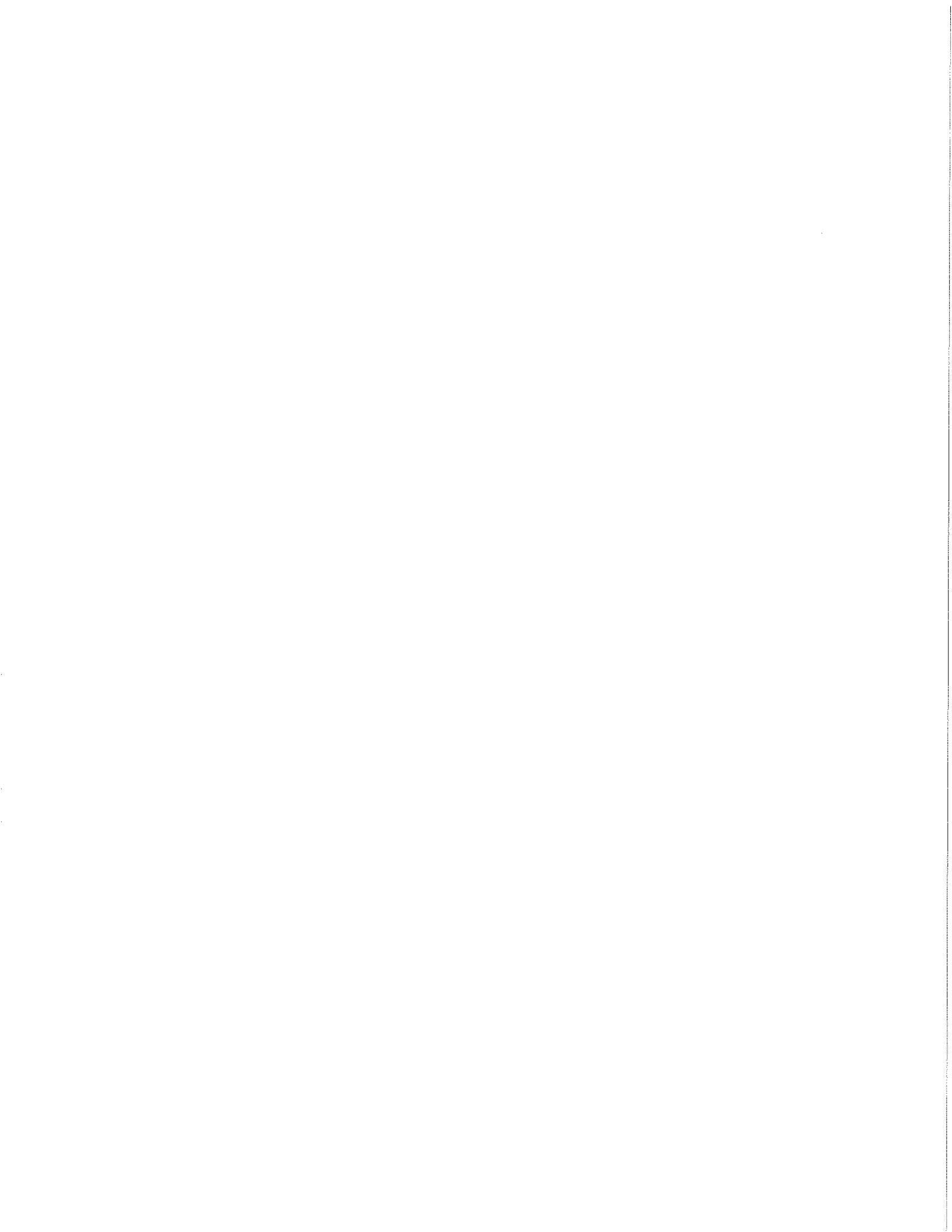
Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant



# PURCHASE ORDERS TO BE APPROVED

April 16, 2015

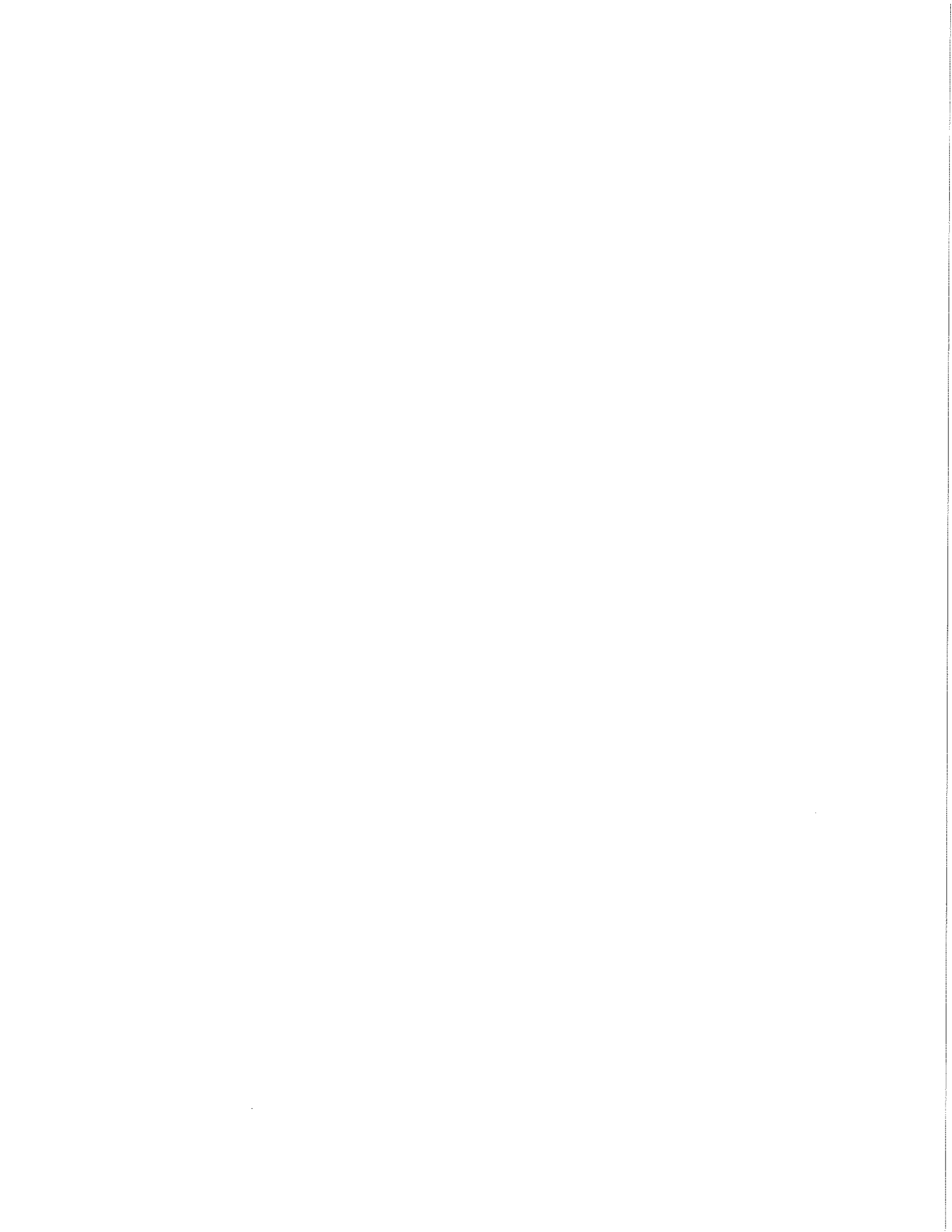
DEPARTMENT	PURCHASE ORDER	AMOUNT	VENDOR	DESCRIPTION
BARDANE FUND	52655	\$ 15,330.00	Boland	Replacement of Condenser Coil
IT	52336	\$ 10,634.21	SIMPLYNAS	Backups/Disaster Recovery
	52338	\$ 12,995.00	EMC/Storage Networks	Additional Network Storage
<b>GRAND TOTAL</b>		<b>\$ 38,959.21</b>		



Payroll Approval

Checks Dated: 4-9-15

DESCRIPTION	Fund 001 CO.	Fund 003 Dog	Total
Gross Wages	\$ 353,083.48		\$ 353,083.48
6.2% Tax Payable OASDI	\$ 21,048.71		\$ 21,048.71
1.45% Tax Payable HI	\$ 4,922.66		\$ 4,922.66
Fed Withholding	\$ 39,595.10		\$ 39,595.10
WV State Withholding	\$ 14,898.80		\$ 14,898.80
PERS Retirement Deduct	\$ 12,388.37		\$ 12,388.37
Hosp. Pre-Tax	\$ 10,897.00		\$ 10,897.00
Cancer/ICU Pre-Taxed	\$ 1,253.35		\$ 1,253.35
Cancer/ICU Not Pre-Taxed	\$ 904.31		\$ 904.31
Optional Life Not Pre-Taxed	\$ 516.50		\$ 516.50
Christmas Club	\$ 5,720.00		\$ 5,720.00
Wage Attach #1	\$ 1,339.39		\$ 1,339.39
Wage Attach #2	\$ 83.25		\$ 83.25
Wage Attach #3	\$ 212.31		\$ 212.31
Wage Attach #4	\$ 154.83		\$ 154.83
DSRS Retirement Deduct 8.5%	\$ 5,137.81		\$ 5,137.81
457 - Nationwide	\$ 749.00		\$ 749.00
457I - ING	\$ 3,040.00		\$ 3,040.00
MD State Tax	\$ 351.55		\$ 351.55
D/VF	\$ 1,437.72		\$ 1,437.72
VA. State Tax	\$ 30.33		\$ 30.33
COLONIAL(PLUS)	\$ 258.09		\$ 258.09
Total Deductions	\$ 124,939.08	\$ -	\$ 124,939.08
Net Wages Total	\$ 228,144.40	\$ -	\$ 228,144.40
Payroll Dated	9-Apr-2015		



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

Please provide the County Commission with a description of your request or presentation, including any background information:  
I am seeking approval to hire Connor O'Shea to fill the vacancy created by the resignation of Deputy Moskowitz. This is a budgeted position. Mr. O'Shea has successfully completed all employment prerequisites.

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 hire of Connor O'Shea to the position of Deputy.

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

If not attached, explain:

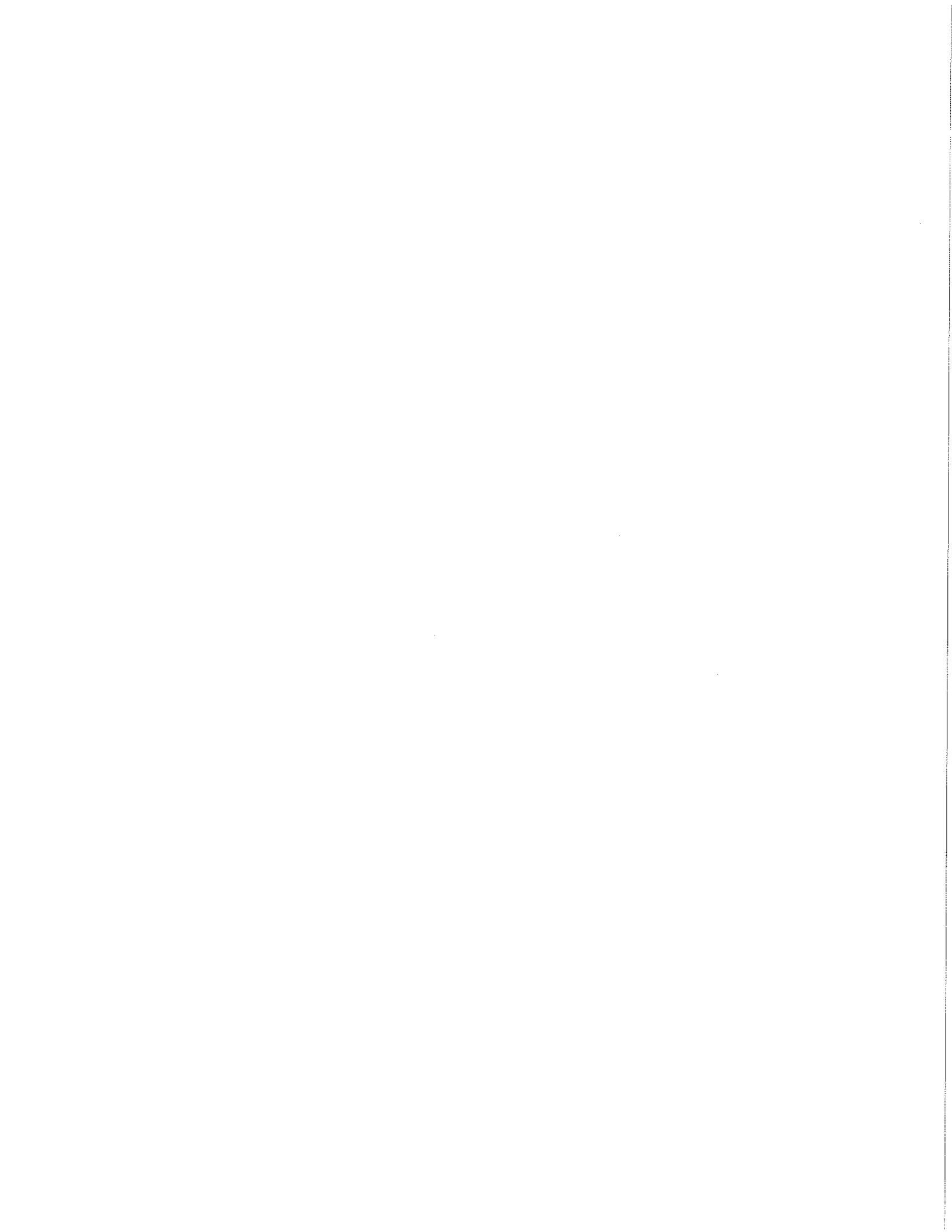
Is equipment needed? Projector Y/N Internet/Wi Fi Y/N Telephone for conference call Y/N

Contact information:

Email address: [pdougherty@jcsdvw.com](mailto: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: 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*): Raise hourly rate for Trip Guards

Please provide the County Commission with a description of your request or presentation, including any background information: Currently the positions of Bailiff and Trip Guard are paid at the same rate. As it has been my practice to hire individuals for the dual purpose of being a Bailiff and a Trip Guard, this makes it convenient for Payroll; however, it makes it difficult to find someone willing to go on a trip in the middle of the night, instead of sitting at a desk in the light of day. To make the position more enticing, I am requesting a 25% increase in the hourly rate of Trip Guards. The maximum current hourly rate is \$14.00, making the maximum increase \$17.50.

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 25% increase to the hourly rate for Trip Guards.

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

If not attached, explain:

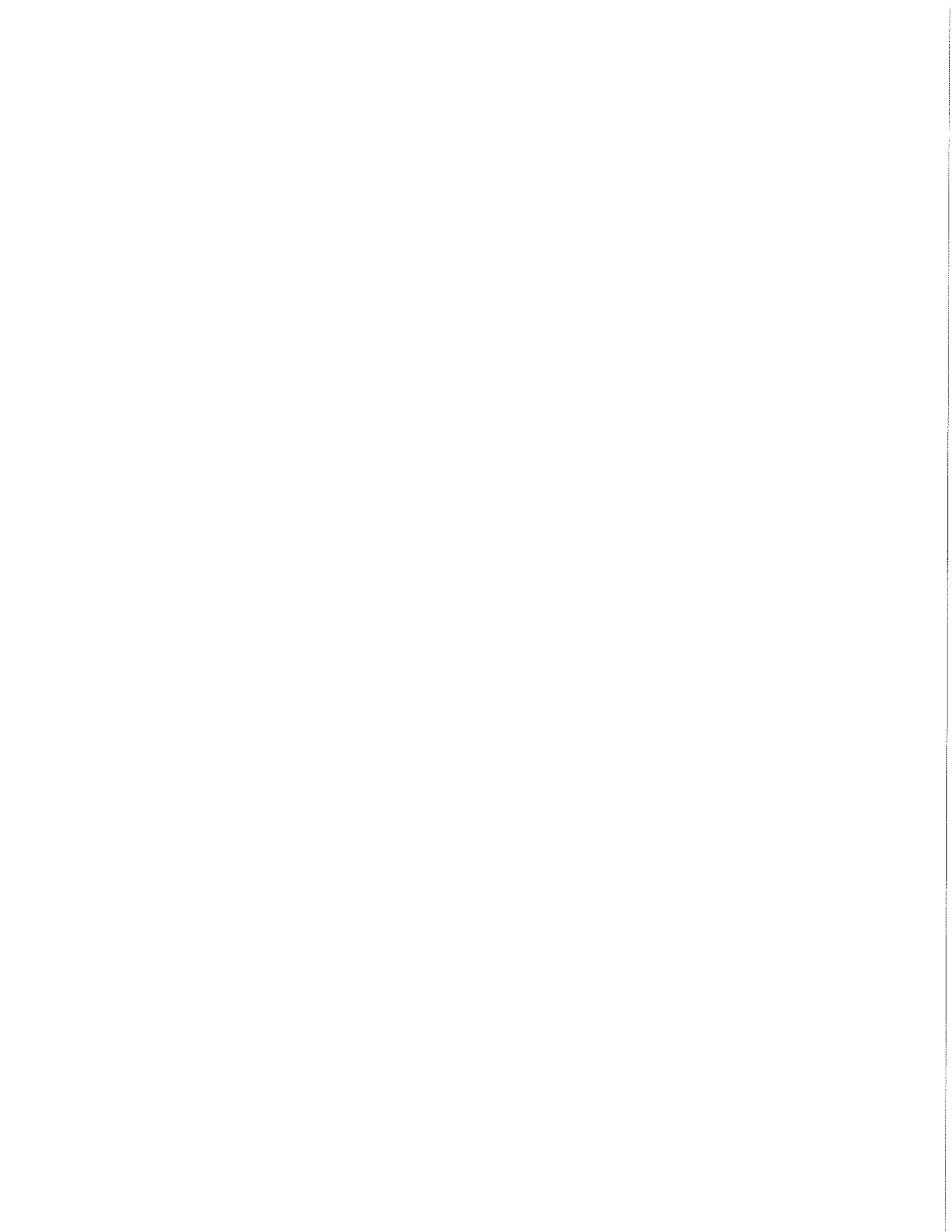
Is equipment needed? Projector Y/N Internet/Wi Fi Y/N Telephone for conference call Y/N

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: Jefferson County Sheriff's Office

Estimation of amount of time needed for appointment: 5 minutes

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

*If a specific date is needed, please provide reason for specific date: April 16, 2015*

Date Requested -- 2<sup>nd</sup> Choice: April 30, 2015

Subject (*Wording to be placed on agenda*): Appoint Jeffrey Sager and Douglas Pittinger as part-time bailiffs and trip guards

Please provide the County Commission with a description of your request or presentation, including any background information:  
**Seeking the Commission approval to appoint Mr. Jeffrey Sager and Mr. Douglas Pittinger as part-time Court Security Officers [bailiffs] and trip guard [special deputies].**

It is increasing difficult to find persons who are qualified and interested in capable of meeting the demands of trip guards. We are in need of additional staff as some previously approved trip guards are no longer engaged or qualified.

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request: This action has no negative impact on the existing budget

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

**I move that Jeffrey Sager and Doug Pittinger be approved as bailiffs and trip guards per the Sheriff's request. Their appointments are effective April 30, 2015 conditioned upon their successful completion of firearms training as set by the Sheriff's Office.**

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**



Heelo -  
Auto-Form  
Doesn't work - Thx -

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



Name: Click here to enter text. *Dennifer Maghan - County Clerk*

Department or Organization: Click here to enter text. *County Clerk*

Estimation of amount of time needed for appointment: Click here to enter text. *5 min.*

Date Requested - 1<sup>st</sup> Choice: Click here to enter text. *23 April*  
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): Click here to enter text. *Approval of Vacant  
County Clerk Position*

Please provide the County Commission with a description of your request or presentation, including any background information:  
Click here to enter text. *This position has been vacant since October 2014 &*

Is this a funding request? *15 budget* Y/N Click here to enter text. *No change to budget*  
If so, how much? \$ Click here to enter text. *Budget Neutral*

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): Click here to enter text. *Approval of Arabia Anderson as Deputy County Clerk  
effective 27 April 2015*

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.

*240.446.4795*

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: **Peggy Smith, Mayor of Charles Town and Annette Gavin, CEO Jefferson County CVB**

Department or Organization: **City of Charles Town**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **April 16, 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*): **Program Report 2015 - John Brown Walking Tour and request approval of the use of the Courthouse to be open for John Brown Tours starting May 23, 2015**

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

**John Brown Walking tours start May 23**

**May 23-June 7 Weekends only June 13-Aug 16 Daily and Aug 22-Nov 1 Weekends only**

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 approve use of Courthouse for Jon Brown Walking tour**

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: [peggy-smith@frontiernet.net](mailto:peggy-smith@frontiernet.net) [Annette.gavin@jccvb.com](mailto:Annette.gavin@jccvb.com) Phone Number: Click here to enter text.

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

Click here to enter text.

## Program Report – 2015 John Brown Tour

### INTRODUCTION:

In 2014, the City in partnership with the Harpers Ferry National Park through their park rangers was able to offer guided tours in Charles Town to tell the rest of the John Brown story. The tours started at the Jefferson County Courthouse. The park rangers begin the tour in the courthouse so



they can talk about the trial and its outcome before they lead the group to the site of the gallows to hear about the execution. On the trip to the gallows and on the return, the park ranger describes other points of historical interest. Last year we had over 1,000 visitors take the tour and many reported that they enjoyed the experience and would recommend it to others. This program is being run as a pilot program funded through our Civic Promotions, so it will need to be reauthorized for another year. This year's program seeks to expand by adding a shuttle service that is expected to not only increase participation but also improve the overall tour experience. With tourism being one of our most important economic aspects, any activity that brings people to our community is beneficial.

### SHUTTLE SERVICE:

The City in partnership with the Eastern Panhandle Transit Authority (EPTA) is proposing a shuttle circuit that would pick up visitors at the Harpers Ferry Train Station and drop them at our Liberty Street parking lot. The park rangers have agreed to ride the shuttle to and from so that they may start telling the story where it began in Harpers Ferry and finish it where it ended in Charles Town. This is a great opportunity to include our City in the Harpers Ferry experience that we hope will encourage people to visit us to see our great attractions. The shuttle will run for 6 hours per day at a cost of \$55 per hour. However, the City and EPTA were able to negotiate a combination in-kind/cash payment arrangement whereby the City would provide storage for a couple of the EPTA buses in our Public Works Yard at a rate of \$78 a day to cover 5 hours per day and the City would pay EPTA cash for the last hour of the day. The tour is proposed to run from May to October with weekend service in May, September and October and daily service in June (portions), July and August (portions). The cost breakdown for the shuttle is as follows



### EPTA Shuttle Service – Daily Breakdown with Costs

Month	Days	Hours	Total	In-kind	Cash
May	4	24	\$1,320	\$1,100	\$220
June	25	150	\$8,250	\$6,875	\$1,375
July	31	186	\$10,230	\$8,525	\$1,705
August	25	150	\$8,250	\$6,875	\$1,375
September	8	42	\$2,640	\$2,200	\$440
October	9	54	\$2,970	\$2,475	\$495
November	1	6	\$330	\$275	\$55
<b>Total</b>	<b>103</b>	<b>618</b>	<b>\$33,990</b>	<b>\$28,325</b>	<b>\$5,665</b>

### TOUR GUIDES:

Several of the Park Rangers at Harpers Ferry National Park have been authorized to participate in this activity by leaving the park and traveling with tour groups to Charles Town in exchange for a donation to the Harpers Ferry Historical Preservation Society. Last year, the City paid \$7,000 and APUS donated \$5,000, which they have generously agreed to provide again this year. This works out to \$116 a day or \$19.33 an hour.



### OPERATIONAL COSTS



Because the Jefferson County Court House is a working court, bailiffs are required to be onsite for the tour so they may check visitors in and out. During the weekday tours, they are onsite during the hours the courthouse is open, but the courthouse is closed on the weekends so no normal bailiff service is available. In order to continue our tours on the weekend, the Project will need to reimburse Jefferson County for providing the extra bailiff service. The cost for this service is \$2,112 for the 36 weekends. In addition, we allocate \$2,000 for promotion which could include rack cards, newspaper advertisement, radio spots or some other form of paid communications. The City provides overall management and financial services but the time involved has not been too tasking in the past, so we don't see a need at this time

for additional compensation. If the City's operational involvement rises to a level where we are having to dedicate additional resources to meet the need, then future reports may opt to include an assessment of the City's time and effort for either in-kind or cash accounting.

## OVERALL PROGRAM BUDGET

Item	Total (\$)	In kind	Cash
Shuttle Service	33,900	28,250	5,650
Tour Guides	12,000		12,000
Operations	4,112		4,112
Program Total	\$ 50,012	\$ 28,250	\$ 21,762
Contribution - APUS			5,000
City - General Fund		28,250	16,762
		\$ 28,250	\$ 21,762

## EXPECTED ECONOMIC BENEFIT

The convenience of offering a free shuttle between Harpers Ferry and Charles Town combined with a second year of promotion should conversantly increase the number of tour participants to well over 2,000 participants. However, if word of mouth and social media advertising is successful, those numbers could be greatly increased. The City will monitor the situation closely so as to be able to provide accurate information on the tour's financial impact on our community. It should be noted that the tour's overall economic benefit to residual tourism is a factor as well but this data is much harder to track. Having the tour in Charles Town to complete the story is also a community amenity that

improves our overall economic climate and enhances the visitor experience. In all cases, the community should do all that it can to highlight its most important cultural resources.

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



Name: **John Reisenweber on behalf of the Jefferson County Development Authority (JCDA) Board of Directors**

Department or Organization: **Jefferson County Development Authority**

Estimation of amount of time needed for appointment: **10 minutes.**

Date Requested – 1<sup>st</sup> Choice: **April 16, 2015**

*If a specific date is needed, please provide reason for specific date:* **To facilitate submission of LED Grant Request due April 30, 2015.**

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

Subject (*Wording to be placed on agenda*): **Resolution of Participation and Cooperation (Local Economic Development Grant Program) – for signature by President of the JCC and County Clerk.**

Please provide the County Commission with a description of your request or presentation, including any background information: **The JCDA is applying for the Local Economic Development (LED) grant of \$30,000 from the West Virginia Development Office. The JCDA is eligible for this grant annually.**

**By way of the attached document, the JCC is assuring that matching funds are available from the County. This document needs to be on official JCC letterhead, presented to the JCC for a vote, and signed by the President of the JCC and the County Clerk.**

Is this a funding request?    Y/N **No**  
If so, how much?                \$[Click here to enter text.](#)

Recommended motion: **Motion to approve the attached resolution of support for the JCDA's application for the Local Economic Development (LED) grant of \$30,000 from the WV Development Office.**

Attach supporting documents for request, or request may be denied.  
If not attached, explain: **JCDA Resolution of Support**

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

Contact information:  
Email address: [Click here to enter text.](#)    Phone Number: [Click here to enter text.](#)

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

**WEST VIRGINIA  
CERTIFIED DEVELOPMENT COMMUNITY (CDC)  
PROGRAM  
RESOLUTION OF PARTICIPATION AND COOPERATION**

Whereas, the governing body of Jefferson County is interested in the economic well-being of its citizenry and the community at-large; and,

Whereas, the governing body is prepared to support appropriate efforts within the community to promote economic development; and;

Whereas, the West Virginia Chamber of Commerce and the West Virginia Development Office sponsor a program that is specifically designed to help West Virginia communities become better prepared for economic development; and

Whereas, The County Commission has consistently funded the Jefferson County Development Authority since 1980, and this year's budgeted amount well exceeds the required \$30,000.00 match; and

Whereas, it is a requirement of the Local Economic Development Grant Program to provide evidence of local match;

**THEREFORE, BE IT RESOLVED** that the County Commission of Jefferson County wishes to continue its participation in the Certified Development Community Program, and that the leadership of the community fully realizes this program requires dedicated effort; and,

**BE IT FUTHER RESOLVED** that the program requires the existence of a Local Economic Development Organization, and this governing body designates the Jefferson County Development Authority as representing our community for the purpose of participating in this program.

**BE IT FURTHER RESOLVED**, that evidence is hereby provided to the West Virginia Development Office that more than sufficient matching funds have been provided to the Jefferson County Development Authority by the Jefferson County Commission.

This resolution is in full effect upon its adoption this 16th day of April, 2015.

---

Signed: Jane Tabb, President

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Attested: Jennifer S. Maghan, County Clerk

AGENDA REQUEST FORM

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

NAME: Lynn Fields

DEPARTMENT OR ORGANIZATION: Probate Office

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

DATE REQUESTED: 1<sup>ST</sup> CHOICE April 16<sup>th</sup>, 2015

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

SUBJECT: April Quarterly Review

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

Quarterly review to approve and close estates since last term in January.

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

ARE DOCUMENTS ATTACHED: To follow

IS A PROJECTOR NEEDED?: NO

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



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



Name: **Judy Matlick and Shay McNeil.**

Department or Organization: **Ag Agent (WVU Jefferson County Extension).**

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

Date Requested – 1<sup>st</sup> Choice: **April 16, 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, 2015**

Subject (*Wording to be placed on agenda*): **Funds for substitute for employee on maternity leave.**

Please provide the County Commission with a description of your request or presentation, including any background information: **We are currently using the part time program assistant funds provided by the Jefferson County Commission to employ Morgan Henderson 20-25 hours a week at \$12.25 an hour. We are asking for funding to increase the hours for the program assistant up to 35 hours a week for 8 weeks while the office secretary is on leave following the birth of her child. To do that we would need \$1078.**

Is this a funding request? **Yes**  
If so, how much? **\$1078**

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):  
**To transfer \$1078 to the Jefferson County Fee Account at WVU Extension for salary for program assistant who will be filling in for Secretary April Blaker for 8 weeks.**

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

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

Contact information:  
Email address: [Judy.Matlick@mail.wvu.edu](mailto:Judy.Matlick@mail.wvu.edu) Phone Number: 304-728-7414

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

Click here to enter text.

**Information related to request for funding for substitute for WVU Extension Office Secretary April Blaker while she is on leave following the birth of her child.**

- Total funding for program assistant for FY 15 is \$6155. The Jefferson County Commission transfers these funds to WVU and are held in a Jefferson County fee account.
- \$1955 of these funds were used in the summer of 2014 to hire a part time program assistant leaving approximately \$4200.
- Morgan Henderson is currently employed through June 30 and is working 20-25 hours a week at \$12.25 an hour.
- If Morgan works 24 hours a week through June 30, she would be paid \$4116.
- To increase Morgan to 35 hours (an additional 11 hours) per week for 8 weeks= \$1078

Prepared by

Judy Matlick  
County Program Coordinator  
Extension Agent  
WVU Jefferson County Extension  
304-728-7413 ext. 3  
[Judy.Matlick@mail.wvu.edu](mailto:Judy.Matlick@mail.wvu.edu)

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



Name: Chief Ross L. Morgan

Department or Organization: Shepherdstown Fire Department

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1<sup>st</sup> Choice: Thurs April 16 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*): Discuss CAD

Please provide the County Commission with a description of your request or presentation, including any background information:  
To discuss the "Quickest Route Feature" of CAD.

Is this a funding request? Y/N No

If so, how much? \$ 0

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Click here to enter text.

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 No Internet/Wi Fi Y/N No Telephone for conference call Y/N No

Contact information:

Email address: [rosslmorgan61@aol.com](mailto:rosslmorgan61@aol.com) Phone Number: 304-676-9547

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

Click here to enter text.



# Jefferson County ECC

## Fire / EMS / Rescue Dispatch Card

### BOX AREA 300

REVISED 04-04-2014									
<b>LOCATION OF BOX</b>	Shepherdstown, Shepherd University, Maddex Farm, Chaplines Choice, Heatherfield, Cress Creek								
<b>LOCAL ALARM</b>	3								
<b>VEHICLE FIRE</b>	3								
<b>WILDFIRE</b>	3								
<b>MVA</b>	3								
<b>MVA P/T</b>	3								
<b>CODE BLUE – (ECHO)</b>	3, WC19								
<b>STRUCTURE ALARM</b>	3, WC1, ENGINES BC60, BC80, WC TRUCK 6, TANKERS – 4, 7 IF NEEDED								
<b>SUBSEQUENT ALARMS</b>	4 ENGINES, 1 TRUCK, 4 TANKERS								
<b>WORKING FIRE TASK FORCE</b>	1 ENGINE, 1 TRUCK, AIR UNIT, ALS-11, NEXT DUE EMS								
<b>ADDITIONAL ALRM “ENGINES</b>	4 ENGINES								
<b>TANKER TASK FORCE</b>	3 TANKERS, 1 ENGINE								
<b>ADDITIONAL ALRM “TANKERS</b>	4 TANKERS								
<b>BRUSH FIRE TASK FORCE</b>	3 BRUSH TRUCKS, 1 TANKER								
<b>2<sup>ND</sup> ALARM BRUSH FIRE</b>	3 BRUSH TRUCKS, 1 TANKER								
<b>EMS TASK FORCE</b>	3 TRANSPORT UNITS, 1 ENGINE, MCU-11								
<b>STATION FILL</b>	NEXT DUE COMPANY								
<b>MAYDAY DISPATCH</b>	<b>3 ENGINES, 2 TRUCKS, 2 ALS TRANSPORTS</b>								
<b>WATER RESCUE – MUTUAL AID</b>	2, 4 SWT AND LOCAL BOX								
<b>WATER RESCUE – IN COUNTY</b>	SEE “BOAT” CALLOUT BELOW								
<b>** HAZMAT INCIDENT</b>	<b>MAJOR:</b> STRUCTURE BOX <b>MINOR:</b> LOCAL BOX <b>NEXT DUE:</b> SEE BELOW								
RESOURCES									
DUE	ENGINE	TRUCK	TANKER	BRUSH	RESCUE	AIR	EMS	BOAT	HAZMAT
1 <sup>ST</sup>	3, WC1, BC60, BC80	3, WC6	3, WC1, 4, 7	3	3	BC60	3	WC11	**
2 <sup>ND</sup>	7	2	BC60	WC1	WC1	WC25	WC19	FCMD19	CC21
3 <sup>RD</sup>	WC6	BC40	WC6	BC60	BC60	BC16	4	WC20	WC20
4 <sup>TH</sup>	4	WC2	WC11	WC6	4	CC1	2		BC90
5 <sup>TH</sup>	WC11	WC26	1	4	1		WC69		
6 <sup>TH</sup>	1	WCTRK1	BC40	WC11	WC69		BC98		
7 <sup>TH</sup>	BC40	FCMD5	2	BC40	BC40		1		
8 <sup>TH</sup>	2	CC1	6	1	BC30		6		

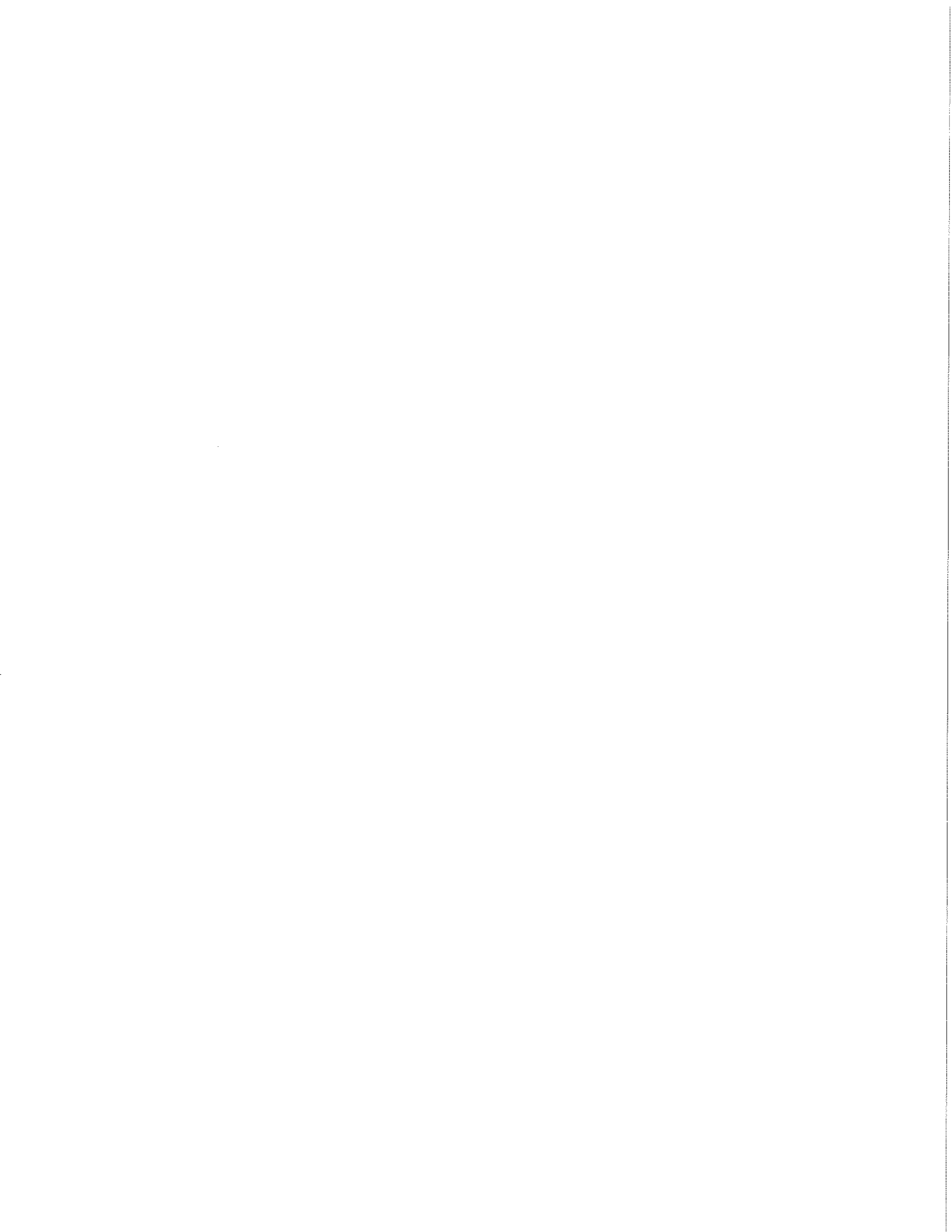


# Jefferson County ECC

Fire / EMS / Rescue Dispatch Card

BOX AREA 300

RESOURCES									
DUE	ENGINE	TRUCK	TANKER	BRUSH	RESCUE	AIR	EMS	BOAT	HAZMAT
9 <sup>TH</sup>	6	CC21	WC8	2	BC20		5		
10 <sup>TH</sup>	WC8	LC2	BC30	BC30	WC2				
11 <sup>TH</sup>	BC30	LC1	5	5	FCMD19				
12 <sup>TH</sup>	5	FCMD4	LC16	LC16	FCMD5				
13 <sup>TH</sup>	LC16	FCMD1	BC20	BC20	WC75				
14 <sup>TH</sup>	BC20		WC10	WC8	CC1				
15 <sup>TH</sup>	WC10		WC2	WC10	LC4				
16 <sup>TH</sup>	WC2		WC26	FCMD5	LC2				
17 <sup>TH</sup>	WC26		FCMD5	WC2					
18 <sup>TH</sup>	FCMD5		CC1						



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 16, 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 Appointment to the Jefferson County Development Authority Board of Directors – four three-year terms ending April 5, 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 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**



March 18, 2015

Jefferson County Commission  
PO Box 250  
Charles Town, WV 25414

To Whom It May Concern

Please allow this letter to serve as my formal request for reappointment to the Board of Directors of the Jefferson County Development authority when my current term expires in April 2015. I have enjoyed my service on the JCDA Board and appreciate the hard work put forth by the other members of that Board and the staff. The JCDA has accomplished much in the past few years and I look forward to participating in additional expansion of employment in Jefferson County for years to come. I very much look forward to continuing to work with Executive Director John Reisenweber in these initiatives. In my opinion John has done an outstanding job and I believe the future with John at the helm is quite bright.

I am available for interview or discussion with the County Commission at their convenience. Please contact me via telephone at 304-728-6877 or 304-279-6574 or via email at [ejlewis@oll-cpas.com](mailto:ejlewis@oll-cpas.com) if you need me to come in for an appointment.

Sincerely,

Eric J Lewis CPA

CHAD R. LAWYER, CPA • THOMAS C. OERS, CPA • ERIC J. LEWIS, CPA

MARTINSBURG • 1107 Winchester Avenue • Martinsburg, WV 25407  
Phone: 304-263-9447 • Phone: 304-263-8150 • Fax: 304-263-8204

CHARLES TOWN • 205 West Liberty Street • Charles Town, WV 25414  
Phone: 304 728 6877 • Fax: 304 728 6807

[www.oll-cpas.com](http://www.oll-cpas.com)

JAMES K. RULAND POST OFFICE BOX 790, CHARLES TOWN, WV 25414 304.728.4342

March 27, 2015

Jefferson County Commission  
Post Office Box 250  
Charles Town, WV 25414

Dear Commissioners:

May this correspondence please serve to communicate my willingness to serve on the Board of the Jefferson County Development Authority (JCDA), and to request your favorable consideration for appointment.

I believe that I can be helpful chiefly for following reasons:

1. Extensive Business and Business Development Experience. It's been forty years since I earned my MBA, and as the attached biography will attest, I've gathered up a lot of lessons learned along the way. Much of that experience can now be leveraged to help meet JCDA business development objectives.
2. Already a Stakeholder. My company, RAI Properties, LLC, has made a \$10M investment in the JCDA business park for the express purpose of fostering business growth in Jefferson County. We are the largest stakeholder in Burr Park, and to a very significant extent, have overlapping goals.
3. Practical Counsel. Having the perspective of someone on the Board who has actually done what prospective businesses are seeking to do would add credibility and be helpful to all parties concerned. For example, I have been personally involved in the permitting and construction of seven different buildings within the park, and have negotiated dozens of tenant leases.
4. Previous Board Experience. Having previously served on the JCDA Board as the County Commission's representative, and being already familiar with the local business landscape, I expect to be able to get up to speed quickly and contribute in the near term.
5. Mission Oriented. Having recently sold my Information Technology (IT) services company and completed all trailing obligations thereto, I have the time available to devote to JCDA business. If appointed, I pledge best effort to the undertaking.

Thank you for your kind consideration.

Sincerely,



James K. Ruland

Attachment

## **Biography**

### **James K. Ruland**

Jim Ruland has been a Jefferson County resident since 1992. From 1986 to 2012, Ruland served as President of RAI, a thirty-five person professional services company that provides Information Technology support to the Nuclear Regulatory Commission and other federal agencies. Ruland sold the company at the end of 2012 and ended his consultancy practice a year later.

Jim presently serves as Managing Partner of RAI Properties, the commercial real estate company that he founded in 2003. RAI Properties operates the nineteen-acre business park known as BURR Plaza, which is home to the regional office of the DMV, the county's first (and only) kidney dialysis center, the Appalachian Trail Conservancy, WV University Home Healthcare, and twenty-five other business tenants. RAI Properties was founded for the express purpose of fostering business development in Jefferson County by providing 100,000sq ft of state of the art office, commercial and retail space for prospective employers. Today, more than 350 people are employed by RAI Properties and their tenants.

Jim was elected to the Jefferson County Commission and served from 1997 through 2002. During this period, the commission built the St. Margaret's Judicial Center, introduced building codes and inspections, executed the county-wide, GPS-based, re-addressing and street signage program, and became the first and only county to meet the requirements of the Local Powers Act. No tax rate increases or bond debt was incurred during Ruland's tenure. While on the commission, he authored the county's first Capital Improvements Plan, and served as representative to the Economic Development Authority, Fire and Rescue Association, Ambulance Authority, Farmland Preservation Board, and the County Council of Governments. He also was a member of the Association of County Officials' National Steering Committee on Land Use and Smart Growth.

Throughout this period, Jim served as the commission's primary liaison to state government in Charleston. He worked closely with the local legislative delegation to champion issues of the greatest interest to the Eastern Panhandle. He was also elected by his peers across the State to the board of directors of the County Commissioner's Association, where he headed the legislative liaison office in Charleston for five years. In this capacity, he developed, drafted and advocated legislation, testified before Senate and House committees, and met routinely with legislative members and staff.

Prior to coming to West Virginia, Ruland served 22 years in the U.S. Navy, where he spent 11 years at sea, including service aboard destroyers, fast frigates and amphibious ships. He also made more than a hundred combat patrols as skipper of a 50-ft patrol boat in the estuaries and costal waters of South Vietnam. Ashore, he served on the immediate staff of the Secretary of the Navy and the Legislative Liaison Office of the Chief of Naval Operations. He entered the Navy as a Seaman Recruit and retired from active duty with the rank of Commander. He holds the Meritorious Service Medal with two Bronze Stars, the Navy Commendation Medal with Combat "V", the Republic of Vietnam Gallantry Cross, the Combat Action Ribbon, and twenty-two additional personal, unit and campaign awards. He is a twenty year member of the American Legion and a life member of the VFW.

Ruland volunteers his time as a member of the Capital Campaign Committee of the Hospice of the Eastern Panhandle, working to raise funding to build an in-patient care facility on the Berkeley/Jefferson County border. He is chairman of the Eastern Panhandle Business Association, and is also a founding member of "Keep Jefferson Beautiful", an organization that continues to fight the unending battle of reducing litter and debris on our roadways and in our neighborhoods. He is an honorary life member of the Knights of Columbus. Ruland holds a Masters Degree in Business Administration from Pace University, Lubin School of Business, and an undergraduate degree in Political Science from Iona College. He is married to Josephine Vesey of County Mayo, Ireland. They reside in Shannondale and have five grown children and five grandchildren.

1505 Berryville Pike  
PO Box 184  
Rippon, WV 25441  
March 31, 2015

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

Dear President Tabb & the Jefferson County Commission:

I write to request reappointment to my current seat on the Jefferson County Development Authority. I currently serve as the Board's Secretary/Treasurer. My residence is 1505 Berryville Pike, Rippon, West Virginia, 25441.

I'd like to take this opportunity to share with you some of my background and why I'd like to continue my work with the JCDA. For the past 20 years I have been employed by Royal Vendors as the Director of Information Technology. Royal Vendors is a company that began as a start-up here in Jefferson County in 1987. We are a leading vending machine manufacturer with a global distribution network and are located in the Bardane Industrial Park. We have subsidiary companies in 3 other states. Since joining the company in 1995, I have been responsible for the global implementation of the company's various information technology needs including telecommunications, network infrastructure, email, accounting, payroll, human resources, quality control, manufacturing and distribution systems.

In addition to working in the county, I own and have owned small businesses here including Chapman Rental Properties, a residential rental company with 40 properties under management, Rosemont Farms, a commercial property maintenance company, and Affordable Technical Solutions, an I.T. consulting practice. I am a member of the Jefferson County Planning Commission. I have also served as a Reserve Deputy Sheriff, as an active member of the Rotary Club, a member of the Chamber of Commerce and other regional professional organizations. My latest and newest venture is underway under the leadership of my soon to be wife Karen and our newly formed Community Supported Agriculture business that will supply farm to home fresh weekly produce delivery to individual consumers in Washington, DC and points west, including to customers here in Jefferson County. This produce will be grown on our farm in Rippon.

I believe that this community has much to offer its current residents and businesses as well as those who may consider us home in the future. I believe that the JCDA is an integral part of the county's future as it will influence not only our economic well-being as it relates to development but also who we are culturally. I care about preserving our historical and cultural identity while creating an environment for our future generations to prosper. We can achieve this by developing a local economy that creates the opportunity for the next generation to stay, live, grow and thrive here instead forcing them out of state.

I am familiar with the challenges this community faces. As a rental property owner, many of my tenants were the first and hardest hit by the recent economy. We need to broaden our commercial base in order to create jobs for people in the county. Nearly 40% of our residents commute outside the county for employment – I want to be part of the team that helps provide opportunities for them here at home.

I believe I can be a positive addition to the JCDA as we work to attract the kind of commercial development with companies who want to invest in us and work with us toward a successful future together.

I have attached a copy of my resume for your review. Thank you for taking the time to consider my application. I am available for any follow up questions you may have regarding my application for the JCDA. I can be reached at (304) 279-6297.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mike Chapman", written in a cursive style.

Mike Chapman

# P. Michael Chapman

P.O. Box 184  
Rippon, WV 25441

(304) 279-6297  
pmchapman@aol.com

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## Objective

To obtain a leadership role in an Information Systems and Technology department at a progressive organization where my technical, operational, and management skills can directly contribute to the achievement of the institution's mission and my career growth and development.

## Profile

Motivated and professional with over 22 years of experience and expertise in a diverse range of technologies. Organized and results driven with a demonstrated ability to design an IT infrastructure from the ground up, and to successfully procure, implement and manage multi-million dollar information systems.

Proven leadership, management and team-building skills in IT, business and the community through volunteer work. Served as a Sergeant and Executive Board member of the Deputy Sheriff Reserve, United Way Day of Caring Project Manager, Charles Town Rotary member, Chamber of Commerce member/Industrial Relations Committee, Secretary/Treasurer of Jefferson County Development Authority, Member of Planning Commission, and Leadership Jefferson graduate.

## Professional Experience

*Director of Information Systems and Technology*

*Royal Vendors Inc. 1995 – Present*

### Responsibilities

- Lead IT Department's operational and strategic planning to include: fostering innovation, planning projects, and organizing and negotiating the allocation of resources.
- Manage the deployment, monitoring, maintenance, development, upgrade, and support of all IT systems to include: servers, PCs, operating systems, hardware, software, networks, and peripherals.
- Benchmark, analyze, report on, and make recommendations for the improvement and growth of the IT infrastructure and IT systems.
- Oversee provision of end-user services, including help desk and technical support services.
- Work with stakeholders to define business and systems requirements for new technology implementations.
- Direct research on potential technology solutions in support of procurement efforts.
- Manage financial aspects of the IT Department to include purchasing, budgeting, and budget review.
- Develop business case justifications and cost/benefit analyses for IT spending and initiatives.
- Develop and implement all IT policies and procedures, including those for architecture, security, disaster recovery, standards, purchasing, and service provision.
- Negotiate and administer vendor, outsourcer, and consultant contracts and service agreements.
- Practice asset management for IT hardware, software, and equipment.
- Manage IT staffing, including recruitment, supervision, scheduling, development, evaluation, and disciplinary actions.
- Establish and maintain regular written and in-person communications with the organization's executives, department heads, and end users regarding pertinent IT activities.
- Manage all telecom resources including PBX, POTS, PRI, T1, Metro-E, long distance and cell phones.

# P. Michael Chapman

P.O. Box 184  
Rippon, WV 25441

(304) 279-6297  
pmchapman@aol.com

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## Accomplishments

- ♦ Designed, planned and migrated Royal Vendors from an ASCII terminal/UNIX environment to a 250 user Windows Server/PC platform.
- ♦ Successfully implemented an \$80,000 time and attendance system to serve three locations and 1600 employees.
- ♦ Coded legacy data conversion and implemented a new Cort Directions/Infinium payroll/HRMS system to serve 1600 employees in 20+ states.
- ♦ Designed office layout, data center, fiber/copper network and phone system for plant expansion in Kearneysville. Interviewed, negotiated, hired and managed sub-contractors involved in infrastructure including electrical and environmental.
- ♦ Developed multi-site model, designed and managed IT infrastructure for a new plant acquisition in Mississippi.
- ♦ Implemented Enterasys 802.11b wireless network at 6 acre Kearneysville facility. System integrated manufacturing equipment (CNC's) to Windows Servers to improve efficiencies.
- ♦ Implemented \$2.5 million Baan ERP system. Was one of a three person cross-functional team tasked with selecting and implementing the system. Implementation took 18 months and was a resounding success:
  - Reduced finished goods inventories by 70%
  - Decreased customer lead-times by 66%
  - Improved inventory accuracy by 81%
  - Enhanced dozens of shop floor processes
  - Provided timely business intelligence to management
- ♦ Managed a \$625,000 annual operating budget (does not include capital purchases). Have always been on or under budget.
- ♦ Implemented Galaxy Access Control System to secure facility.
- ♦ Developed (hired/trained) entire staff required to successfully manage network operations.

## Technical Skills Summary

- |                       |                    |                                |
|-----------------------|--------------------|--------------------------------|
| ♦ Project Management  | ♦ Windows Server   | ♦ Baan ERP system              |
| ♦ IT Management       | ♦ Exchange Server  | ♦ Human Resource Mgt Systems   |
| ♦ MS Applications     | ♦ MS SQL           | ♦ Electronic time card systems |
| ♦ Accounting software | ♦ Oracle           | ♦ Access Control Systems       |
| ♦ Security Appliances | ♦ HP-UX            | ♦ AIX                          |
| ♦ Help Desk Software  | ♦ Switches/Routers | ♦ EMC Symmetrix/Clariion       |

## Education

Shepherd College – Shepherdstown, WV

BA, Business Administration with concentration in Accounting, 1992

Blue Ridge CTC – Microsoft Windows Server, Exchange Server

Oracle University – 5 week program, DBA track

### Relevant Classwork

UNIX Admin I and II, Emergency Response Planning, Web Development, Mastering Internet Security, Network Security, Windows Security, MS SQL Server, ERP Concepts, Adv MS Project, MS Access, Baan 4GL Programming, Symantec Firewall Admin, APICS CPIM track, Infinium Admin



SPILMAN THOMAS & BATTLE, PLLC  
ATTORNEYS AT LAW

Received

MAR 17 2015

Jefferson County Commission

Debra Lee Hovatter  
(304) 291-7951 (o)  
(304) 216-5835 (m)  
[dhovatter@spilmanlaw.com](mailto:dhovatter@spilmanlaw.com)

March 10, 2015

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

Re: Nomination for Appointment to the  
Jefferson County Development Authority

Dear Jefferson County Commissioners:

I write to request appointment to serve another 3-year term with the Jefferson County Development Authority. In the past three years, I have actively participated on the Board, serving for a time on the Business and Marketing Committee and now on the Government Relations Committee. Also, for the past year to 18 months, I have served as the Board's Vice President. During my tenure, among other things, I assisted the Commission in amending the covenants for the JCDA business/industrial parks to prohibit adult uses.

I would like to continue my service on the Board for another 3-year term and respectfully request the Commissioners' consideration of my nomination. Should you have any questions regarding my request, please feel free to contact me. Thank you.

Very truly yours,

Debra Lee Hovatter

Enc: Resume

Cc: John Reisenweber

48 Donley Street | Suite 800 | Post Office Box 615 | Morgantown, West Virginia 26507-0615  
[www.spilmanlaw.com](http://www.spilmanlaw.com) | 304.291.7920 | 304.291.7979 fax

West Virginia

North Carolina

Pennsylvania

Virginia

## DEBRA LEE HOVATTER

309 Morning Calm Lane, Harpers Ferry, West Virginia 25425  
304.876.6276 | [hovatter5104@comcast.net](mailto:hovatter5104@comcast.net)

### LEGAL EXPERIENCE

**SPILMAN THOMAS & BATTLE, PLLC**, Morgantown (Harpers Ferry), West Virginia

**Member and Co-Chair, Consumer Finance Practice Group**, October 2011 - present

Represent financial institutions in litigation, regulatory and transactional matters involving both consumer and commercial lending. Topics cover the gamut of financial services, including, for example, origination, mortgage servicing (loan modification, payment application, fees charged), debt collection under state and federal law, FCRA, lender-placed insurance, regulatory issues, commercial workouts and foreclosure.

**CAPITAL ONE SERVICES, LLC**, Richmond, Virginia

**Assistant General Counsel**, 2010 – October 2011

Managed mortgage litigation in state and federal courts, including single loan, mass tort and putative class actions. Resolve escalated customer disputes. Advised repurchase group regarding repurchase/indemnification demands and mortgage insurance rescissions.

- Exceeded performance expectations after just six months, receiving spot cash award and 5% raise
- Selected to be member of legal governance team for legacy lender based upon prior experience
- Successfully navigated complex legal issues for mortgage insurance rescission team
- Resolved nearly half of the team's 400 cases in first year, and negotiated settlement of several larger matters, including a multi-million dollar class action
- Quickly established a reputation as a trusted and respected partner with servicing associates

**SUNTRUST MORTGAGE, INC.**, Richmond, Virginia

**Assistant General Counsel**, 2008 – 2010

Managed litigation docket of up to 400 mortgage cases filed in state and federal courts, including individual and putative class actions. Resolved complex customer disputes. Counsel to internal fraud investigation as well as recovery and default servicing departments. Supervisor/Team Lead for seven staff including four attorneys.

- Successfully implemented effective litigation management procedures for intake and assignment
- Designed and implemented, with IT, proprietary case management system for tracking and reporting
- Maintained effective working relationships with servicing managers to develop loss mitigation strategies that contributed to efficient resolution of litigation and customer disputes.

**SPILMAN THOMAS & BATTLE, PLLC**, Morgantown, West Virginia

**Member and Co-Chair, Consumer Finance Practice Group** 2004 – 2008

Developed a dynamic practice, defending finance companies, banks, mortgage servicers and debt collectors in single loan and putative class actions filed in state, federal and bankruptcy courts. Also represented a non-financial corporation in bankruptcy matters.

- Recognized advocate in West Virginia for the consumer finance and mortgage industry
- Top ten producer among approximately 60 members
- Wrote bankruptcy handbook for the financial services industry, which was published by the American Bankruptcy Institute
- Taught contract drafting at the West Virginia University College of Law

DEBRA LEE HOVATTER  
304.876.6276  
[hovatter5104@comcast.net](mailto:hovatter5104@comcast.net)

**CITIFINANCIAL, INC.** (Member of Citigroup Inc.), Baltimore, Maryland

**General Counsel, Litigation, Consumer Finance N.A.**, 2001 – 2004  
**Associate General Counsel**, 1999 – 2001

Manager, responsible for all consumer lending defensive litigation. Supervised eight attorneys, plus paralegals, and IT support. Responsible for periodic reporting to multiple layers of management regarding litigation status and trends, operational risk, and litigation loss reserves. Represented company in federal and state investigations. Advised various consumer lending business lines and functions, including operations, credit, audit and compliance, information systems

- Quickly gained the confidence of upper management and was promoted to manage a nearly 1,000 case docket with a budget of approximately \$18MM
- Demonstrated exceptional leadership by building a successful litigation management team from previously fragmented litigation managers across four different business lines
- Personally managed 50+ complex and putative class action matters, negotiating many to resolution
- Member of legal team that successfully negotiated a \$240 million settlement with the Federal Trade Commission and five consolidated class actions, and personally managed implementation of the settlement
- Counsel for non-prime mortgage servicing company covering default servicing, securitization, regulatory compliance, litigation management, and ultimately negotiated the sale of the business

**TRANSAMERICA INSURANCE FINANCE CORPORATION**, Towson, Maryland

**Senior Counsel, Litigation and Domestic Transactions**, 1996 - 1997  
**Associate General Counsel**, 1995 – 1996  
**Senior Attorney**, 1992 – 1995

Advanced through a series of increasingly responsible corporate legal positions to final promotion as Senior Counsel with full General Counsel responsibilities for company-wide domestic transactions and litigation.

- Implemented business and legal processes for managing collection, litigation, and account dispute resolution. In first three years, reduced pending lawsuits by 66%, decreased total outside counsel fees by 70% and recovered \$4.4 million in outstanding debt
- Assisted in structuring and documenting (i) two asset securitization facilities; (ii) a proposed joint venture; (iii) a proposed loan purchase agreement, and (iv) numerous operating agreements
- Provided legal advice during start-up of company operations in Ireland and the U.K.
- Advised and assisted operations management team in policy development, budgeting, process redesign, leasing, contract negotiations, and regulatory compliance
- Prepared and presented position paper for the National Association of Premium Finance Companies regarding proposed revisions to Article 9 of the Uniform Commercial Code.

#### **OTHER LEGAL EXPERIENCE:**

- **MILES & STOCKBRIDGE P.C.**, Baltimore, Maryland  
Associate, Commercial Litigation &  
Bankruptcy & Creditors' Rights Practice Groups, 1998 – 1999
- **US FOODSERVICE, INC.**, Columbia, Maryland  
Assistant General Counsel, 1997 (Retained on temporary assignment.)
- **BRACEWELL & GIULIANI (formerly BRACEWELL & PATTERSON)**, Houston, Texas  
Associate, 1989 – 1992; Law Clerk/Summer Associate, 1988

DEBRA LEE HOVATTER  
304.876.6276  
[hovatter5104@comcast.net](mailto:hovatter5104@comcast.net)

## **EDUCATION**

J.D., Summa Cum Laude , **SOUTH TEXAS COLLEGE OF LAW**, Houston, Texas;  
M.S., Urban and Regional Planning, **UNIVERSITY OF WISCONSIN**, Madison, Wisconsin  
B.S., Biology, **CORNELL UNIVERSITY**, Ithaca, New York

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## **BAR ADMISSIONS**

West Virginia; Maryland; Pennsylvania; Texas

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**AV® Peer Review Rated**

April 13, 2015

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

Dear Jefferson County Commissioners,

I write to submit my credentials to be considered to serve as a member of the Jefferson County Development Authority Board (JCDA). As a geographer and environmental science technologist, I believe I can offer a unique perspective on how to capitalize on the challenges and opportunities facing Jefferson County.

Since 2012 I have worked in Shepherdstown as the communications director for SkyTruth, managing grants, conducting research using satellite imagery and geospatial data, and representing our organization online and in the press. I am also an AmeriCorps VISTA alum, chair of the International Services committee at the Rotary Club of Shepherdstown, and an active member of the St. Agnes conference of the St. Vincent de Paul Society. The common theme in all of these roles is serving my community and working to ensure everyone has the opportunity for a healthy, productive, and fulfilling life.

I would like to briefly highlight a few issues on which I hope to work with JCDA:

- **Agriculture & Related Trades:** Population growth spreading from the D.C. and the northern Virginia area poses a challenge to maintaining public services and preserving our area's rural character. However, I believe strengthening the agricultural sector can mitigate the negative aspects of rapid population growth and support a healthy economy.

Through outreach to D.C. area markets, education and easements for farmers, and other market development methods, I believe we can do even more to promote food products grown, and processed, in Jefferson County, encouraging epicurean tourism to craft breweries, bakeries, and the like. Additionally, further incentivizing agricultural production in our area can make the Eastern Panhandle a major producer of fresh, local food for D.C. and Northern Virginia. We will create good jobs and sustain our rural charm by working to make tomatoes, in the long run, as profitable as townhouses.

- **Telecommunications:** Jefferson County is severely disadvantaged by inadequate access to broadband Internet service. At SkyTruth, my colleagues and I work regularly with engineers at Google and provide marine intelligence reports to countries halfway around the world. Yet earlier this month I spent four hours waiting for a single satellite image to download. Jefferson County cannot attract technology-based jobs or compete in interstate and global markets when the best Internet service that our money can buy is half the speed of the cheapest service available to "second-world" countries in Eastern Europe. Jefferson County needs more competition in the telecommunications sector to drive down price and improve quality of service.

I hope to have the opportunity to engage in all aspects of JCDA's work, from infrastructure and manufacturing to agriculture and conservation. As our community grows, it is essential to effectively balance economic growth and long-term sustainability. One of my greatest concerns is that investments in infrastructure (such as expanding natural gas distribution in the Panhandle) and specialization to support specific industries (such as manufacturing) are scaled appropriately to have the most benefit, without being too vulnerable to future obsolescence.

You may note that I have worked with environmental organizations on issues such as natural gas. However, I am pragmatic about the use of this natural resource and pleased to see the progress JCDA has made to supply natural gas to certain industrial applications and vehicle fleets. I would not recommend promoting natural gas too widely for domestic use because it is still a fossil fuel and the costly infrastructure conversion requires too much time commitment for what should be a short-term transition fuel. Nevertheless, natural gas does have some environmental and economic advantages and I support JCDA's efforts to this end. I offer my thoughts here as an example of the practical, but forward-looking approach that I would bring to this board.

Thank you for your time and I look forward to answering any questions you may have,

Sincerely,



David M. Manthos

Enclosure: Statement of Qualifications / Individual Copies for each Commissioner

David M. Manthos

Public Service, Research, & Communications

42 Davis St.  
Charles Town WV, 25414

david.manthos@gmail.com  
240-385-6423

## EMPLOYMENT

**Outreach & Communications Director – SkyTruth:** (Sept. 2012 – Present) Project management, external communications, and research for environmental NGO tracking resource extraction and pollution around the world. Satellite and aerial image analysis; GIS mapping and analysis; grant writing and reporting; developing web and social media content; managing software development; coordinating media correspondence; and research on resource extraction issues including mining, oil and gas drilling, logging, and commercial fishing. Notable accomplishments:

- *Produced multimedia content for the announcement of the Global Fishing Watch, a technology partnership with Oceana and Google. Quoted in The Atlantic and PRI's The World, and coordinated press coverage from over 280 media outlets worldwide, including Wired, CNN, and the Financial Times.*
- *Coordinated publication of the Gulf Monitoring Consortium's (GMC) widely covered 2013 report on coal and petrochemical spills caused by Hurricane Isaac.*
- *Managed software development of SkyTruth's "FrackFinder" initiatives, crowdsourcing tools to map drilling and hydraulic fracturing in the Mid-Atlantic.*
- *Conducted technical support and photo/video documentation of aerial monitoring efforts in North Dakota's Bakken Shale oilfield and from offshore oil and gas operations in the Gulf of Mexico.*
- *Responsible for acquiring and/or reporting on \$332,000 in charitable grants.*

**Volunteer In Service To America (VISTA) – Friends of the Cheat:** (Sept. 2011 - Aug. 2012) Capacity building for one of West Virginia's largest and most effective watershed organizations. Responsibilities included monitoring pollution from abandoned coal mines and active gas wells, grant writing, web content development, and event planning. Notable accomplishments:

- *Re-launched and enhanced the Cheat Aquatic Pollution And BaseLine Ecological (CAPABLE) monitoring program from five active volunteers to 18, and added three water quality data-loggers to track conductivity in critical waterways.*
- *Re-launching organization's website with new content, maps, and resources.*
- *Developed at least \$37,000 in resources for Friends of the Cheat through grants, in-kind donations, and general fundraising.*

**Copy Editor/Contributing Writer/Photographer – The Bucknellian:** (Sept. 2009 - May 2011) Contributing writer for the news and editorial sections, and photographer for campus news and events. **Chief Copy Editor** from January to May 2010, responsible for quality control and hiring additional editorial staff.

## EDUCATION

**B.A., Bucknell University,** Geography, Environmental Studies, May 2011

**A.A., Garrett College,** General Studies, *Summa Cum Laude*, May 2009

## PRACTICAL SKILLS & COMPETENCIES

- Geographic Information Systems (GIS): QGIS, ESRI ArcGIS, and Google Maps Engine/Earth Engine
- Copy editing with attention to typographic details, fact-checking, scientific accuracy, and libel
- Experienced using and building instruments to measure conductivity, pH, dissolved oxygen, nutrients, and infrared emissions
- Amateur photographer/videographer
- Open source software for graphic design, audio editing, and image manipulation
- HTML, web content management, and learning Python
- Experienced speaking to the press, large groups, and on live radio broadcasts.
- Grant writing and management for \$350,000+ in charitable contributions
- Social media outreach and online metric tracking
- Microsoft Office suite
- Expertise monitoring and reporting on:
  - Unconventional shale drilling and hydraulic fracturing
  - Offshore oil and gas exploration
  - Coal mining, transport, and combustion
  - Hardrock mining (gold, copper, uranium, etc.)
  - Overfishing and Illegal, Unregulated, Unreported (IUU) Commercial Fishing
  - Climate change
  - Deforestation
- Community organizing, fundraising, and capacity building to fight poverty

**Civic Engagement:** *Rotary Club of Shepherdstown – Chair, International Services Committee; St. Vincent de Paul Society, St. Agnes Conference – Member;*

**Contributing Writer:** *SkyTruth.org, MatreTerra.org, Cheat.org, GulfMonitor.org*



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



Name: Barbara J. Miller, Director.

Department or Organization: Jefferson County Homeland Security and Emergency Management

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: April 16, 2015

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

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

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

1. Approval to hire Deputy Director/Planner/Program Manager at \$40,996.80

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

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

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

1. I move to approve hiring Sandee LoBoda Niles for the position of Deputy Director/Planner/Program Manager for Homeland Security and Emergency Management at the rate of \$40,996.80 annually. (Grade 4, Step A)

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

If not attached, explain:

Attachment:

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

Contact information:

Email address: [bmiller@jeffersoncountywv.org](mailto:bmiller@jeffersoncountywv.org). Phone Number: 304-728-3290

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

[Click here to enter text.](#)

**JEFFERSON COUNTY Personnel Requisition**

**Department Name:** Homeland Security/Emergency Management **Date** 04/16/15 **Date Needed:** ASAP

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

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

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

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

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

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

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

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

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

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

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

**Budget Information**

**Addition** \_\_\_ **Replacement** X **Explain for Whom** Jessica Owens, Deputy Director/Planner/Program Manager

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

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

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

**Approvals**

**Elected Official Approval** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Department Head Approval** \_\_\_\_\_ **Date:** \_\_\_\_\_

**County Commission Approval** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Comments** \_\_\_\_\_

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



Name: **Dale Manuel, Commissioner**

Department or Organization: County Commission

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **April 16, 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*): **Discuss the process toward establishing water and sewer impact fees in our county**

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*):

**Move that we begin the process toward establishing water and sewer impact fees in our county**

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.

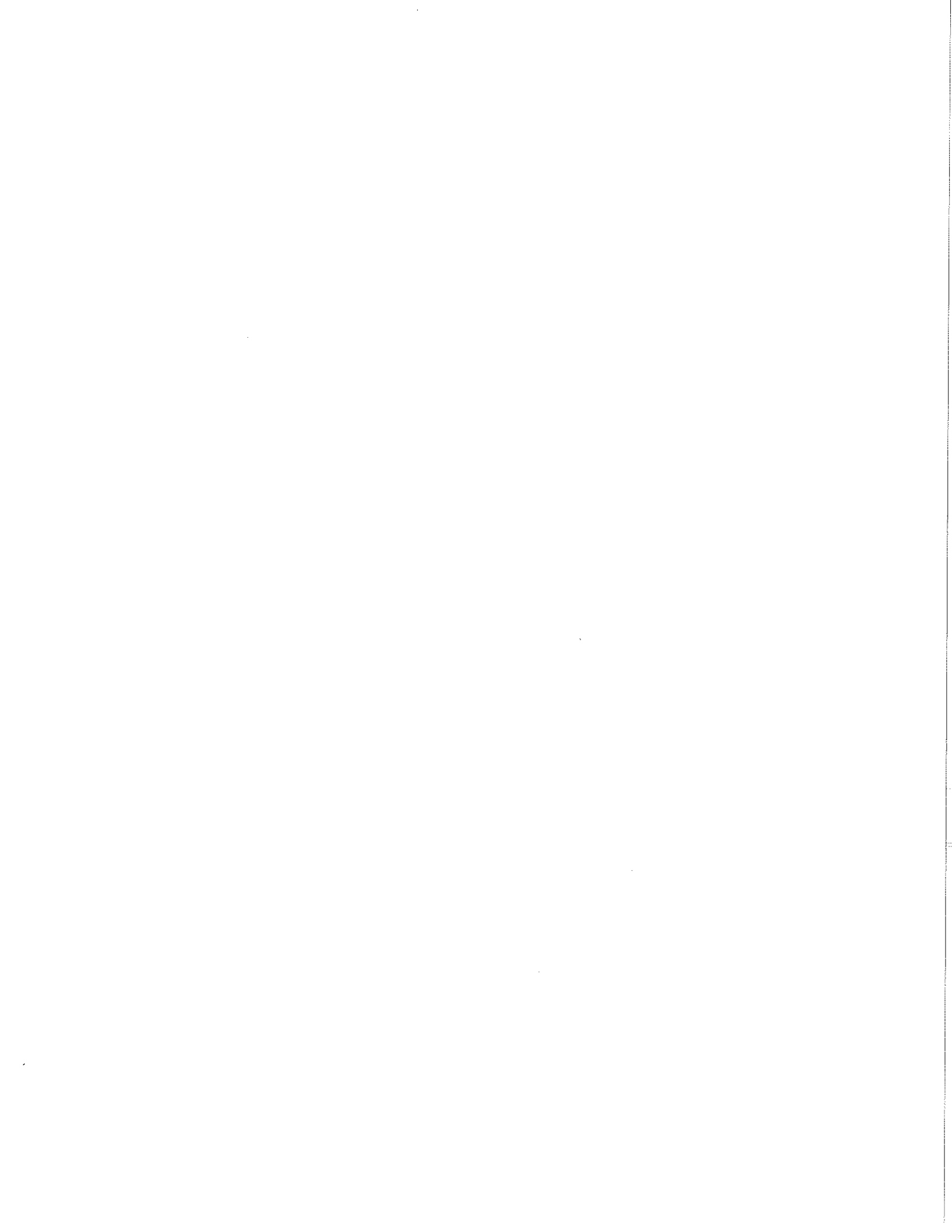
Telephone for conference call Y/N Click here to enter text.

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, Commissioner**

Department or Organization: County Commission

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **April 16, 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*): **Discuss Road Summit with the WV Division of Highways which includes a tour of problem sites on out county roads**

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*):

**Move that we contact the WV Division of Highways and establish a date for a Road Summit in Jefferson County including a tour of problem sites on our county roads**

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:  
Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: **April 16, 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*):

**Amend "Ordinance to Reconstitute the Jefferson County Emergency Services Agency" to include the Emergency Services Agency Medical Director as an ex officio, non-voting member of the board.**

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*):

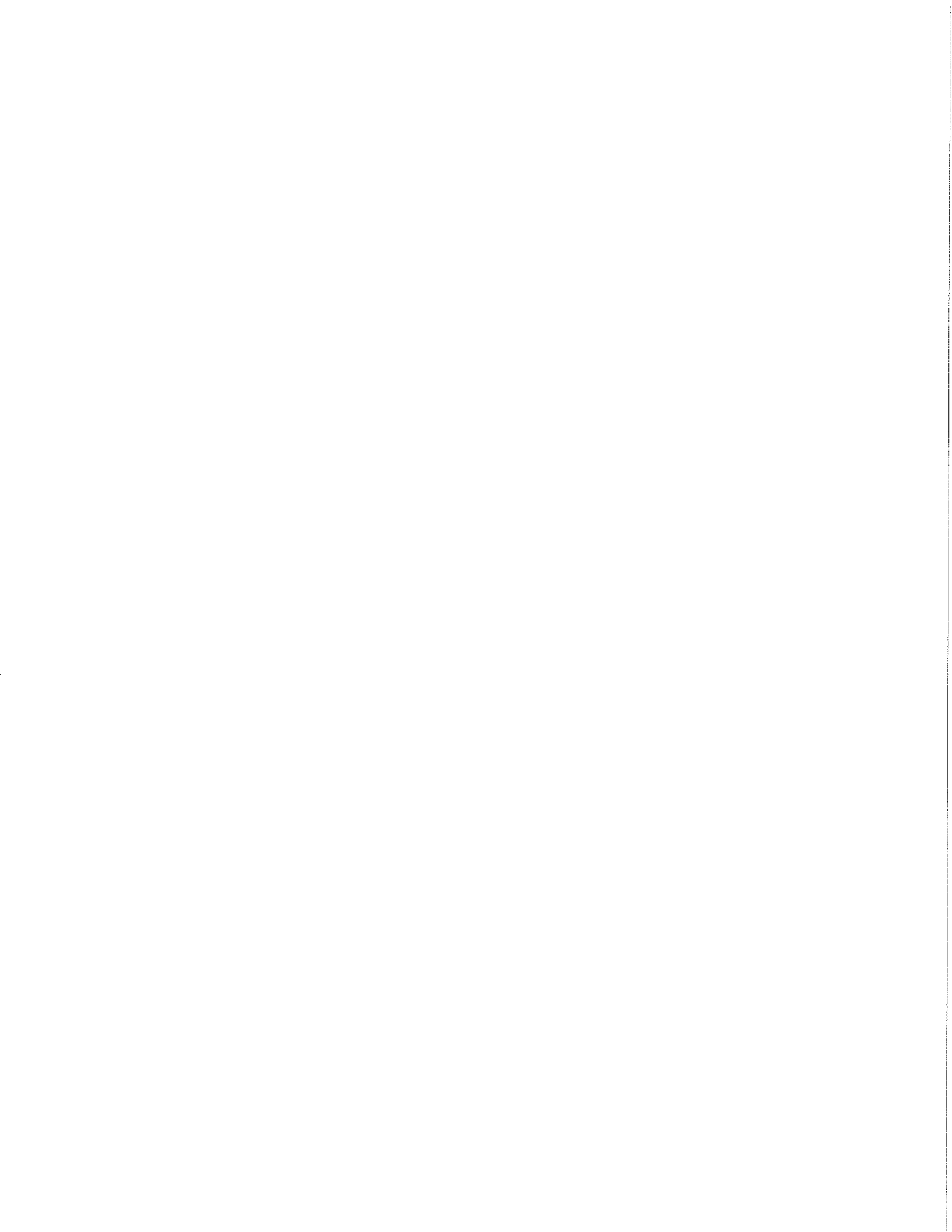
Attach supporting documents for request, or request may be denied.  
If not attached, explain:

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





Name: Carol Swiger

Department or Organization: Jefferson County Commission-Ambulance Fee

Estimation of amount of time needed for appointment: 5 minutes

Date Requested—1<sup>st</sup> Choice: April 16th

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

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

Subject (Wording to be placed on agenda): **Request for Exoneration/Modification of the Ambulance Fee Bill for Charles Town Associates of Charles Town LP, also known as Charles Towers Apartment's.**

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

**See attached letter written by their office manager.**

Is this a funding request? Y/N No

If so, how much? \$

Provide exact financial impact/request: **Amount Due: \$3,280 + \$30 late fee = \$3,310**

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

**I move to (disapprove/approve) the Exoneration/Modification request by Charles Town Associates of Charles Town LP, known as Charles Towers.**

Attach supporting documents for request or request may be denied.

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

Contact information:

Email address: [cswiger@jeffersoncountywv.org](mailto:cswiger@jeffersoncountywv.org)

Phone Number: 304-728-5606

FOR COMMISSION STAFF USE ONLY—FINANCIAL IMPACT/RECOMMENDATION

Jefferson County Emergency Ambulance Service Fee  
Exoneration/Modification Request  
Jefferson County, West Virginia

Date: 3/27/2015

I hereby request a review by the Jefferson County Commission. I believe there to be an error in the amount I was billed for the Emergency Ambulance Service Fee.

Amount billed: \$3,280 (\$3,310 with late fee)

I believe I qualify for the fee assessment circled:

Residence - \$40 x 82 units Business - \$85

Farm Exemption - \$40  
(no commercial retail open to the public)

Homestead Exemption  
50% off approved parcel

Proof of exemption must be included with this form  
RETURN THIS FORM BY SEPTEMBER 30<sup>TH</sup>

Describe the reason for this request:

please see attached explanation

Monique Johnson

Printed Name

[Signature]

Signature

151 Augustine Avenue, Charles Town 304 7251228  
WV 25414 Phone number

Address

Phone number

Do not write below this line—For Official Use Only

Approved / Denied

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

Reason: \_\_\_\_\_

**Re:** Charles Town Associates of Charles Town LP  
**Customer#:** 2778  
**Date:** March 27, 2015

**Exoneration/Modification Request**

We were recently made aware that Jefferson County is requesting that Charles Towers submit payment for the County Emergency Ambulance Service Fee.

By way of this correspondence, we are respectfully requesting exemption from or modification of the Jefferson County Emergency Ambulance Service Fee.

Charles Towers provides housing for low-income senior and/or disabled persons. Although the property is federally subsidized, the properties income just merely supports the operations of the building and management works hard to balance the operating expenses.

While we appreciate your initiative, the fee of \$3,280 [\$40 X 82] would cause an additional financial hardship for the operation of the facility, as we are already extremely conservative to make sure we are able to provide decent, safe, and sanitary housing for the residents.

We appreciate any consideration given.

If you should have any questions, please feel free to contact either Laura Aulisio at 304-725-1228 or Monique Johnson at 301-948-2929.



**JEFFERSON COUNTY COMMISSION • AMBULANCE FEE**

124 East Washington Street • Charles Town, WV 25414 • Phone: (304) 728-5606

CHARLES TOWN ASSOCIATES OF  
CHARLES TOWN LP  
300 CENTRAL PARK W, SUITE 10L  
NEW YORK, NY 10024

Customer #: 2778

**EMERGENCY AMBULANCE FEE INVOICE FOR FISCAL YEAR 2014-2015**

TRUCK #	STREET/PO BOX/PARTS/BOARD	LEGAL DESCRIPTION / LOCATION	AMOUNT
3272	03 4 0061 0000 0000 1	95/100 AC. WELFR	\$ 3,280.00

TOTAL IF PAID PRIOR BEFORE SEP. 30TH, 2014	IF PAID AFTER SEP. 30TH, 2014 AND PRIOR BEFORE SEP. 30, 2015	TOTAL AMOUNT DUE BY 03/31/2015 AND PRIOR TO SEP. 30TH, 2015
\$ 3,280.00	\$ 3,290.00	\$ 3,310.00

Amount due not paid by March 31, 2015 may, at the discretion of the County Commission, be recorded as a lien against the property and a court of competent jurisdiction may be required. The County Commission is not liable for payment of reasonable costs of collection, including attorney's fees, court costs, and County interest.

**WHEN PAYING IN PERSON, PLEASE BRING THE ENTIRE BILL**

**RETURN THIS PORTION WITH YOUR PAYMENT**

**MAIL PAYMENTS TO:**

JEFFERSON COUNTY COMMISSION  
PO BOX 250  
CHARLES TOWN, WV 25414

Customer #: 2778

**MAKE CHECKS PAYABLE TO  
JEFFERSON COUNTY COMMISSION**

CHARLES TOWN ASSOCIATES OF  
CHARLES TOWN LP  
300 CENTRAL PARK W, SUITE 10F  
NEW YORK, NY 10024

PAYMENT AMOUNT \$ \_\_\_\_\_  
ENCLOSED  
CHECK # \_\_\_\_\_

**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 16, 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 contract – Community Participation Grant Program for the Jefferson County Parks and Recreation in the amount of \$6,000 – 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 Resolution and contract – Community Participation Grant Program for the Jefferson County Parks and Recreation in the amount of \$6,000 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**

[Click here to enter text.](#)

# JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

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## *RESOLUTION*

The County Commission of Jefferson County, met on April 16<sup>th</sup>, 2015 with a quorum present and passed the following Resolution:

**WHEREAS**, The Jefferson County Commission has agreed to assist the Jefferson County Parks and Recreation to install plaques at the Veteran's Memorial Pavilion at Sam Michael's Park with funds made available through the Governor's Community Participation Grant program in the amount of \$6,000.

**NOW, THEREFORE BE IT RESOLVED**, that the Jefferson County Commission hereby authorizes the President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's Community Participation Grant Program.

Signed: \_\_\_\_\_

COUNTY CLERK

09LEDA0881N

# GOVERNOR'S COMMUNITY PARTICIPATION GRANT PROGRAM CONTRACT

## BETWEEN THE WEST VIRGINIA DEVELOPMENT OFFICE AND THE JEFFERSON COUNTY COMMISSION

Project Number 09LEDA0881N

**THIS AGREEMENT**, entered into this 1st day of July, 2008, by the West Virginia Department of Finance and Administration on behalf of the West Virginia Development Office hereinafter called the "WVDEVO" and the Jefferson County Commission and its authorized officers, agents, and representatives, hereinafter called the "Grantee."

### WITNESS THAT:

**WHEREAS**, the WVDEVO has promised and agreed to assist the Grantee to perform such tasks described in the scope of services, which is to be partially financed by funds made available through the Governor's Community Participation Grant program.

**NOW, THEREFORE**, the parties do mutually agree as follows:

1. **Scope of Services.** The Grantee shall complete in a satisfactory manner as determined by the WVDEVO, and appropriate regulatory agencies, if required, all duties, tasks, and functions necessary to install plaques at the Veteran's Memorial Pavilion at Sam Michael's Park.
2. **Personnel and Employment.** The Grantee will secure at its own expense, personnel with the necessary qualifications and experience required to perform the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with WVDEVO.

With respect to employment in carrying out the program objectives, the Grantee agrees that it will not discriminate against any employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap.

3. **Time Performance.** The Grantee will commence its duties under this Contract on July 1, 2008, and such duties shall be undertaken and completed by June 30, 2016.
4. **Compensation and Fiscal Management.** In consideration of the services rendered by the Grantee, the WVDEVO agrees to pay the Grantee the sum of \$6,000. This amount constitutes complete compensation for all services rendered.

The Grantee shall provide local matching funds totaling ten percent of the total compensation for all services rendered.

The Grantee shall be responsible for establishing and maintaining adequate procedures and internal financial controls governing the management and utilization of funds provided under this Contract, as well as funds provided as the Grantee's matching share.

5. **Amendments.** Any changes to the scope of services, completion date, compensation or any other terms or conditions of this agreement shall be incorporated in written amendments to the Contract. If necessary and/or required, any amendments to this Contract are subject to the reappropriation of funds and approval of the WVDEVO and/or the Governor of the State of West Virginia.
6. **Payments and Repayment.** In order to receive payments under the terms of this Agreement, the Grantee shall submit the following: (a) a Letter of Transmittal containing a progress report, and (b) a Request for Payment

Financial Report. The final ten percent shall be made available upon submission of certification of completion and acceptance of the project by the Grantee.

Furthermore, the Grantee shall refund to the State any expenditures determined to be made for an ineligible purpose for which State funds were received.

7. **Sub-Grantees and Reversion of Property.** The Grantee may administer funds on behalf of sub-grantees, provided that the sub-grantee is certified as a nonprofit organization by the United States Internal Revenue Service and the West Virginia Secretary of State's Office. Should the sub-grantee cease to exist, all commodities or supplies purchased with funds provided under the auspices of this Contract by or for the sub-grantee shall become the property of the Grantee.
8. **Competitive Bid Procedures.** Competitive bidding shall be pursued in all instances. The Grantee must follow the more stringent of either state or local purchasing regulations. The West Virginia Purchasing Division requirements, at a minimum, are as follows: Commodities and services expected to cost \$2,500 or less require no bids, however, competition is encouraged. Purchases between \$2,500.01 and \$5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases \$5,000.01 to \$25,000 require three written bids.

Purchases exceeding \$25,000 require public notices as a Class II legal advertisement in compliance with the provisions of West Virginia Code §59-3. This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks preceding the final bid date. The Grantee shall also, where feasible, solicit sealed bids by listing the project in the F. W. Dodge Reports, sending requests by mail to prospective suppliers or contractors, and by posting notice on a bulletin board in a public place. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than \$25,000 shall be cause for termination of this agreement.

9. **Construction.** The Grantee shall procure construction contracts in accordance with West Virginia Code §5-22-1. The term construction shall mean any construction, reconstruction, improvement, enlargement, painting, decorating, or repair of any public improvement let to contract. **The state and its subdivisions shall, except as provided in this section, solicit competitive bids for every construction project exceeding \$25,000 in total cost. Further, the receipt and utilization of funds procured under this agreement mandate that ALL CONSTRUCTION CONTRACTS NECESSARY FOR THE UNDERTAKING AND COMPLETION OF THIS PROJECT, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code §21-5A.** These bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions of West Virginia Code §59-3 as outlined in Section 8 of this agreement.

Any contracts executed for the completion of construction services under this agreement, including contracts which involve the employment of any contractor and/or subcontractor, must comply with the provisions of the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost and source of funds utilized to pay such contract.** Such provisions shall include the payment of the Fair Minimum Wage Rates as determined by the West Virginia Commissioner of Labor for each craft or classification of all workmen needed to perform the contract in the locality in which the public work is performed. For projects involving federal funds which are covered by the provisions of the Davis Bacon Act (40 U.S.C. 276-a 276a-5), the Grantee shall cause the contractor and/or subcontractors to pay the higher wage rate, federal or state.

The Grantee shall note this requirement in the advertisement for bids and print these wage rates on all bidding blanks. The Grantee shall designate the time and place for opening such construction bids in accordance with West Virginia Code §5-22-2.

The Grantee shall secure bonding in accordance with West Virginia Code §5-22-1. All bids submitted pursuant to this chapter shall include a valid bid bond or other surety as approved by the state of West Virginia or its subdivisions. Following the solicitation of such bids, the construction contract shall be awarded to the lowest qualified responsible bidder, who shall furnish a sufficient performance and payment bond, provided, that the state and its subdivisions may reject all bids and solicit new bids.

In the procurement of contracts or subcontracts for construction of less than \$100,000, the Grantee shall follow local or State requirements relating to bid guarantees, performance bonds, and payment bonds, provided that the Grantee's and State's interests are adequately protected and that such contracts can be executed in a timely manner.

**In the procurement of contracts or subcontracts for construction that exceed \$100,000, the Grantee shall obtain the following:**

- (a) A bid guarantee from each bidder equivalent to five percent of the bid price. This bid guarantee shall consist of a firm commitment such as bid bond, certified check, or other negotiable instrument accompanying a bid that the bidder will, upon acceptance of the bid, execute the contractual documents as may be required with the time specified.
- (b) A performance bond on the part of the contractor for 100 percent of the contract price. This performance bond shall be executed by the successful contractor in connection with the contract to secure fulfillment of the contractor's obligations under such contract.
- (c) A payment bond on the part of the contractor for 100 percent of the contract price. This payment bond shall be executed in connection with a contract to assure payment is required by law of all persons supplying labor and materials in the execution of the work provided for in the contract.

The Grantee shall procure architectural or engineering services in accordance with the provisions of West Virginia Code §5G. In the procurement of architectural and engineering services for projects estimated to cost \$250,000 or more, the Grantee shall publish a Class II legal ad in compliance with West Virginia Code §59-3. In the procurement of services for projects estimated to cost less than \$250,000, the Grantee shall conduct discussions with three or more professional firms.

The Grantee shall procure design-build projects in accordance with West Virginia Code §5-22A-1. This applies solely to building projects. Highways, water, sewer, and all other public works projects are specifically prohibited from using the design-build method.

The Grantee shall require any facilities constructed under the auspices of this Contract to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A11/1-1961, as modified (41CFR101-17.1703 and (13CFR309.14)). The Grantee shall be responsible for conducting inspections to ensure compliance with these specifications.

The Grantee shall operate and maintain all facilities constructed under the auspices of this Contract in accordance with minimum standards as may be required or prescribed by the applicable federal, state and local statute, law, ordinance or regulation as to actual construction procedures, as well as maintenance and operation of such facilities upon completion.

The Grantee shall comply with all applicable federal, state and local environmental and historical preservation laws and regulations. The Grantee acknowledges this requirement and certifies that the project will be in compliance with such laws and regulations.

10. **Interest of Officials, Members of WVDEVO and Others.** No officer, member or employee of the WVDEVO or officer, member or employee of the Grantee who exercises any function or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this Contract which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested or has any personal or pecuniary interest, nor shall any officer, member of, or employee of, the Grantee or any member of its governing body, or officer, member, or employee of the contractor have any interest, direct or indirect, in this Contract or the proceeds thereof.

Furthermore, no member of the Legislature of the State of West Virginia, or individual performing a service for the Grantee in connection with this project, shall be admitted to any share thereof or to any benefit to arise from this Agreement.

11. **Inspections of Records and Audits.** At any time during normal business hours and as often as the WVDEVO or its designated representative may deem necessary, there shall be made available to the WVDEVO or its designated representative for examination, all of its records with respect to all matters covered by this Contract and permit the WVDEVO or its designated representative to audit, examine and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records and personnel, conditions of employment and other data relating to all matters covered by this Contract during the entire time period beginning with project approval and ending three years after the final disbursement of grant funds.

The Grantee shall cause an audit of this program to be included in the audit of the Grantee performed by the West Virginia State Auditor's Office, Chief Inspection Division, or its designated representative in accordance with West Virginia Code §6-9-7. The audit shall be performed in conformance with generally acceptable accounting procedures.

In accordance West Virginia Code §12-4-14, if the grantee is not audited by the West Virginia State Auditor's Office and the grantee received state funds or grants in the amount of fifteen thousand dollars or more, the grantee shall file an audit of the disbursement of funds with the legislative auditor's office. The audit shall be filed within two years of the disbursement of funds or grants by the grantee and shall be made by an independent certified public accountant at the cost of the corporation, association or other organization, and must show that the funds or grants were spent for the purposes intended when the grant was made. State funds or audits of state funds or grants under fifteen thousand dollars (\$15,000) may be authorized by the joint committee on government and finance to be conducted by the legislative auditor's office at no cost to the grantee.

The Grantee shall submit any reports requested by the WVDEVO concerning financial status and program progress.

12. **Political Activity.** No officer or employee of the Grantee whose principal employment is in connection with any activity which is financed in whole or in part pursuant to this agreement shall take part in any of the activities expressly prohibited by the Hatch Act.
13. **Resolution of Disputes.** Resolution of disputes between the State and the Grantee concerning administrative and programmatic matters during the terms of this Agreement shall be initiated through consultation and discussion at the State's Administrative Offices with final decision on questions of policy or fact being determined by the Director of the Community Development Division or his/her designated representative. Nothing in this Agreement shall be construed as making the final decision on a question of law, or to limit in any manner any remedies or recourses available under applicable laws. Citizen's complaints or disputes regarding Grantee performance or actions relative to the approved project are the responsibility of the Grantee.
14. **Termination of Contract.** If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner his obligations under this Contract, or if the Grantee shall violate any of the covenants, agreements, or stipulations of this Contract, the WVDEVO shall thereupon have the right to terminate this Contract by giving written notice to the Grantee of such termination and specifying the effective date thereof, at least fifteen days before the effective date of such termination. The Grantee shall be entitled to receive just and equitable compensation for any satisfactory work completed on the described project.

Notwithstanding the above, the Grantee shall not be relieved of liability to the WVDEVO for damages sustained by the WVDEVO by virtue of any breach of the Contract by the Grantee, and the WVDEVO may withhold any payments to the Grantee for the purpose of set-off until such time as the exact amount of damages due the WVDEVO from the Grantee is determined.

Furthermore, the WVDEVO may terminate this Contract at any time by giving written notice to the Grantee of such termination and specifying the effective date of termination. If the Contract is terminated by the WVDEVO as provided herein, the Grantee will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the Grantee covered by this Contract, less payments of compensation previously made.

The Grantee may unilaterally rescind this agreement at any time prior to the commencement of the project. After project commencement, this agreement may be rescinded, modified, or amended only by mutual agreement. A project shall be deemed commenced when the Grantee makes any expenditure or incurs any obligation with respect to the project.

This Contract shall be signed by the Executive Director of the West Virginia Development Office and by the President of the Jefferson County Commission upon authorization of the Jefferson County Commission by adoption and passage of a resolution, motion or similar official action.

IN WITNESS WHEREOF, the WVDEVO and the Grantee have executed this Agreement as of the date first above written.

**STATE OF WEST VIRGINIA  
WEST VIRGINIA DEVELOPMENT OFFICE**

\_\_\_\_\_  
**J. Keith Burdette, Executive Director**

**JEFFERSON COUNTY COMMISSION**

By: \_\_\_\_\_  
~~Walt Pellish, President~~  
*Jane M. Tabb*

Federal Employee Identification Number

55-6000 333  
F.E.I.N.

Project Number: 09LEDA0881N



**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 16, 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 – Virginia Lodge #1 – 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 Virginia Lodge #1 in the amount of \$3,000 and to authorize the President of the Commission to affix her signature to the appropriate documents - Discussion/Action**

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

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

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

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

**Pass through grant**

**JEFFERSON COUNTY  
COMMISSION  
CHARLES TOWN, WV**

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**RESOLUTION**

The Jefferson County Commission met on the 16<sup>th</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 \$3,000. The funds from this project is for the purchase of fire detection and security system for the Historical Lodge Building - Virginia Lodge #1.

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

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

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

15LEDA0067

# Community Participation Grant Program

Fiscal Year 2015

Deadline: April 30, 2015

Grantee: Jefferson Co. Commission  
 Project Title: Virginia Lodge #1 - Fire Detection, Security System  
 for Historical Lodge Building

Project Number: 15LEDA0067  
 Amount: \$3,000

## Section 1: Grantee (Local Governing Agency)

GOVERNING AGENCY NAME:	Jefferson County Commission		
CONTACT PERSON:	Sandy Mitchell Deputy Co. Adm	E-MAIL:	Sandy@jeffersoncountycv.org
		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:	INDEPENDENT ORDER OF ODD FELLOWS VIRGINIA LODGE #1		
EXECUTIVE DIRECTOR:	RICHARD D. CRAZE	E-MAIL:	
ADDRESS:	PO BOX 896	CITY:	HARPERS FERRY
PHONE:	304-728-0469 (H) 304-839-5858	WEBSITE:	ZIP: 25425

- Federal nonprofit certification, 501 (c) determination letter from Internal Revenue Service is attached. 55-6020236
- 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:	INSTALLATION OF FIRE DETECTION AND SECURITY SYSTEM

### PROJECT LOCATION:

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

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

## Section 4: Funding Summary

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

	AMOUNT	SOURCE GRANT, BANK LOAN, FUNDRAISING, ETC.	STATUS PENDING, APPROVED, ONGOING, ETC.	DOCUMENTATION LETTER, RESOLUTION, ETC.
GRANT FUNDS REQUESTED	\$3,000	FUNDRAISING		
LOCAL FUNDS (10% REQUIRED MATCH)	\$ 300	\$300		
OTHER FUNDS	\$			
OTHER FUNDS	\$			
OTHER FUNDS	\$			
<b>TOTAL PROJECT COST</b>	<b>\$ 3300</b>			

Grantee: Jefferson Co. Commission  
Project Title: Virginia Lodge #1 - Fire Detection, Security System

Project Number: 15LEDA0067  
Amount: \$3,000

## 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: Virginia Lodge #1 - Fire Detection, Security System

Project Number: 15LEDA0067  
Amount: \$3,000

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

**Mayer or County Commission President**  
**ORIGINAL SIGNATURE REQUIRED-USE BLUE INK**

Name: Richard D Craze Title: Secretary

Signature: [Signature] Date: 4/3/15

**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)



101. Amanda Thomas

Form **990-N**  
Department of the Treasury  
Internal Revenue Service

**Electronic Notice (e-Postcard)**  
for Tax-Exempt Organizations not Required To File Form 990 or 990-EZ

OMB No. 1545-2085

**2011**

Open to Public  
Inspection

A For the 2011 calendar year, or tax year beginning 1/1/2011, and ending 12/31/2011.

B Check if applicable

Terminated, Out of Business

Gross receipts are normally \$50,000 or less

C Name of organization: INDEPENDENT ORDER OF ODD FELLOWS  
d/b/a: 1 VIRGINIA LODGE

% ROBERT L SPENCER  
POST OFFICE DRAWER C  
HARPERS FERRY, WV, US, 25425

D Employer  
Identification Number  
55-6020236

E Website:

F Name of Principal Officer: ROBERT L SPENCER

POST OFFICE DRAWER C  
HARPERS FERRY, WV, US, 25425

**Privacy Act and Paperwork Reduction Act Notice.** We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws.

The organization is not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. The rules governing the confidentiality of the Form 990-N is covered in Code section 6104.

The time needed to complete and file this form and related schedules will vary depending on individual circumstances. The estimated average times is 15 minutes.

**Note:** This image is provided for your records only. Do NOT mail this page to the IRS. The IRS will not accept this filing via paper. You must file your Form 990-N (e-Postcard) electronically.

This Form 990-N (e-Postcard) was accepted by the IRS on 4/25/2012.

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:** 5 Minutes

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

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

**Date Requested – 2<sup>nd</sup> Choice:** March 19, 2015

**Subject (*Wording to be placed on agenda*):** Recommendation from the Planning Commission to the County Commission to amend the definition of “days” from business days to calendar days in Section 26.200 of the Jefferson County Subdivision and Land Development Regulations for the purpose of setting a public hearing to be held by the County Commission (STA15-01).

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

Currently, Section 26.200 of the Jefferson County Subdivision and Land Development Regulations, “Definitions of Terms”, includes the following definition:

“Days: Monday through Friday, excluding holidays and any days on which the County offices are closed.”

The Jefferson County Prosecuting Attorney’s Office has informed the Jefferson County Planning Commission that the term “day” in state law is more typically interpreted as “calendar days”, unless otherwise specified, and therefore the following amendment is proposed:

**“Days: Monday through Friday, excluding holidays and any days on which the County offices are closed. Refers to calendar days and, therefore, includes all days in a month, including weekends and holidays.”**

This change in definition will only impact the amount of time staff or the Planning Commission has to review or act on plats and plans submitted for approval. In 2010, staff adopted a policy, which was accepted by the Planning Commission, which clarified that the use of the term “days” in the Subdivision Regulations when determining deadlines in regards to posting, adjointer notification, and advertising requirements is interpreted to mean calendar days. Therefore, if this amendment is approved, it would nullify the need for this policy.

**Is this a funding request?** No

**If so, how much?** N/A

**Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):** I move to schedule a Public Hearing on the Proposed Text Amendment to Section 26.200, "Definitions" in the Jefferson County Subdivision Regulations regarding the definition of "day" from business day to calendar day in to be held by the County Commission on [REDACTED], 2015 (date certain) at [REDACTED] a.m./ p.m.

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

**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.

**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:** 5 Minutes

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

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

**Date Requested – 2<sup>nd</sup> Choice:** March 19, 2015

**Subject (*Wording to be placed on agenda*):** Recommendation from the Planning Commission to the County Commission to 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" for the purpose of setting a public hearing to be held by the County Commission (STA15-03).

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

Division 24.300, "Waivers", of the Jefferson County Subdivision and Land Development Regulations currently includes provisions and the processes for requesting waivers from the various standards found throughout the Subdivision and Land Development Regulations. This Section further restricts such waivers to waivers of standards and specifically states that no process or procedural waivers shall be granted. The existing language is as follows:

"Division 24.300 Waivers

Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria: (1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature; (2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents; (3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and (4) that the waiver if granted will result in a project of better quality and/or character. No process or procedural waivers shall be granted."

Occasionally it may be appropriate for the Planning Commission to consider waivers of process, on a case by case basis and a process needs to be in place to allow this to occur. Therefore, the following amendment is proposed to that last sentence of the introductory paragraph of Division 24.300: ~~"No process or procedural waivers shall be granted.~~ **Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval.**" This requires the Planning Commission to consider each waiver request on its own merits and to determine the impact that such a waiver may have on the County. Note that if this amendment is approved, the numbered criteria will be revised into an outline format for ease of use by applicants.

**Is this a funding request?** No

**If so, how much?** N/A

**Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):** I move to schedule a Public Hearing on the Proposed text amendment to Section 24.300, "Waivers", of the Jefferson County Subdivision and Land Development Regulations to be held by the County Commission on [redacted], 2015 (date certain) at [redacted] a.m./ p.m.

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

**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.

**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:** 5 Minutes

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

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

**Date Requested – 2<sup>nd</sup> Choice:** March 19, 2015

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

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

The proposed amendment to Section 20.104, "Exceptions", of the Jefferson County Subdivision and Land Development Regulations, reads as follows:

"Sec. 20.104 Exceptions

A. General. There shall be no exception from these Regulations for activities that involve the creation of lots, revision of lot lines that affect other properties other than the otherwise exempted uses, the creation or abandonment of roads, the provision of access to exterior roads, the vacating of public road right-of-ways, or the creation or abandonment of other easements, unless provided for in Section 20.107, Conservation Easements, **or in subsection "C" below.**

B. Public Schools. By Statute, public schools are exempt from these Regulations, but are encouraged to voluntarily conform.

C. Public Utilities. Public utilities and private utility firms, including wastewater treatment and water supply facilities, regulated by the West Virginia Public Services Commission, shall also be required to conform to the standards of these Regulations; **however, easements for public utilities and private utility firms, including wastewater treatment and water supply facilities, shall be exempted from this requirement, unless otherwise required as a part of a subdivision plat and/or site plan.**

D. Land Owned by Government Entities. Land owned by the Federal Government, State Government, or Municipal Government is exempt from the provisions of these Regulations. The County government has placed its own uses under the jurisdiction of these Regulations."

This exception will allow utility companies processing changes or improvements to their utility lines, separate from a subdivision or site plan development, to record easements without requiring the approval of the Departments of Planning and Zoning.

**Is this a funding request?** No

**If so, how much?** N/A

**Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):** I move to schedule a Public Hearing on the Proposed Text Amendment to Section 20.104 of the Jefferson County Subdivision and Land Development Regulations to be held by the County Commission on [redacted], 2015 (date certain) at [redacted] a.m./p.m.

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

**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 26, 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.

The purpose of the public hearing is to hear public input on the following amendments to the Jefferson County Subdivision and Land 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)

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).

You can view the Jefferson County Subdivision and Land Development Regulations at: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

No decisions will be made at this meeting.

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



430 Randolph Street, Suite C • Martinsburg, West Virginia 25401 • phone: 304-267-4710  
Fax: 866-709-7808 • e-mail: info@easternwvhomebuilders.org • www.easternwvhomebuilders.org



March 24, 2015

The Honorable Jane M. Tabb  
President  
County Commission of Jefferson County  
PO Box 250  
Charles Town, WV 25414

Dear President Tabb and Commission Members:

The Eastern Panhandle Home Builders Association (EPHBA) would like to provide comments on the proposed amendments to the Jefferson County Subdivision and Land Development Regulations that are the subject of the March 26 Public Hearing.

The EPHBA supports all of the amendments as proposed. These changes are all positive steps in the land development process in Jefferson County. In some cases they clarify some ambiguities (definition of days), in some cases they eliminate unnecessary requirements (easements) and in some cases they would provide the ability to grant a process or procedural waiver when criteria established in the current regulations are met. We urge your approval of these changes. Thank you for considering these comments.

Sincerely,

A handwritten signature in blue ink that reads "David Hartley".

David Hartley  
Executive Officer

## MEMORANDUM

### Jefferson County, West Virginia Engineering Department

TO: Jefferson County Commission  
Stephanie Grove, County Administrator

FROM: Roger Goodwin, PE, CFM  
Chief County Engineer

DATE: April 2, 2015

SUBJECT: **Engineering Department Quarterly Update Report  
April 1, 2015**

1. Projects Undertaken/Underway (in alphabetical order):

A. Bonding:

- i) Chapel View Subdivision (03-11) – working on an outline of tasks necessary to bid and contract for completion of the site work for this project. The subdivision lot owners have gained control of the HOA but still need to resolve the issue of ownership of the common areas. Staff met with representatives of the HOA and their attorney in November, 2013 to discuss action the HOA still needs to take in order for the Engineering Department to move forward with completing the site work.

Staff is met with the HOA and their attorney, Chris Strey, on July 29, 2014 to discuss the current status and how to move the project forward.

The Chief County Engineer presented a request to the County Commission asking them to issue an order – under authority of WV State Code - that any remaining lots owned by the developer cannot be sold. **This Order was issued and recorded in the County Clerk's office on September 18, 2014.**

- ii) Demory Farm Subdivision (04-17) – Still waiting for several site improvements to be satisfactorily completed so that the construction bond in the amount of \$163,407.00 can be released.

**Devin McCreery, Vice President of United Bank, the bond/surety provider, hired a consultant to manage the project and get the work completed and get the bond released. Engineering staff met with the consultant in January, 2015 to review the items that remain to be completed.**

- iii) Summit View Estates Subdivision (03-21) – At the June 5<sup>th</sup> Jefferson County commission meeting, the County Commission approved allowing staff to work with United Bank, Inc., to complete the remaining site work at the Summit View Estates Subdivision (JCPC File No. 03-21) in exchange for the Jefferson County Commission returning the construction bond/surety funds being held in an escrow account, in the amount of \$250,000, to United Bank, Inc.; and that all work shall be fully completed to the satisfaction of the Chief County Engineer before the funds are returned.

**All work appears to be complete with the exception of some seeding and mulching of disturbed areas. \$5,000 of the bond amount is still be held in a bond escrow account until the site becomes stabilized with vegetative cover in the spring of 2105.**

- iv) Rose Hill Subdivision (02-09) – Engineering staff identified areas of the existing subdivision road that need repaired and made a cost estimate of finishing the remaining site work. Staff met with the Mr. Larry Smith, Rose Hill Subdivision HOA president on July 1, 2014, to discuss the estimate and the next steps in moving forward with completing the work.

**The Chief County Engineer was prepared to submit a request to the County Commission at the August 7, 2014 meeting asking for authorization to move forward with bidding approximately \$55,000 worth of site work. However, the Rose Hill HOA asked that we not move forward with the request until further notice from them. This project is on hold.**

B. Property Safety Ordinance:

- i) Case 12-001 (Bierer) – The Circuit Court judge issued an order granting the County Commission permission to demolish the abandoned and dilapidated dwelling.

**A Request for Proposals to demolish the dwelling was advertised and the County Commission awarded the contract on January 22, 2015 to Pittsnogle, LLC to demolish the structure at a cost of \$9,974.00. Once funding was established, the Notice of Award was sent to the contractor on**

**February 23, 2015. Upon receipt of the Performance Bond, liability insurance and workers compensation insurance certificates, the Notice to Proceed was issued on March 23, 2015. The Contractor has 45 days to complete the work. As of April 1, 2015 the demolition work was 75% complete. The Land Development Inspector is monitoring progress on this project.**

- ii) Case 12-002 (Williams) – the property owner was served with the Petition/Complaint via certified mail service in August, 2013. The property owner failed to bring the property into compliance or request a hearing before the county commission. Staff brought the case before the County Commission on October 17<sup>th</sup>, 2013 seeking an order that the property owner bring the property into compliance. The County Commission issued the order and County Clerk served the order on the property owner via certified return mail receipt. The Property Safety Enforcement Agency will inspect the property on January 15, 2014. The deadline has passed and the order was sent to the Prosecuting Attorney on March 4<sup>th</sup>, requesting that he seek an order in circuit court granting the county commission the right to take action to bring the property into compliance. Petition submitted to the circuit court and waiting for the judge to issue the order. The County Commission authorized staff to proceed with advertising for bids to perform the ordered work.

**The Circuit Court issued the order. Staff still needs to advertise a Request for Proposals to carry out the mitigation work.**

C. Impact Fees:

- i) The Impact Fees Program Specialist continues to work on putting together an office manual that outlines all the processes and information needed to administer the impact fees program. The manual will be used as a guide and to cross train other employees in the department. **The operations manual is approximately 95% complete and I am in the process of reviewing the latest version.**
- ii) **Under the Impact Fees Recalculation Project the Final Draft of the impact fees recalculations was presented to the County Commission on February 19, 2015. The County Commission accepted both the Schools impact fee report and the Parks & Recreation, Law Enforcement and EMS impact fee report as being final. The matter is to be discussed further at the April**

## 2, 1015 County Commission meeting.

- iii) The Impact Fees Program Specialist sent out the forms and directions for each impact fee entity to begin putting together their FY 2016 Capital Improvement Plans, which were due by December 12, 2014. **The Impact Fees Capital Improvement Plan was presented to the County Commission on March 5, 2015 and approved as presented.**

### D. Tolling of Bonding Amendment (One-time Partial Release of Lots):

A public hearing on an amendment to the tolling of bonding section of the bonding policy was held on August 9<sup>th</sup>. The amendment was up for consideration of adoption on the County Commission's October 18<sup>th</sup> meeting agenda. Additional questions were raised by the County Commission and the amendment was sent back to staff and the developer to address additional concerns. Revisions to the amendment were made and were submitted to the County Commission in January, 2013 for their review and consideration for adoption. Before taking any action on the proposed amendments, the County Commission directed the Chief County Engineer to prepare a PowerPoint presentation giving an overview of the bonding policy and tolling of bonding so they can better understand it.

### E. Land Development & Building Permits – Fee Schedule Update

The County Commission in December, 2013, directed staff to revisit the fee schedules for the Planning, Zoning & Engineering Departments with the purpose of updating the fee schedules in order to raise additional revenue. The planning and engineering staff met to get up to speed on where we last left off on this, and we are in the process of putting the information together to present to the county commission.

**Engineering has completed work on revising the building permit fee schedules and met with the Planning staff to discuss and revise the fee schedule for their department. We are currently in the process of preparing a comparison of the fees paid using the current fee schedule versus the proposed fee schedule, for ten site plan projects. The purpose is to be able to give a measure of the impact of the proposed fee increase. We will then submit the fee schedules and comparison to the County Commission for consideration.**

2. Projects/Training Completed:

- **Attended Robert's Rules & Ethics training in November 2014.**
- **Completed the "Regulating Fill in the Floodplain – The Basics" webinar on November 13, 2014.**
- **Completed training on "The Role of the Specialty Engineer - From the Wood Truss Industry's Perspective"; training on wood truss design responsibilities and truss installation best practices on March 31, 2015.**
- **Attended WVDOH District 5, engineering/planning meeting on January 15, 2015.**

3. Projects Proposed:

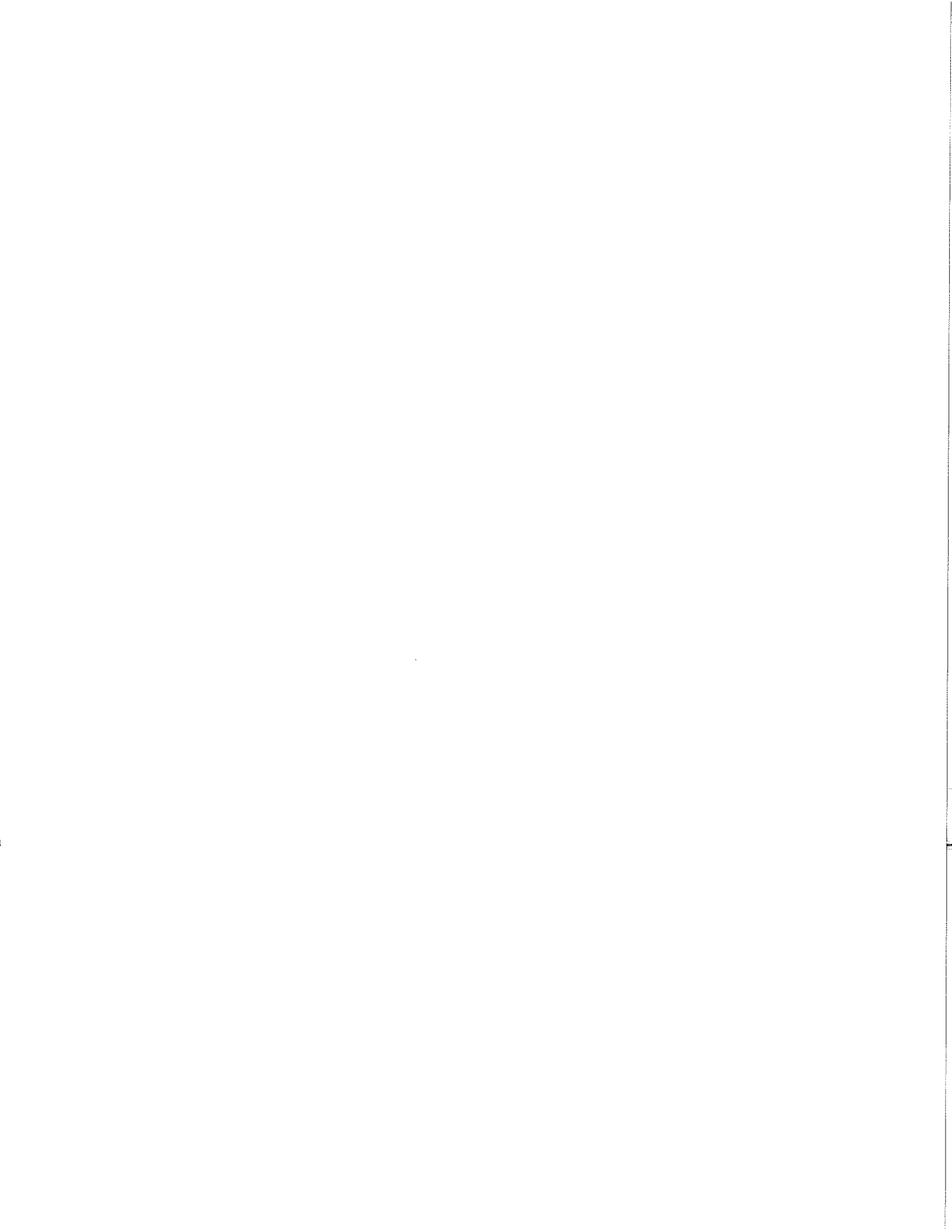
- A. Get the land development standard construction details updated and put into a digital/AutoCAD format, to supplement the requirements of the Subdivision, Zoning, and Stormwater Management ordinances.
- B. Set up the Engineering Department web page with the stream monitoring information/links.

4. Items Requiring Commission Attention:

None at this time.

Note: The projects noted above are in addition to maintaining the daily operations of the Office of Building Permits & Inspections, the Office of Impact Fees, administering the land development bonding process, performing land development inspections, performing land development plan reviews for the Planning Commission, administering floodplain management, investigating citizen complaints and carrying out ordinance compliance efforts, and completing statutory continuing education and certification requirements, etc.

S:\Engineering\engineering\Engineering\ENGINEERING\County Commission - Quarterly Reports\2015-04-01 Engineering Quarterly Report.doc



**NOTICE OF SPECIAL SESSION OF THE COUNTY COMMISSION OF  
JEFFERSON COUNTY**

**TO LAY THE LEVY**

The County Commission of Jefferson County, will hold a Special Session on Tuesday, April 21, 2015, at 10:00 a.m. in the County Commission meeting room located at the Old Charles Town Library, 200 E. Washington Street, (Samuel Street Entrance) Charles Town, West Virginia 25414.

The purpose of the Special Session is to officially Lay the Levy.

The public is invited to attend.

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

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, April 30, 2015, or as soon thereafter as the Commission may decide:

**Jefferson County Development Authority Board - one unexpired term ending April 5, 2017**

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

**April 15 and April 22**

**THANKS - JEFFERSON COUNTY COMMISSION**

# Impact Fee Status Report

## March 2015

### Office of Impact Fees

#### Summary

Date Range: Sunday 1 through Tuesday 31 March 2015

Report Date: 1 April 2015

Process Number Range: 1500029 - 1500046

Total Applications: 18

Total Non-Exempt: 17

*Of which:*

Commercial: 0

Residential: 17

*Of which:*

County: 9

Municipal: 8

Total Exempt: 1

*Of which:*

Commercial: 0

Residential: 1

*Of which:*

County: 0

Municipal: 1

Tables 1 through 7 summarize impact fee processing for March 2015. Table 8 represents account totals, pending the transfer of fees collected as shown in Table 1, including General Impact Fee Account (3111776) interest which is listed in Table 2.

**Table 1. Form 100 Tallies**

	Exempt	Commercial	Residential	Total
1 – 31 March 2015	1	0	17	18
Fees collected		\$0.00	\$201,898.00	\$201,898.00
<i>Of which</i>				
School Impact Fee			\$177,070.00	\$177,070.00
Law Enforcement Fee		\$0.00	\$2,224.00	\$2,224.00
Parks & Recreation Fee			\$11,723.00	\$11,723.00
Fire & EMS Fee		\$0.00	\$10,881.00	\$10,881.00

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

Description	Amount
Opening Statement Balance (1 March 2015)	\$90,782.44
March Deposits (1 – 28 March 2015)	\$201,898.00
School Feb. Transactions (withdraws via transfer on 10 March 2015)	(\$79,741.03)
Law Feb. Transactions (withdraws via transfer on 10 March 2015)	(\$800.78)
Parks & Rec Feb. Trans. (withdraws via transfer on 10 March 2015)	(\$5,312.71)
EMS Feb. Trans. (withdraws via transfer on 10 March 2015)	(\$4,927.92)
Interest Earned (31 March 2015)	\$45.91
<b>Ending Statement Balance (31 March 2015)</b>	<b>\$201,943.91</b>
<i>Outstanding Credits (deposits through 1 April 2015)</i>	<i>\$0.00</i>

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

Description	Amount
Opening Balance (1 March 2015)	\$1,521,944.76
February Transactions (deposits via transfer on 10 March 2015)	\$79,741.03
Requisition 15R0110 - Bus Garage (17 March 2015)	(\$1,000,000.00)
Interest Earned (31 March 2015)	\$464.86
<b>Ending Balance (31 March 2015)</b>	<b>\$602,150.65</b>

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

Description	Amount
Opening Balance (1 March 2015)	\$45,153.77
February Transactions (deposits via transfer on 10 March 2015)	\$800.78
Interest Earned (31 March 2015)	\$19.41
<b>Ending Balance (31 March 2015)</b>	<b>\$45,973.96</b>

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

Description	Amount
Opening Balance (1 March 2015)	\$500,209.29
February Transactions (deposits via transfer on 10 March 2015)	\$5,312.71
Interest Earned (31 March 2015)	\$214.01
<b>Ending Balance (31 March 2015)</b>	<b>\$505,736.01</b>

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

Description	Amount
Opening Balance (1 March 2015)	\$134,163.80
February Transactions (deposits via transfer on 10 March 2015)	\$4,927.92
Interest Earned (31 March 2015)	\$58.46
<b>Ending Balance (31 March 2015)</b>	<b>\$139,150.18</b>

**Table 7. Total Impact Fees as of 1 April 2015 /1**

Description	Amount
Office of Impact Fees General Account	\$201,943.91
School Impact Fee Account	\$602,150.65
Law Enforcement Fee Account	\$45,973.96
Parks & Recreation Impact Fee Account	\$505,736.01
EMS Impact Fee Account	\$139,150.18
<b>Total Impact Fees</b>	<b>\$1,494,954.71</b>

/1 These values represent both impact fees collected and interest earned. The general account includes the outstanding credits listed in table 2 and outstanding debits, if any, listed in tables 3-6.

**Table 8. Pending April 2015 Fee Transfers /1**

Account	31 March 2015 Account Totals	Pending Impact Fee Transfers	Account Totals
School Impact Fee Account	\$602,150.65	\$177,110.40	\$779,261.05
Law Enforcement Fee Account	\$45,973.96	\$2,224.46	\$48,198.42
Parks & Recreation Impact Fee Account	\$505,736.01	\$11,725.75	\$517,461.76
EMS Impact Fee Account	\$139,150.18	\$10,883.30	\$150,033.48
<b>Total Impact Fees</b>	<b>\$1,293,010.80</b>	<b>\$201,943.91</b>	<b>\$1,494,954.71</b>

/1 This table represents each of the impact fee category account totals as of 31 March 2015 listed in tables 3 – 6. Pending fee transfer amounts, excluding interest and any outstanding credits, collected in March 2015 are listed in table 1 of the General Account (3111776); these transactions will be processed in April 2015. Any outstanding credits, as listed in table 2, will be added to the next month's Impact Fee transfer amounts.

# 610

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

*Impact Fee Applications Processed between dates Sunday 1 through Tuesday 31 March 2015*

Process Number	Date	Last Name	First Name	Tax District	Boat Feet	Boat Pairs	Tax Map	Parcel	Impact Fees Collected	Date	Exemption Reason
<b>Exempt Applications</b>											
1500039	03/16/2015	JC Smith, LLC	Christin Smith	03 Charles Town	1016	632	2	97	\$0.00	03/16/2015	Form 200
<b>Category Count: 1</b>				<b>Category Total</b>				<b>\$0.00</b>			
<b>Non-Exempt Applications</b>											
1500029	03/10/2015	Dan Ryan		09 Shepherdstown	1130	583	7	1.32	\$13,070.00	03/10/2015	N/A
1500030	03/10/2015	Dan Ryan		09 Shepherdstown	1119	20	7	1.24	\$13,070.00	03/10/2015	N/A
1500031	03/10/2015	Dan Ryan		04 Harpers Ferry	1129	541	9D	112	\$13,070.00	03/10/2015	N/A
1500032	03/10/2015	Dan Ryan		04 Harpers Ferry	1129	541	9D	78	\$13,070.00	03/10/2015	N/A
1500033	03/10/2015	Dan Ryan		03 Charles Town			9	108	\$12,808.00	03/10/2015	N/A
1500034	03/12/2015	K Hovnanian		03 Charles Town	1095	342	11B	142	\$12,808.00	03/12/2015	N/A
1500035	03/12/2015	K Hovnanian		03 Charles Town	1095	342	11B	133	\$12,808.00	03/12/2015	N/A
1500036	03/13/2015	North	Casey	02 Charles Town	1149	83	3	13.5	\$13,070.00	03/13/2015	N/A
1500037	03/13/2015	Heather	Arcadia	03 Charles Town	23	67	12A	122	\$12,808.00	03/13/2015	N/A
1500038	03/13/2015	Crim	Tracey	08 Ranson Corp	1147	10	3	212	\$7,042.00	03/13/2015	Form 260
1500040	03/23/2015	Crim	Tracey	08 Ranson Corp	1152	311	3	212	\$7,044.00	03/23/2015	Form 260
1500041	03/27/2015	Dan Ryan		04 Harpers Ferry	1129	541	9D	111	\$13,070.00	03/27/2015	N/A
1500042	03/27/2015	Dan Ryan		04 Harpers Ferry	1129	541	9D	113	\$13,070.00	03/27/2015	N/A
1500043	03/31/2015	K Hovnanian		03 Charles Town	1095	342	11B	291	\$12,808.00	03/31/2015	N/A
1500044	03/31/2015	K Hovnanian		03 Charles Town	1095	342	11B	295	\$12,808.00	03/31/2015	N/A
1500045	03/31/2015	Vicker	Mary Beth	09 Shepherdstown	1146	448	15	2.2	\$13,070.00	03/31/2015	N/A
1500046	03/31/2015	Hathaway	Lacey	06 Kablctown	1147	568	6J	57	\$6,404.00	03/31/2015	Form 260
<b>Category Count: 17</b>				<b>Category Total</b>				<b>\$201,898.00</b>			
<b>TOTAL APPLICATIONS: 18</b>				<b>Grand Total</b>				<b>\$201,898.00</b>			

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

**COPY**

Michelle Mason  
Impact Fee Program Specialist

Phone: (304) 728-3331  
Fax: (304) 728-3953  
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Wednesday, 1 April 2015  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Schools Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Schools Impact Fee Account (Bank of Charles Town account 3107582)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of March 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500029** through **1500046**, inclusive. Within this range there were 17 non-exempt impact fee payments. This amounts to **\$177,070.00**.
- Interest earned by the Office of Impact Fees General Account in March 2015 amounts to **\$45.91**, of which **\$40.40** is attributed to fees collected for Schools.

**As per the attached invoice, the total amount of this transfer is \$177,110.40.**

**Check # 988**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

Number: 15013

Date: 4/1/2015

**Bill To:**

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

**Pay To:**

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

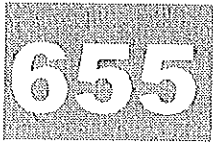
**P.O. Number**

**Vendor Number**

<b>Description</b>	<b>Amount</b>
Impact Fee payments collected for month of March 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County School Impact Fees Bank Account (3107582).	\$177,070.00
Interest earned by the Office of Impact Fees General Account March 2015.	\$40.40
Impact Fee Process Numbers 1500029 through 1500046, inclusive. Within this range, there were 17 non-exempt impact fee payments.	
	<b>Total: \$177,110.40</b>

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

Check Number: 988



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Schools

Check Number 988

Trace 20150401:58453.18

Date 4/1/2015 Series 1

Recipient Sheriff of Jefferson County

Account 3107582

Amount \$177,070.00

Signature 1 Jane Tabb

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for School Impact Fees Collected in March 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
3/11/2015	1500029	2003-3	11/24/2005	\$11,358.00
3/11/2015	1500030	2003-3	11/24/2005	\$11,358.00
3/11/2015	1500031	2003-3	11/24/2005	\$11,358.00
3/11/2015	1500032	2003-3	11/24/2005	\$11,358.00
3/11/2015	1500033	2003-3	11/24/2005	\$11,358.00
3/13/2015	1500034	2003-3	11/24/2005	\$11,358.00
3/13/2015	1500035	2003-3	11/24/2005	\$11,358.00
3/16/2015	1500036	2003-3	11/24/2005	\$11,358.00
3/16/2015	1500037	2003-3	11/24/2005	\$11,358.00
3/16/2015	1500038	2003-3	11/24/2005	\$6,246.00
3/24/2015	1500040	2003-3	11/24/2005	\$6,247.00
3/30/2015	1500041	2003-3	11/24/2005	\$11,358.00
3/30/2015	1500042	2003-3	11/24/2005	\$11,358.00
3/31/2015	1500043	2003-3	11/24/2005	\$11,358.00
3/31/2015	1500044	2003-3	11/24/2005	\$11,358.00
3/31/2015	1500045	2003-3	11/24/2005	\$11,358.00
3/31/2015	1500046	2003-3	11/24/2005	\$5,565.00

**Total amount for this withdraw \$177,070.00**

**Total amount for this account \$177,070.00**

**Total amount all accounts \$177,070.00**

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

**COPY**

Michelle Mason  
Impact Fee Program Specialist

Phone: (304) 728-3331  
Fax: (304) 728-3953  
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Wednesday, 1 April 2015  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Law Enforcement Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Law Enforcement Impact Fee Account (Bank of Charles Town account 3120120)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of March 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500029** through **1500046**, inclusive. Within this range there were 9 non-exempt impact fee payments. This amounts to **\$2,224.00**.
- Interest earned by the Office of Impact Fees General Account in March 2015 amounts to **\$45.91**, of which **\$0.46** is attributed to fees collected for Law Enforcement.

**As per the attached invoice, the total amount of this transfer is \$2,224.46.**

Check # 989

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

Number: 15014  
Date: 4/1/2015

**Bill To:**

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

**Pay To:**

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

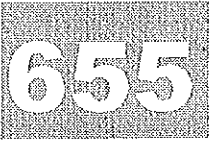
**P.O. Number**

**Vendor Number**

Description	Amount
Impact Fee payments collected for month of March 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Law Enforcement Impact Fees Bank Account (3120120).	\$2,224.00
Interest earned by the Office of Impact Fees General Account March 2015.	\$0.46
Impact Fee Process Numbers 1500029 through 1500046, inclusive. Within this range, there were 9 non-exempt impact fee payments.	
<b>Total:</b>	<b>\$2,224.46</b>

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

**Check Number:** 989



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Law Enforcement

Check Number 989

Trace 20150401:58513.77

Date 4/1/2015 Series 2

Recipient Sheriff of Jefferson County  
Amount \$2,224.00

Account 3120120  
Signature 1 Jane Tabb  
Signature 2 Sheriff Peter Dougherty  
Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for Law Enforcement Impact Fees Collected in March 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
3/11/2015	1500029	2005-1	3/22/2005	\$262.00
3/11/2015	1500030	2005-1	3/22/2005	\$262.00
3/11/2015	1500031	2005-1	3/22/2005	\$262.00
3/11/2015	1500032	2005-1	3/22/2005	\$262.00
3/11/2015	1500033	2005-1	3/22/2005	\$0.00
3/13/2015	1500034	2005-1	3/22/2005	\$0.00
3/13/2015	1500035	2005-1	3/22/2005	\$0.00
3/16/2015	1500036	2005-1	3/22/2005	\$262.00
3/16/2015	1500037	2005-1	3/22/2005	\$0.00
3/16/2015	1500038	2005-1	3/22/2005	\$0.00
3/24/2015	1500040	2005-1	3/22/2005	\$0.00
3/30/2015	1500041	2005-1	3/22/2005	\$262.00
3/30/2015	1500042	2005-1	3/22/2005	\$262.00
3/31/2015	1500043	2005-1	3/22/2005	\$0.00
3/31/2015	1500044	2005-1	3/22/2005	\$0.00
3/31/2015	1500045	2005-1	3/22/2005	\$262.00
3/31/2015	1500046	2005-1	3/22/2005	\$128.00
<b>Total amount for this withdraw</b>				<b>\$2,224.00</b>
<b>Total amount for this account</b>				<b>\$2,224.00</b>
<b>Total amount all accounts</b>				<b>\$2,224.00</b>

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

**COPY**

Michelle Mason  
Impact Fee Program Specialist

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MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Wednesday, 1 April 2015  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Parks & Recreation Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Parks & Recreation Impact Fee Account (Bank of Charles Town account 3122808)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of March 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500029** through **1500046**, inclusive. Within this range there were 17 non-exempt impact fee payments. This amounts to **\$11,723.00**.
- Interest earned by the Office of Impact Fees General Account in March 2015 amounts to **\$45.91**, of which **\$2.75** is attributed to fees collected for Parks & Recreation.

As per the attached invoice, the total amount of this transfer is **\$11,725.75**.

Check # 990

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

Number: 15015  
Date: 4/1/2015

**Bill To:**

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

**Pay To:**

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

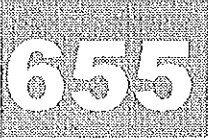
**P.O. Number**

**Vendor Number**

<b>Description</b>	<b>Amount</b>
Impact Fee payments collected for month of March 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Parks & Recreation Impact Fees Bank Account (3122808).	\$11,723.00
Interest earned by the Office of Impact Fees General Account March 2015.	\$2.75
Impact Fee Process Numbers 1500029 through 1500046, inclusive. Within this range, there were 17 non-exempt impact fee payments.	
<b>Total:</b>	<b>\$11,725.75</b>

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

**Check Number:** 990



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Parks & Rec

Check Number 990

Trace 20150401:58553.02

Date 4/1/2015 Series 3

Recipient Sheriff of Jefferson County

Account 3122808

Amount \$11,723.00

Signature 1 Jane Tabb

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for Parks and Rec Impact Fees Collected in March 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
3/11/2015	1500029	2005-2	5/12/2005	\$752.00
3/11/2015	1500030	2005-2	5/12/2005	\$752.00
3/11/2015	1500031	2005-2	5/12/2005	\$752.00
3/11/2015	1500032	2005-2	5/12/2005	\$752.00
3/11/2015	1500033	2005-2	5/12/2005	\$752.00
3/13/2015	1500034	2005-2	5/12/2005	\$752.00
3/13/2015	1500035	2005-2	5/12/2005	\$752.00
3/16/2015	1500036	2005-2	5/12/2005	\$752.00
3/16/2015	1500037	2005-2	5/12/2005	\$752.00
3/16/2015	1500038	2005-2	5/12/2005	\$413.00
3/24/2015	1500040	2005-2	5/12/2005	\$413.00
3/30/2015	1500041	2005-2	5/12/2005	\$752.00
3/30/2015	1500042	2005-2	5/12/2005	\$752.00
3/31/2015	1500043	2005-2	5/12/2005	\$752.00
3/31/2015	1500044	2005-2	5/12/2005	\$752.00
3/31/2015	1500045	2005-2	5/12/2005	\$752.00
3/31/2015	1500046	2005-2	5/12/2005	\$369.00

**Total amount for this withdraw** \$11,723.00

**Total amount for this account** \$11,723.00

**Total amount all accounts** \$11,723.00

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

**COPY**

Michelle Mason  
Impact Fee Program Specialist

Phone: (304) 728-3331  
Fax: (304) 728-3953  
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Wednesday, 1 April 2015  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's EMS Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County EMS Impact Fee Account (Bank of Charles Town account 3122816)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of March 2015.

This transfer consists of two components:

- Impact Fee Process Numbers **1500029** through **1500046**, inclusive. Within this range there were 17 non-exempt impact fee payments. This amounts to **\$10,881.00**.
- Interest earned by the Office of Impact Fees General Account in March 2015 amounts to **\$45.91**, of which **\$2.30** is attributed to fees collected for Fire.

**As per the attached invoice, the total amount of this transfer is \$10,883.30.**

**Check # 991**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

**Number:** 15016

**Date:** 4/1/2015

**Bill To:**

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

**Pay To:**

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

**P.O. Number**

**Vendor Number**

**Description**

**Amount**

Impact Fee payments collected for month of March 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County EMS Impact Fees Bank Account (3122816). \$10,881.00

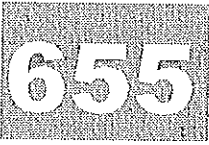
Interest earned by the Office of Impact Fees General Account March 2015. \$2.30

Impact Fee Process Numbers 1500029 through 1500046, inclusive. Within this range, there were 17 non-exempt impact fee payments.

**Total: \$10,883.30**

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

**Check Number:** 991



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Fire & EMS

Check Number 991

Trace 20150401:58593.27

Date 4/1/2015 Series 4

Recipient Sheriff of Jefferson County

Account 3122816

Amount \$10,881.00

Signature 1 Jane Tabb

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for EMS Impact Fees Collected in March 2015.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
3/11/2015	1500029	2005-3	5/12/2005	\$698.00
3/11/2015	1500030	2005-3	5/12/2005	\$698.00
3/11/2015	1500031	2005-3	5/12/2005	\$698.00
3/11/2015	1500032	2005-3	5/12/2005	\$698.00
3/11/2015	1500033	2005-3	5/12/2005	\$698.00
3/13/2015	1500034	2005-3	5/12/2005	\$698.00
3/13/2015	1500035	2005-3	5/12/2005	\$698.00
3/16/2015	1500036	2005-3	5/12/2005	\$698.00
3/16/2015	1500037	2005-3	5/12/2005	\$698.00
3/16/2015	1500038	2005-3	5/12/2005	\$383.00
3/24/2015	1500040	2005-3	5/12/2005	\$384.00
3/30/2015	1500041	2005-3	5/12/2005	\$698.00
3/30/2015	1500042	2005-3	5/12/2005	\$698.00
3/31/2015	1500043	2005-3	5/12/2005	\$698.00
3/31/2015	1500044	2005-3	5/12/2005	\$698.00
3/31/2015	1500045	2005-3	5/12/2005	\$698.00
3/31/2015	1500046	2005-3	5/12/2005	\$342.00

**Total amount for this withdraw \$10,881.00**

**Total amount for this account \$10,881.00**

**Total amount all accounts \$10,881.00**

# Jefferson County Public Service District

Received

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

APR 10 2015

Jefferson County Commission

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, March 2, 2015 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Peter Appignani; Secretary, Richard Weese; Treasurer, Bill Strider; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; District Legal Counsel, Jim Kelsh; from Thrasher Engineering, Wayne Morgan; from Dunn Engineering, Fred Hypes; and Liaison for the County Commission, Commissioner Jane Tabb.

## CALL TO ORDER

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

## Approval of agenda

The Board approved the agenda after removing the item to discuss Sparkle Properties, LLC.

**Action: Motion made by Mr. Strider and seconded by Mr. Weese to approve the agenda as revised. Unanimously approved.**

## Public Comments

Jacquelyn Milliron, Breckenridge resident, urged the Board to rethink before spending anymore funds on submittals for the Jefferson Utilities acquisition because she heard that plans are circulating about Jefferson Utilities being interested in purchasing the Harpers Ferry water system. Ms. Milliron also questioned if any of the Districts employees are also employed with the City of Ranson simultaneously.

Todd Milliron, Breckenridge resident, stated that the Jefferson County Comprehensive Plan 2035 was recently approved outlining 12,500 approved building lots and the County's residential impact fees was also being reduced by \$6,724. He claimed that this sum multiplied by the number of available lots equates to a savings of an access of \$84 million. Mr. Milliron asked the Board to approach at least 10 major developers in the District service area and ask them to contribute to the aid and construction for District projects and report any findings at next months meeting.

## OLD BUSINESS

### Review Minutes of February 2 regular board meeting

The minutes of the February 2, 2015 regular board meeting were approved as presented.

**Action: Motion made by Mr. Strider and seconded by Mr. Weese to accept the February 2, 2015 regular board meeting minutes as presented. Unanimously approved.**

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

- Discuss possible non-project related Rule 42 for sewer bond coverage and cash flow needs

Ms. Lawton stated that the District will need an estimated \$103,000 in payments to cover the disbursements for this month. Chuck Young from CoxHollida & Professionals was also in the audience to discuss the District's financial status. Mr. Young performed an evaluation of the District's financials to determine if a rate increase is needed. In his analysis, Mr. Young found that as of 6/30/14 the District's coverage level was 114.86%. The District's coverage, per the March Budget, is estimated to be 132%. Due to the costs involved with initiating a rate increase and only being required to maintain 115% coverage, Mr. Young would like to revisit this in May or June to reevaluate the coverage level since there is a minimal gap in bond compliance.

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

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

- Approval of resolution for payment #10
- Approval of change order no. 6 to pay the cost overrun contingent upon additional grant funding being obtained
- Consider filing application to the West Virginia Infrastructure and Jobs Development Council for grant funds for the amount of Change Order No. 6

Last month the Board approved changed orders #4 and #5 which were both approved by the Bureau for Public Health and are included in Resolution #10. Also before the Board for approval was change order #6 for \$39,183.37 which is to pay the cost overrun contingent upon grant funding being obtained. Mr. Appignani read the resolution for payment #10 as follows:

**RESOLUTION OF THE PUBLIC SERVICE BOARD OF THE JEFFERSON COUNTY PUBLIC SERVICE DISTRICT APPROVING INVOICES RELATING TO ENGINEERING AND OTHER SERVICES FOR THE CAVALAND & GLEN HAVEN WATER SYSTEM IMPROVEMENTS PROJECT AND AUTHORIZING PAYMENT THEREOF IN THE AMOUNT OF \$158,076.37.**

- Action:** Motion by Mr. Appignani and seconded by Mr. Weese to adopt the resolution as read totaling \$158,076.37. Unanimously approved.
- Action:** Motion by Mr. Strider and seconded by Mr. Weese to approve change order #6 contingent upon grant funding being obtained. Unanimously approved.
- Action:** Motion by Mr. Strider and seconded by Mr. Weese to authorize Mr. Kelsh and Gwin, Dobson, & Forman to present a grant application to the West Virginia Infrastructure and Jobs Development Counsel in the amount of the excess project funds. Unanimously approved.

Update on strategic plan

Mr. Hypes from Dunn Engineering stated that his firm is continuing to work on the strategic plan.

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

Consider revision to annual leave policy in District handbook

Last month the Board directed Ms. Lawton to draft further options in attempting to solve the leave policy issue. Ms. Lawton would like to eliminate the hours given to employees in the 20 years of service or more tier due to staffing issues. She suggested the District continue to contact other local utilities when assistance is needed rather than hiring a new employee due to the District's financial status at this time.

- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to eliminate the 20 year tier in the annual leave policy.

Mr. Appignani stated that by eliminating this option, it would not have an effect on the current staffing issues since no employees have been employed with the District for 20 years or more yet. He believed this policy does have benefits for both the employer and employee. Mr. Strider withdrew his motion. The Board will revisit this item at a later date.

**NEW BUSINESS**

Consider new Bioxide payment related to Senate Bill 373

Since the chemical spill in Charleston a few months ago, above ground tank regulations have been revised. Ms. Lawton explained that Evoqua, the owners of the Districts three Bioxide tanks, don't want to be in violation so will need to upgrade the single walled tanks to double walled. Evoqua has offered the District a deal on using three used tanks for \$16,000. Ms. Lawton stated the Board had three options; (1) one time payment of \$16,000, (2) down payment of \$3,000 and the balance in 60 monthly payments of \$216.67, or (3) down payment of \$3,000 and an increase in Bioxide costs from \$2.95/gallon to \$3.23/gallon. Ms. Lawton recommended option #3 because it will allow staff to decide how much the District can afford to pay each month and staff can adjust the Bioxide purchased accordingly.

- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to accept staff's recommendation of Option #3 and enter into the five year contract with Evoqua. Unanimously approved.

Update on Status of Current Public Service Commission Cases

PSC case # 12-0513 -PSD-PC (2012 sewer rate case) – Last month Mr. Kesh filed a motion with the Public Service Commission to reopen the case and file a four month extension for submitting the strategic plan. PSC staff responded and does not object to the District's request to file a strategic plan within 270 days of the November 25, 2014.

PSC case # 13-1175-S-C (Old Standard, LLC complaint) & Circuit Court case # 14-C-51 – There has been no update since last month.

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

Discussion of any Expenses over Budget

There were no items over budget this month.

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

Disbursements

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve disbursements for Public Service District water expenses in the amount of \$5,591.57. Unanimously approved.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve disbursements for the Public Service District sewer expenses in the amount of \$189,651.92. Unanimously approved.

Approve transfer of \$1,556.50 from the renewal & replacement account to the sewer operating account for pump repair at pump station 4-6

Approve transfer of \$4,114.61 from the sewer security deposit account to the sewer operating account for security deposit refunds

Approve transfer of \$127.99 from the water security deposit account to the sewer operating account for security deposit refunds

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve transfer of \$1,556.50 from the renewal & replacement account to the sewer operating account for pump repair at pump station 4-6; approve transfer of \$4,114.61 from the sewer security deposit account to the sewer operating account for security deposit refunds; approve transfer of \$127.99 from the water security deposit account to the water operating account for security deposit refunds. Unanimously approved.

General Manager's Report

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

Pump Station 1-12 – Ms. Lawton informed the Board that this pump station was hit by a car last month, which the driver was not insured. She has been working with the District's insurance company and other contractors getting estimates to repair the damage.

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

Other staff reports

None discussed.

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

Correspondence

None discussed.

Public Comment

None.

Mr. Hypes and Commissioner Tabb exited the meeting. Mr. Morgan stayed for executive session.

- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to convene in executive session for the purpose of discussing litigation and contract negotiations. Unanimously approved.
- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to return to public session. Unanimously approved.
- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve the sewer transportation agreement with the City of Ranson for the sewer transmission project with the amendment that Ranson would apply CIF's to the Ranson Builders Consortium or its successor. The Board would also like staff to communicate this decision with the City of Ranson prior to their next meeting. Approved 2-1. Mr. Appignani voted against the motion.

Mr. Appignani noted that the Ranson Builders Consortium had terminated their LLC status with the West Virginia Secretary of State in 2011. Therefore, the District did not know whom they were paying, what they were paying for and how much they would be paying. Since this was not stated in the agreement he was opposed to approving the agreement.

- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to authorize Thrasher to submit the application to RUS for funding for the acquisition of water and sewer utility assets of Jefferson Utilities, Inc., Shenandoah Junction, Inc. and East Jefferson Sewer, LLC and water project to replace and upgrade Keyes Ferry Acres, Westridge Hills, and Harpers Ferry Campsites. Approved 2-1. Mr. Appignani voted against the motion.
- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to adjourn. Unanimously approved.

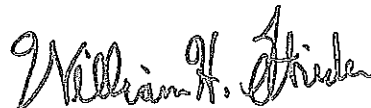
There being no further business at this time, the meeting was adjourned at 8:35PM.

The next regular meeting is scheduled for Monday, April 6, 2015 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Peter L. Appignani  
Chairman



William H. Strider  
Treasurer

# TREE PLANTING

WHERE: Sam Michaels Park  
235 Sam Michaels Lane  
Shenandoah Junction WV

WHEN: Saturday, April 18th  
9 am start

WHAT: 84 hardwood saplings provided by Chesapeake Bay Community Grant via WV Division of Forestry.

**VOLUNTEERS NEEDED!!!!**  
to plant trees (holes will be pre-dug)  
and place protective cages

For info or to RSVP please contact  
Christine Marshall at  
[balmertmarshall@frontier.com](mailto:balmertmarshall@frontier.com)



Volunteers should bring:

- Shovel
- Work Gloves
- Drinking Water

JCPRC will have a supply of shovels as well.



Received

APR 08 2015

Jefferson County Commission

**KEEP JEFFERSON BEAUTIFUL, Inc.**

---

**PO Box 268, Charles Town, WV 25414**

April 4, 2015

To: Adopt A Highway Volunteers and Friends

Keep Jefferson Beautiful is pleased to invite you to a reception in honor of the 2015 Adopt a Highway volunteers and their guests. The reception will be held on April 29<sup>th</sup> at 6:30 PM at the Old Charles Town Library meeting room, 200 East Washington Street, Charles Town. Please come and bring your friends and neighbors who also desire to keep Jefferson County beautiful.

As one of the busiest portals to our beautiful state, tidy roadways are an essential item to the experience of countywide travel by our residents and visitors alike. Jefferson County has 485 miles of primary and secondary roads eligible for adoption. Today 111 miles, or 22.9 percent of those roads are cleaned by AAH volunteers. Keep Jefferson Beautiful wants to **increase that percent of adopted roads from the current 22.9 percent to 35 percent in 2015**. We look forward to a discussion with you on ways of obtaining our goal.

KJB and the Jefferson County Solid Waste Authority, with the help of the Jefferson County Jefferson County GIS Office, have developed a digitized county map of current road adoptions. Your copy will help spread the word of our mission to friends who also want to Keep Jefferson Beautiful.

RSVP by the favor of an email to [curtissharp@netscape.com](mailto:curtissharp@netscape.com) or you may call 304-876-3189.

We look forward to seeing you there.

Curtis Sharp  
Keep Jefferson Beautiful

22<sup>ND</sup> ANNUAL



GOLF CLASSIC

Cress Creek Golf & Country Club  
Shepherdstown, WV 25443

Friday, May 1, 2015

Rain date: Monday, May 4

- Four person modified scramble; tournament committee makes up teams and will be handicapped by Keith Rader, Club Pro
- \$125 entry fee per golfer includes, green fee, cart, snack, beverages, dinner and awards reception, including 1 mulligan
  - Fun contest: Grand prize putt — prize \$20,000
  - Exciting door prizes: laptop, iPad mini, golf GPS
- Team prizes including cash award for 1st place, closest to pin, hole-in-one and 50/50

BENEFACTOR

\$1,000—\$3,499

4 golfers plus business logo on banner

LEADING BENEFACTOR

\$3,500 and above

8 total golfers

GOLF ONLY

\$125

TEE BOX

\$100



Good Shepherd Caregivers  
Phone: 304-876-3325  
Fax: 304-876-1645





# SALUTE

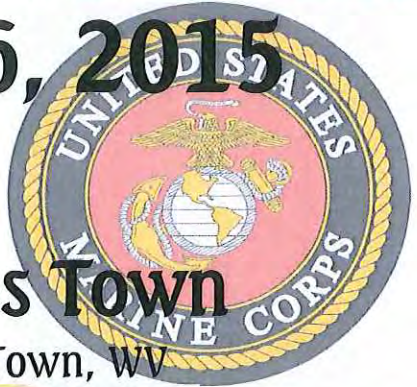
## TO ARMED FORCES & VETERANS

Saturday, May 16, 2015

1 to 5 PM

In Downtown Charles Town

along Lawrence Street, Charles Town, WV



We invite All Active Duty Service personnel, Veterans, and their families to join us for an outdoor party to **THANK YOU** for your service

**Music, Friendship, & Fun Guaranteed!**

Food & Refreshments will be available

OPEN TO THE PUBLIC

Hosted  
By



With the Support of

**Raytheon**



**RAYVETS**

Raytheon Employee Veterans Network

Watch our FACEBOOK Page (Jackson-Perks Post71) for Updates

For Additional Info: Call Jackson-Perks AL Post at 304-725-7212 Or Email: AmerLegAux71@gmail.com



# Rabies Clinic



Saturday, May 2nd  
11:00a.m.—1:00p.m.

Dogs & Cats 3 months or older

All dogs on leashes

All cats in carriers

Bring proof of prior  
vaccination

Cost is \$10.00 per animal  
cash only

**Jefferson County Residents Only  
(ID Required)**

**Sponsored By:**

Jefferson County Animal Control

Jefferson County Health Department

Hillside Veterinary Clinic

**Will be held at:**

Jefferson County Animal Control  
161 Poor Farm Road  
Kearneysville, WV 25430

For more information please  
call: (304)728-3289



Hand-delivered 4/6/15

Jefferson County Commission  
Charles Town, WV 25414

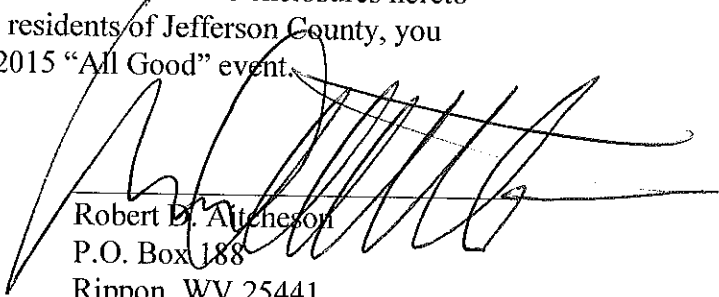
Re: Whether to "sponsor or endorse" the July 2015  
"All Good" event (W. Va. Code 11-16-11)

This will follow up our prior public comments and the copies of citizen-signed petitions (originals forwarded to the ABCA) opposing sponsorship or endorsement of the above event by you on our behalf.

Your calculated inaction thus far has evidenced little if any concern for the citizens of Jefferson County and their property. Nonetheless, I am forwarding the enclosed voluminous communications of CITIZENS OF JEFFERSON COUNTY with the BZA. All are public record.

Although some do not address the use and abuse of illegal drugs and alcohol, they ALL express grave concerns for themselves and their families, neighbors and property as a result of this destructive event about to be imposed upon them.

Maybe you should do a little more "independent investigation" and read it before you decide to "sponsor or endorse" this event on our behalf. For the reasons stated in our public comment, the reasons stated herein and in the enclosures hereto as well as your solemn duty to the citizens and residents of Jefferson County, you should NOT vote to "sponsor or endorse" the 2015 "All Good" event.



Robert D. Atcheson  
P.O. Box 188  
Rippon, WV 25441  
304-582-1997

Encl.

Zoning Department

**From:** Zoning Department <zoning@jeffersoncountywv.org>  
**Sent:** Wednesday, September 17, 2014 1:41 PM  
**To:** 'Jim Adams'  
**Subject:** RE: All Good Music Festival

Dear Mr. and Ms. Adams,

This email serves as confirmation for receipt of your submission. Please be advised, your correspondence will be included in the Board of Zoning Appeals' mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. An electronic copy of the packet will be posted to the County's website [here] by 5:00 p.m. on September 19, 2014.

Thank you for your interest.

Sincerely,

Jennilee Hartman  
Zoning Clerk  
116 E. Washington Street  
P.O. Box 338  
Charles Town, WV 25414  
Phone: 304-728-3228  
Fax: 304-728-8126  
Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

**From:** Jim Adams [mailto:rocksfolly@yahoo.com]  
**Sent:** Wednesday, September 17, 2014 1:01 PM  
**To:** zoning@jeffersoncountywv.org; stephen.skinner@wvhouse.gov; paul.espinosa@wvhouse.gov  
**Subject:** Re: All Good Music Festival

On Wednesday, September 17, 2014 12:44 PM, Jim Adams <[rocksfolly@yahoo.com](mailto:rocksfolly@yahoo.com)> wrote:

Jefferson Co. Board of Zoning  
Stephen Skinner  
Paul Espinosa  
Tiffany Lawrence

Zoning Appeals File: ZV14-14  
To allow 30,000 person music festival.

As a 20 yr. resident of Quail Run , I find it mindboggling that this proposal has gone forward this far.  
This is wrong on so many levels.

- 1) Rt. 340 can not support the traffic.
- 2) This would greatly impact the day to day lives of the home owners who live in the surrounding neighborhoods.
- 3) With the track record of this festival you can not guarantee the safety of our neighborhoods.
- 4) The resale of homes in this area is very slow and this will only drive down the prices farther.

In closing I would like to point out that if this passes these people will come and go but we home owners will still be here.

Jim & Sue Adams  
791 Pheasant Hill Rd.  
Summit Point, WV.

Zoning Department

---

**From:** Planning Department <planningdepartment@jeffersoncountywv.org>  
**Sent:** Wednesday, September 17, 2014 8:56 AM  
**To:** wvadkins@roadrunner.com  
**Cc:** planningdepartment@jeffersoncountywv.org; zoning@jeffersoncountywv.org  
**Subject:** RE: All Good Festival and Camp Out

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mr. and Ms. Adkins,

This email serves as confirmation for receipt of your submission. Please be advised, your correspondence will be included in the Board of Zoning Appeals' mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. An electronic copy of the packet will be posted to the County's website [[here](#)] by 5:00 p.m. on September 19, 2014.

Thank you for your interest.

Sincerely,

Alexandra Beaulieu  
Office/Project Manager  
Jefferson County Departments of Planning and Zoning  
116 E. Washington Street  
P.O. Box 338  
Charles Town, WV 25414  
Phone: 304-728-3228  
Fax: 304-728-8126  
Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

**From:** wvadkins@roadrunner.com [mailto:wvadkins@roadrunner.com]  
**Sent:** Tuesday, September 16, 2014 7:32 PM  
**To:** walterpellish@mac.com; patsynol@gmail.com; dmanuel@frontiernet.net; vinemont@frontiernet.net; lynwildmyer@gmail.com; info@jeffersoncountywv.org; dkeyser@jeffersoncountywv.org; planningdepartment@jeffersoncountywv.org; Julie.gray@wv.gov; farmlandprotection@jcda.net; bmiller@jeffersoncountywv.org  
**Cc:** paul.Espinosa@wvhouse.gov; lawrencefordelegate@Hotmail.com; wvadkins@roadrunner.com; Fletcher-Lot#6; Gerben-Lot#47; Paradis-Lot#7; Matt & Mandy Glover; Ashlock-Lot#4; Gallahan-Lot#1; Drury-Lot#3; Burdick-Lot#28; Compton-Lot#27; DeGennaro-Lot#46; Baker-Lot#25; Albert-Lot#30; WaybrightH-Lot#45; ThompsonR-Lot#15; Snyder-Lot#41; Fuller-Lot#44; WaybrightM-Lot#45; Hyre-Lot#5; Bradbury-Lot#49; Straley-Lot#42; Ferro-Lot#32; Harrigan-Lot#18; Lees-Lot#43; Spruill-Lot#10; HoffmanD-Lot#8; ThompsonT-Lot#15; Thompson-Lot#38; HoffmanT-Lot#8; Schlachter-Lot#12; Rosa-Lot#14; Correia-Lot#39; Adkins-Lot#51; Milleson-Lot#31; Layton-Lot#26; Rouden-Lot#2; William O'Neill; William O'Neill; William Herndon; William Herndon; Lafferty-Lot#40  
**Subject:** All Good Festival and Camp Out

Jefferson County -  
Board of Zoning Appeals, Planning Commission, Planning and Zoning, Emergency Services Agency, Health Department, Farmland Protection Board

September 16, 2014

Dear Jefferson County Departments,

Please don't tarnish the positive image Jefferson County has spent years developing by approving any planning or zoning variances or ordinances that would allow the "All Good Festival and Camp Out" or similar events to occur in our county!

You have heard all the terrible things the proposed camp out will bring to the county, but have you considered the impact such an enormous event could have on the following:

- Contamination of ground water that feeds local wells
- Local traffic congestion
- Damage to surrounding property
- Damage to farmland
- Damage to rural roads
- Increased illegal drug trade
- Additional expenses for emergency services
- Impact on local judicial system

and the list goes on.

We have lived in Summit Point, Jefferson County for over 20 years and live within a few hundred feet of the proposed event site and we cannot believe any citizen wants our historical county known for a five-day drug fest.

Most of the families near the proposed event have young children who will be home during the summer and if the event is held, the parents or caregivers will have to deal with the noise, trespassers, and traffic. Parents will have trouble getting to and from work due to the traffic congestion. In fact, some parents are already planning to take paid or unpaid leave to protect their families and property.

The Zoning Variance Request (ZV1414) submitted by Mr. Tim Walther and Ms. Junipa Conteto is deceptive by stating it is for a single three-day period, but then requests a music festival and campout for five consecutive days. In reality, the event will disrupt the community for approximately one month due to setting up, holding the event, and removing their temporary infrastructure.

Also, you will notice on their application the proximity of the railroad to the event. It is our opinion that attendees will disrupt the frequent train commerce and perhaps deaths will occur on the tracks. The frequent running of the trains combined with the influx of thousands of partygoers will also exasperate the traffic congestion on the county roads backing up traffic for miles.

It is our understanding that the promoters and property owners will erect a six-foot chain link fence to contain the estimated 15,000 - 30,000 attendees for the five-day period. They are trying to create a police state for the event. This should send a red flag right away regarding the caliber of people and the illegal activities that will occur; therefore, their request must not be approved by the county.

This type of event will not bring additional tax revenues to the county, but will actually cost the county a great deal more financially not to mention the negative impact on our historical image, future tourism, and future relocations to our county.

The citizens of this county are looking to each of you to do the right thing for all the residents of the county not just the property owner wishing to make a quick buck by holding this event.

We understand there is a mass gathering ordinance being developed to address these type of mass events and we believe it is in the best interest of the county to develop the rules and standards that augment the county and in no way negatively impact our communities. Please delay the review of the "All Good Festival" until the new mass event policy is in place.

One last thing, we don't understand why the county needs to grant approval for mass gathering events on farmland surrounded by tax payers who moved to the rural parts of the county to enjoy the peace and quiet

environment when there are two existing venues within the county for such events; Jefferson County Fairgrounds and the Sam Michael Park.

Thank you for taking the time to read our letter and considering the points that we raise.

Yours truly,

David W. Adkins

Connie E. Adkins

203 Pheasant Hill Road  
Summit Point, WV 25446

Zoning Department

---

**From:** Zoning Department <zoning@jeffersoncountywv.org>  
**Sent:** Friday, September 12, 2014 12:29 PM  
**To:** jeffalbert1@juno.com  
**Subject:** RE: Music festival

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Mr. Albert,

Your correspondence will be included in the Board's mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. This packet will be posted to the County's website [[here](#)] by 5:00 p.m. on September 19, 2014.

Thank you for your interest.

Sincerely,

Jennilee Hartman  
Zoning Clerk  
116 E. Washington Street  
P.O. Box 338  
Charles Town, WV 25414  
Phone: 304-728-3228  
Fax: 304-728-8126  
Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
Email: [zoning@jefferconountywv.org](mailto:zoning@jefferconountywv.org)

**From:** jeffalbert1@juno.com [mailto:jeffalbert1@juno.com]  
**Sent:** Wednesday, September 03, 2014 4:17 PM  
**To:** zoning@jeffersoncountywv.org  
**Subject:** Music festival

Jeffrey Albert,

I live in Quail Run along Withers Larue Road. I appose the proposed 5 day music festival planned next year, by property owners Nancy and Douglas Stolipher in Kabletown district (06), map19 parcels 7,16 and 8.4. I have to deal with all the beer cans, liquor bottles and cigarette packs tossed onto my property yearly for the young kids drinking and driving. After constant phoning police department nothing has been done. This proposal will be disasterous to my community since nothing has been done to support my community already. Please take my concern into consideration.

Jeffrey Albert  
126 Pheasant Hill Road  
Summit Point, WV 25414  
304-725-5152

---

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Zoning Department

**From:** Planning Department <planningdepartment@jeffersoncountywv.org>  
**Sent:** Wednesday, September 17, 2014 9:00 AM  
**To:** jaburd55@aol.com  
**Cc:** planningdepartment@jeffersoncountywv.org; zoning@jeffersoncountywv.org  
**Subject:** RE: All Good Festival and Camp Out

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning,

This email serves as confirmation for receipt of your submission. Please be advised, your correspondence will be included in the Board of Zoning Appeals' mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. An electronic copy of the packet will be posted to the County's website [here] by 5:00 p.m. on September 19, 2014.

Thank you for your interest.

Sincerely,

Alexandra Beaulieu  
Office/Project Manager  
Jefferson County Departments of Planning and Zoning  
116 E. Washington Street  
P.O. Box 338  
Charles Town, WV 25414  
Phone: 304-728-3228  
Fax: 304-728-8126  
Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

**From:** jaburd55@aol.com [mailto:jaburd55@aol.com]  
**Sent:** Wednesday, September 17, 2014 12:35 AM  
**To:** planningdepartment@jeffersoncountywv.org  
**Subject:** All Good Festival and Camp Out

Jefferson County Planning Department,

The purpose of this email is to voice my concern against the zoning permit application submitted by the promoters of the All Good Festival and Camp Out for the seasonal use of the property located at 261 Berry Hill Farm Lane, Summit Point, WV which is directly across the road from the Quail Run subdivision where I live.

In 2009 I moved to Jefferson County and what attracted me to this area was the quiet open space surrounding the Quail Run Subdivision. However, one of the concerns that I had at that time was the future zoning and of the surrounding areas. Now four years later the possibility of having a gathering of 30,000 people partying next door even if for only five days is very disturbing.

The increase in traffic and overall disturbance to neighboring communities will definitely have a negative impact for those who live near the proposed site. The serene landscape will be marred with an industrial chain link

fence and the quietness of an evening outside will be gone. The intent to leave the area in a better shape than before is a good one but very doubtful that would be the case.

An even bigger concern is safety. Anytime there is a large gathering of this size with alcohol and drugs there will be trouble. In the Seasonal Use Permit Supplemental Information one of the basic rules under Rules and Regulations is no illegal substance, however, in the articles I read about previous festivals illegal substances were mentioned. The thought of this behavior being allowed to take place in our community is appalling.

Thank you for taking the time to consider my concerns.

Regards,

Jo Burdick

170 Pheasant Hill Road

Summit Point, WV 25446

ZV14-14

ZV14-15

Planning Department

---

**From:** Planning Department <planningdepartment@jeffersoncountywv.org>  
**Sent:** Wednesday, August 20, 2014 4:42 PM  
**To:** jasummit1@frontiernet.net  
**Cc:** planningdepartment@jeffersoncountywv.org  
**Subject:** RE: 5 day festival

Ms. Carr,

Thank you for the submission of your comment regarding the Variance Request Application and Seasonal Use Application for the All Good Festival. Please be advised, these applications have been postponed until the September 25, 2014 Board of Zoning Appeals Meeting. Your comment will be provided to the BZA in the 09-25-14 BZA agenda packet.

If you have any questions, please feel free to contact our office.

Thank you,

Alexandra Beaulieu  
Office/Project Manager  
Jefferson County Departments of Planning and Zoning  
Phone: 304-728-3228

**From:** jasummit1@frontiernet.net [mailto:jasummit1@frontiernet.net]  
**Sent:** Wednesday, August 20, 2014 4:08 PM  
**To:** planningdepartment@jeffersoncountywv.org  
**Subject:** 5 day festival

Hello to Whom It May Concern:

It was brought to our attention that Jefferson County is trying to pass a 5 day festival here in my neighborhood or near my house soon. I live 146 Garland Drive, Summit Point Wv 25446. My house is right down the road from this festival will be. We have great friends that live in Qual Run -across street is where the festival will be. There is a lot of families with children that do NOT need to be exposed to this. The traffic will be horrible and we will live in quiet area away from the city. That is why we moved out here to get away from all the congestion. We strongly disagree with this festival. Please consider our request not to have this festival here in our quiet peaceful neighborhood with families all around.

Thanks!

Angie Carr  
304-261-5899

Copies mailed in 09/25/14 BZA mtg packet.-JH

Zoning Department

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**From:** Zoning Department <zoning@jeffersoncountywv.org>  
**Sent:** Friday, September 12, 2014 4:28 PM  
**To:** 'Rick'  
**Subject:** RE: Festival for 2015

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Mr. Costello,

Your correspondence will be included in the Board's mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. This packet will be posted to the County's website [here] by 5:00 p.m. on September 19, 2014.

Thank you for your interest.

Sincerely,

Jennilee Hartman  
Zoning Clerk  
116 E. Washington Street  
P.O. Box 338  
Charles Town, WV 25414  
Phone: 304-728-3228  
Fax: 304-728-8126  
Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
Email: [zoning@jefferconountywv.org](mailto:zoning@jefferconountywv.org)

**From:** Rick [mailto:costello@frontiernet.net]  
**Sent:** Thursday, September 11, 2014 6:13 PM  
**To:** zoning@jeffersoncountywv.org  
**Subject:** Festival for 2015

Commission,

I am writing to you in reference to my opposition to the planned festival on the Stolipher Farm that is located along Withers Larue and Lewisville Road.

I live in the Quail Run subdivision that borders that property on the north side of Withers Larue. I have lived here for 8 years, give or take a few months.

I have heard that the Commission is planning a hearing this month, I believe on the 25<sup>th</sup>, regarding the festival.

I am currently a police officer and as such, I feel that this type of event would over burden our roads, over stress the Jefferson Sheriff's Office and place undue hardship on the fire and rescue services. I believe this type of event would bring thousands of people from out of the area and would live us, the taxpayers, with a huge bill that none of us want or need.

**I am asking your consideration when this comes up to the Commission. I hope to be there to show my support for our development and the other residents of this area.**

**Thank you for your attention.**

**R. J. Costello  
44 Quail Run Rd.  
Summit Point, WV 25446  
[costellor@frontiernet.net](mailto:costellor@frontiernet.net)**

Zoning Department

**From:** Zoning Department <zoning@jeffersoncountywv.org>  
**Sent:** Friday, September 19, 2014 11:18 AM  
**To:** 'Jessica Forbes'  
**Subject:** RE: All Good Festival -- 2nd send, please delete first one sent

Ms. Forbes,

Your correspondence will be included in the Board's mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. This packet will be posted to the County's website [[here](#)] by 5:00 p.m. on September 19, 2014.

Thank you for your interest.

Sincerely,

Jennilee Hartman  
 Zoning Clerk  
 116 E. Washington Street  
 P.O. Box 338  
 Charles Town, WV 25414  
 Phone: 304-728-3228  
 Fax: 304-728-8126  
 Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
 Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

**From:** Jessica Forbes [<mailto:dsbj4b@yahoo.com>]  
**Sent:** Saturday, September 13, 2014 9:20 PM  
**To:** zoning@jeffersoncountywv.org  
**Cc:** patsynol@gmail.com; dmanuel@frontiernet.net; walterpellish@mac.com; vinemont@frontiernet.net; lynwidmyer@gmail.com  
**Subject:** All Good Festival -- 2nd send, please delete first one sent

Please disregard my earlier email; sent before I could sign it.

I walked to my mailbox this overcast Saturday afternoon, enjoying the quiet day I've had after the second full week of being back to teaching high school and was startled by the information taped to our little mail kiosk. Apparently, there is an upcoming zoning hearing regarding a very large music festival at the farm that borders our subdivision: the All Good Festival. The language of the flyer was alarming, so I've spent the last few hours on the Internet finding out more about it. Since I am a teacher and the next Zoning Meeting is at 2:00 pm, I cannot attend. So, I composed my thoughts into this letter.

### Who am I?

I am a resident of the Quail Run (II) subdivision and have lived here for 4 years. I grew up in Loudoun County where I work and my husband is a teacher here in Jefferson County. We bought our house in the Quail Run subdivision because it had a large yard, good garage space, and no street lights. I love looking at the constellation Orion from my front steps on a particularly clear night while my dogs trot around in the moonlight. We can sleep with the windows open and hear cows bellowing, foxes barking, and the resident peacocks cawing down the road. Who needs a white noise machine with nature lulling you to sleep?

Copies mailed in 09/25/14 BZA mtg packet.-JH

In addition, I worked in event management prior to becoming a teacher. I was part of the management team for the Computerworld Smithsonian Awards, the FIRST Robotic Competition -- even working with Epcot Center, and the 1996 Olympics in Atlanta with a daily attendance of 35,000. I know first-hand the logistics and impact of an event with many thousands of people. They are noisy, the hours are long -- starting before the sun rises and ending well after it sets, and the attendees are unpredictable.

### **Why I care enough to write**

I drive down Franklintown and Lewisville Road everyday -- which are the roads bordering the farm of the proposed concert -- and they are just wide enough for two cars to pass safely, if going slowly. They lead to a little, teeny community where there are small houses with old folks and kids that are out in the street in good weather. Dogs, cats, deer, rabbits, squirrel, and slow-moving skunks cross my path each day and I always stop for black snakes and turtles to move them out of harm's way. I treasure these few moments of travel before I hit the frantic pace of Routes 340 and 7 and a school of 1,500 teenagers, and it calms my mind when I return home.

There is a small, old cemetery on the corner of the farm property and I watched a group of firefighters respectfully lay a headstone there last year. People run, walk, and bike with their kids here and local groups often have charity/fundraising rides that use these roads.

I tell you all of this to try and paint a picture for you that the All Good Festival, in my opinion, is not a fit for this location. All of the roads leading to it are narrow, Macadam-covered local roads through tiny communities traveled by slow-moving tractors trying to keep some of our beautiful topsoil in agriculture use.

### **My personal plea**

The thought of having tens of thousands of people in my backyard with multiple bands over multiple days makes me so upset that I want to sell my house and move. If this site became the "permanent home" of this festival, I imagine that my property value will be impacted in the long run. Many people in my subdivision have already made this their retirement home and I hope too, as well.

Please do not allow this Festival to happen here. The roads to access the location are not built for tens of thousands of cars, there will be tons of trash and human waste and the long-term effect of such an event will forever change this landscape and your County residents who pay taxes. There must be another location in the County that is more centrally located with better access for attendees and law enforcement and emergency support personnel that could host this event, if the anticipated revenue truly outweighs the costs and impact.

Thank you for considering my input in your decision.

Sincerely,  
Jessica W Forbes  
479 Grouse Knoll Lane  
Summit Point, WV 25446  
304-724-6561

Zoning Department

---

**From:** Zoning Department <zoning@jeffersoncountywv.org>  
**Sent:** Wednesday, September 17, 2014 11:32 AM  
**To:** 'Kathleen Fuller'  
**Subject:** RE: ALL GOOD FESTIVAL

Ms. Fuller,

This email serves as confirmation for receipt of your submission. Please be advised, your correspondence will be included in the Board of Zoning Appeals' mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. An electronic copy of the packet will be posted to the County's website [here] by 5:00 p.m. on September 19, 2014.

Thank you for your interest.

Sincerely,

Jennilee Hartman  
Zoning Clerk  
116 E. Washington Street  
P.O. Box 338  
Charles Town, WV 25414  
Phone: 304-728-3228  
Fax: 304-728-8126  
Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

**From:** Kathleen Fuller [mailto:kollectiblekreations@hotmail.com]  
**Sent:** Monday, September 15, 2014 4:17 PM  
**To:** zoning@jeffersoncountywv.org  
**Subject:** ALL GOOD FESTIVAL

Attention Jefferson County Zoning Board

My name is Kathleen Fuller and I live at 509 Pheasant Hill Road, Summit Point. I am a widow and I live alone in Quail Run. Needless to state that I am definitely NOT in favor of the All Good Festival being in my back yard and I would venture to guess NOT ONE of you on this board would care to have it in your back yard. This permit must NOT pass for so many reasons.

Must I list them ALL?? I am sure you are aware of every single reason that would impact our tiny community of Rippon (yes my address is Summit Point however I live less than a mile from Rippon) Our roads are one lane roads at best....putting the overload of 25,000 cars & people is insane. Whatever the monetary value that would be gained would be eaten up by the huge expense for additional police, overloading our hospital, jails, etc. Route 340 would be a nightmare for miles in both directions with the on slot of cars trying to get into the two roads to this farm where the festival is attempting to be held. No one wants to be in dead stop traffic which will cause accidents....it would be a grid lock not only for Rt 340 but also Lectown Rd. Not to mention that more than one development will be effected to the point of being trapped in their homes for 7 days which also means a loss of money for those who have to work for a living.

The people on the board who are directly involved with the owner of the farm should NOT have a vote as this is a conflict of interest of the biggest form. I am astounded at the fact we (the taxpayers involved) were not informed of this event and there were two (2) meetings before we ever heard about it. As a tax payer in Jefferson County I am furious that this apparently was an obvious attempt to slip it pass your taxpayers

Copies mailed in 09/25/14 BZA mtg packet.-JH

without a notification. Why I ask...oh wait...it's all about MONEY. It doesn't take rocket science to see clearly that the money would be eaten up without enough revenue to warrant the inconvenience to the taxpayers as well as to a multitude of others. It's been my understanding that the Zoning Board of Jefferson County worked for the taxpayers of the county....therefore keeping our best interest first and foremost in their sights. I am urging you to vote 100% NO to this atrocity.

I will be attending the meeting on Sept 25 along with many from Quail Run as well as others who are directly & indirectly affected by this ALL GOOD FESTIVAL....SORRY BUT THE NAME ALONE IS OFFENSIVE.

Kathleen Fuller

Zoning Department

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**From:** Planning Department <planningdepartment@jeffersoncountywv.org>  
**Sent:** Wednesday, September 17, 2014 9:00 AM  
**To:** '4glovers'  
**Cc:** planningdepartment@jeffersoncountywv.org; zoning@jeffersoncountywv.org  
**Subject:** RE: All Good Festival is anything but...

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mr. and Ms. Glover,

This email serves as confirmation for receipt of your submission. Please be advised, your correspondence will be included in the Board of Zoning Appeals' mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. An electronic copy of the packet will be posted to the County's website [here] by 5:00 p.m. on September 19, 2014.

Please be advised, regarding your request that Mr. Stolipher recuse himself from any vote related to the proposed festival, Mr. Stolipher is the President of the Planning Commission and does not serve on the Board of Zoning Appeals; therefore, he will not have an impact on the BZA's final determination related to the All Good Festival's Zoning Variance and Seasonal Use applications.

Thank you for your interest.

Sincerely,

Alexandra Beaulieu  
Office/Project Manager  
Jefferson County Departments of Planning and Zoning  
116 E. Washington Street  
P.O. Box 338  
Charles Town, WV 25414  
Phone: 304-728-3228  
Fax: 304-728-8126  
Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
Email: [zoning@jefferconountywv.org](mailto:zoning@jefferconountywv.org)

**From:** 4glovers [mailto:4glovers@comcast.net]  
**Sent:** Tuesday, September 16, 2014 11:03 PM  
**To:** zoning@jeffersoncountywv.org  
**Cc:** Paul Espinosa; dmanuel@frontiernet.net; lynwidmyer@gmail.com; patsynol@gmail.com; vinemont@frontiernet.net; stephen.skinner@wvhouse.gov; lawrencefordelegate@hotmail.com; walterpellish@mac.com; info@jeffersoncountywv.org; dkeyser@jeffersoncountywv.org; planningdepartment@jeffersoncountywv.org; Julie.gray@wv.gov; farmlandprotection@jcda.net; bmiller@jeffersoncountywv.org; rodney.b.crowell@wv.gov  
**Subject:** All Good Festival is anything but...

Zoning and Planning Board Members,

It is my sincere hope that clearer heads will prevail with regards to the proposed "All Good Festival and Camp Out." Anybody with a computer or smart phone with internet access can see what isn't "all good" about this festival. A quick Google or YouTube search will reveal the numerous problems that have been associated with this festival. Given all this, I am very concerned for the well-being of my family and home. I live in the Quail Run I subdivision which is directly across Withers-Larue Road and adjacent to the proposed festival site.

Copies mailed in 09/25/14 BZA mtg packet.-JH

I have two boys, 9 and 7 years old. I am not looking forward to trying to explain to them the "life lessons" that will be associated with this event. I am not naive enough to think I can shield them from lewd behavior all of their lives. However, I can choose to turn off the TV or change the channel. I can also control what music they listen to in our house. The same cannot be said about this festival. The train that runs close to our house is about 90 decibels and lasts about 10 minutes. A loud concert can get up to 115dB (pain starts at 125dB). According to OSHA, the daily permissible sustainable noise level at 115dB is for 0.25 hours. That's 15 minutes! If the concert goes on for 15 hours a day for 4 days, that is 240 times the federal mandate.

This is just one of many logistics that I'm sure hasn't been thought out by Mr. Mark Stolipher. I can't imagine he would risk ruining his land for a quick buck. I'm no farmer, but the long term affects of an event of this size has to be crippling to his farming business. Not to mention, the inherent liability that has happened once before with this festival in Masontown, WV. God forbid if there would be another fatality as a result of this festival, then that is something he and his family will have to live with for the rest of their lives. In my humble opinion, you can not put a price on a human life. It goes without saying, that it is no where near the \$570,000 that Mr. Tim Walther and Ms. Junipa Contento were forced to pay the Miller family as financial compensation for the death of their daughter, Nicole Miller, in 2011.

I haven't even mentioned the vast amounts of alcohol and drugs that will be consumed, and not to mention all the garbage and human waste that will be generated from 30,000 people (more than half of Jefferson County's total population which is contained in 209.64 square miles) confined to 347 acres (which is roughly half the size of the location in Masontown, 675 acres, and only roughly half a square mile). Anybody can see that this is a recipe for disaster. I'm probably overreacting and I'm sure the auxiliary police can handle this. They have plenty of experience with the Jefferson County fair and Hyper-Fest every year.

I apologize if I have ranted and raved too much, but the numbers don't lie. This also goes to show how concerned I am with regards to this event and what it can do to the benevolence that is Jefferson County. I ask that you keep the greater good in mind and put an end to these types of mass gatherings once and for all. In closing, I would like to share the Departments of Planning and Zoning mission statement. Does the "All Good Festival and Camp Out" reflect the mission of the board?

*The mission of the Departments of Planning and Zoning is to provide a healthy, pleasant environment for those who live, work and visit Jefferson County, by blending the unique natural and built resources of our community with quality, sustainable development that ensures responsible and sound growth. We are a knowledgeable, respectful, dedicated staff who welcome community based problem solving and public/private cooperation that assists the community in implementing standards which create a positive impact and achieves its ultimate vision.*

<http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html>

Sincerely and respectfully,  
Matthew and Amanda Glover  
318 Pheasant Hill Road  
Summit Point, WV 25446

P.S. I respectfully ask The Jefferson County Planning Commission President, Steve Stolipher, be forced to remove himself from any vote on the subject matter if he is related in any way to the property owner (Mark Stolipher) where the festival is planned to take place, as they share the last name. This conflict of interest would taint any fair vote on the controversial matter.

Rose Ann & Wayne Glover  
228 Quall Run Road  
Summit Point, WV 25446

SEP 17 2014  
JENNIFER BROWN  
PLANNING ZONING & COMMUNITY DEVELOPMENT

Board of Zoning Appeals  
116 East Washington Street, Suite 200  
PO Box 338  
Charles Town, WV 25414  
September 15, 2014

RE: All Good Music Festival Permit

Dear Ms. Brockman, Mr. Quynn, Mr. Bannon, Ms. Huddle, Mr. Knott and Mr. Schiltz:

My name is Rose Ann Glover and my husband and I live at 228 Quall Run Road, Summit Point, WV, a small and quiet development right across from the area for which a permit is being considered for the All Good Music Festival.

The following is a list of negatives for granting a permit for this festival, not only for the quiet developments across from this area, but for the county as well.

- Access roads (Withers Larue, Lewlsville and Franklintown) to this event are all country lanes with no marked lines and are too small to handle the amount of traffic this festival will generate. These roads are twisty, curvy, and hilly, with limited areas of vision and will be dangerous for the many cars that are anticipated for this event. These roads are all extremely limited in their ability to carry large volumes of traffic which will cause congestion and be dangerous for residents on these roads as well as travelers.
- The Withers Larue turn off from 340 is located in a turn and is only a 2 lane road at this point, making it a prime location for accidents.
- Undue wear and tear to these side roads. I can only guess the amount of traffic on these roads will expedite the demise of these roads.
- It will be detrimental to our development roads. People will use our development as another means to get to 340 and to town to buy supplies. We have enough problems with the normal everyday speeders. We will have no legal recourse with these people and will not be able to keep them from using our roads.
- Fire, ambulance and police services will be strained and over burdened, causing undue hardship on volunteers and paid employees and taking coverage away from county residents.
- Any money the county does plan to make could be much less than anticipated due to unknown costs that arise because of poor planning, unanticipated occurrences and the possibility that festival owners will not keep their end of the contract.
- Illegal drug use that is associated with these types of events.
- Disruption to the quiet lives of everyone living within miles of this event, especially those right across the road.

Rose Ann Glover  
Page 2  
RE: All Good Music Festival


I quote from a flyer currently circulating: "According to the Preston County (WV) Sheriff, 2011 was the last year the "All Good Music Festival" was held in that county. During that event, they hired 100 police officers from ten (10) outside agencies, nearly 20 undercover drug officers from the WV State Police Bureau of Criminal Investigation, other local and regional drug agents, K9 units and actually purchased a bus to transport the "attendees" to jail. Police were "only" able to make 75 felony drug arrests and over 200 drug and traffic citations because the Preston County judicial system was so "saturated" that they simply stopped enforcing the law.

I urge the Zoning Commission, if you have already not done so, to talk with officials from Masontown, WV and Thornville, OH about the negative impact this festival has had on their communities, fiscally as well as physically.

I implore you to please consider more than the positive economic impact you think this will have on Jefferson County and ask yourself, would you want this in your backyard?

Please vote NO on granting this permit or NO on any changes to the present zoning rules that would allow this festival or any event of this magnitude to occur in this area and/or county.

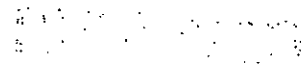
Respectfully submitted,



Rose Ann Glover  
glover49@comcast.net  
540-550-3755

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15



SEP 17 2014

Jefferson County  
PLANNING COMMISSION

Dear Planning Commission Officers  
I currently own property at

near 261 Berry Hill Farm Ln., Summit Point, WV. District: Kabletown (06); Map: 19; Parcels: 7, 16, & 8.4; Size: 347.15 ac (total); Zoned: Rural; File: ZV14-15. As a concerned property owner I am asking you to consider the impact that the All Good Festival will have on our community. The festival is expecting 30,000 people to attend and camp out. The impact of travel on Wither's Larue Road, the repair costs that will extend to the state to repair and maintain the road, let alone the cost of volunteer fire department personnel and water usage needed to prevent or treat any medical emergencies. In addition the security and police force needed to help protect the folks who attend the conference as well as the community. Consider the impact of our neighboring state of Virginia and its follow through of billing the state of West Virginia and/or Jefferson County for each man hour of police force spent to maintain traffic safety. Let alone the impact of 911 service calls that are originated from the festival noise complaints. Last but not least is the impact to the precious farm land and destruction of property that will occur from thousands of people trampling on precious farm land in our area and pollution. We are surrounded by beautiful farm land that enhances the beauty of our area, provides adequate property values. With the addition of this festival, property values will decrease and safety for the citizens will be at hand a questionable occurrence. Wither's Larue Road and Franklin town Road are dangerous and not wide enough currently, let alone add in drunk drivers who cross the line and kill someone. Please take an opportunity to consider these very important points before the approval of the variance to hold the five day festival.

Kind regards

A concerned citizen of Jefferson County

Wayne S. Glover (signature)  
Sept 15, 2014 (date)

228 Quail Run Rd.  
Summit Point, WV  
25446

ZV14-14  
ZV14-15

Date: August 26, 2014

From: Ken Hawthorne ([lthawk724@yahoo.com](mailto:lthawk724@yahoo.com))  
To: Jefferson County Commission Board of Zoning Appeals  
Re: Public hearing for a variance request and permit to conduct a 5 day music festival in the Summer of 2015 on properties commonly known as the "Stolipher Farm". Bordered by Withers Larue Road, Franklintown Road and the railroad tracks.

**Public Comment Regarding the above referenced matter:**

Thank you for the opportunity to address the Board in regards to the above captioned matter. I live at 58 Kelcar Drive in Summit Point, WV which is directly across from the location of the proposed event. I am opposed to the approval of this musical festival for a number of reasons:

My wife, Linda and I moved to this location because of its quiet and serene location. This area, as you are aware, is comprised of small neighborhoods, single family homes and farm land. The proposed event will have an adverse impact upon us and our surrounding neighbors in the form of amplified music, intrusive artificial lighting, crowd noise, security concerns and overwhelming traffic making access to and from Kelcar Drive frustrating and difficult. I have been following the progress of this and the "mass events" ordinance and have seen a proposal to extend the hours that amplified sound and stage lighting is permitted to 3:00 am. This is absolutely ludicrous and unnecessary in these surroundings which are homes to people with young children and pets, not to mention the adverse effect on one's ability to sleep.

The infrastructure roads in this area are not capable of accommodating the significant increase in traffic volume that an event of this nature would stimulate. The roads in the rural areas of this County and particularly here are narrow, hilly and poorly maintained as it is, without this additional negative impact. Many of the neighborhood roads are private raising concerns for trespassing and illegal parking.

The sheer volume of people, which I understand could be in the thousands or tens of thousands, would present a logistical nightmare for our Emergency Services and Police who have more than enough responsibilities as it is. I understand that those assigned to this event would most likely not be part of the regularly scheduled patrol force, but any disorderly conduct, ie: fights, etc. would ultimately bring them into play. This is an unnecessary burden on a department that already has in excess of 100 square miles to patrol. In my experience, (33 years in law enforcement) I have found that private security such as that proposed for this event, are a conglomeration of too few professionals and too many "others" who have the potential to over-react to situations which could be handled calmly and thus compound the problem.

Quite frankly, my wife and I are concerned for the safety of our property as well. I could go on and on about our concerns, but I am sure that most of which I have brought up is becoming repetitive to you. We adamantly urge you to deny this application and permit for this event. Thank you for your consideration.

RECEIVED

AUG 26 2014

PLANNING, ZONING AND PERMITTING

Ken and Linda Hawthorne  
58 Kelcar Drive  
Summit Point, WV 25446

*Linda Hawthorne*

**Date:** September 11, 2014

**From:** Ken Hawthorne (lthawk724@yahoo.com)  
**To:** Jefferson County Board of Zoning Appeals  
**Re:** Variance request and permit to conduct a 5 day music festival in the Summer of 2015 on properties commonly known as the "Stolipher Farm". Bordered by Withers Larue Road, Franklinton Road and the railroad tracks.

Thank you for the opportunity to address the BZA in regards to the above captioned matter. I live at 58 Kelcar Drive in Summit Point, WV which is directly across from the location of the proposed event. I am adamantly opposed to the approval of this musical festival for a number of reasons:

My wife, Linda and I moved to this location because of its quiet and serene location. This area, as you are aware, is comprised of small neighborhoods, single family homes and farm land. The proposed event will have an adverse impact upon us and our surrounding neighbors in the form of amplified music, intrusive artificial lighting, crowd noise, sanitation and security concerns and overwhelming traffic making access to and from Kelcar Drive frustrating, difficult and virtually impossible. I have been following the progress of this and the "mass events" ordinance and have seen a proposal to extend the hours that amplified sound and stage lighting is permitted to 3:00 am. This is absolutely ludicrous and unnecessary in these surroundings which are homes to people with young children and pets, not to mention the adverse effect on one's ability to sleep. Midnight is a reasonable time to conclude such activities. The variance request to extend the event to 5 days from 3 is also unnecessary and means to an extended inconvenience.

The infrastructure roads in this area are not capable of accommodating the significant increase in traffic volume that an event of this nature would stimulate. The roads in the rural areas of this County and particularly here, are narrow, hilly and poorly maintained as it is, without this additional negative impact. Franklinton Road is a narrow, poorly maintained roadway with high berms, significant drop-offs and the lack of a shoulder that prohibits a vehicle to pull to the edge of the road in an emergency and allow other vehicles to pass in safety. One disabled vehicle or minor accident will shut down a road of this size for hours. Tow trucks and emergency responders will be significantly delayed when responding to this or another possible life threatening emergency. Many of the neighborhood roads are private raising concerns for trespassing and illegal parking. Whose responsibility is it to ensure that these private roadway concerns are addressed? Will signage and barricades be provided to these communities and will law enforcement respond to these concerns? Not likely.

How are the residents located on Franklinton Road, in particular, supposed to access or egress their homes with the anticipated volume of traffic? Will we be able to leave our homes and neighborhoods as we routinely do? Will we be able to get back home, or be forced to sit in lines of backed up traffic for who knows how long? Before you consider this, remember that Franklinton Road is less than 18 feet wide, with no shoulder, which barely allows for two lanes of opposing traffic. How will people, who are not attending the event, going to get to and from their destination because we must use Franklinton Road? To compound this problem, the site map shows an entrance and exit to the event on Franklinton between Withers Larue and Kelcar Drive. This bottleneck with traffic off of both "major" roads in a relatively short distance from the intersection, should successfully "jam up the works" bringing traffic to a standstill.

The sheer volume of people, which I understand could be in the thousands or tens of thousands, would present a logistical nightmare for our Emergency Services and law enforcement who have more than enough responsibilities as it is. I understand that those assigned to this event would most likely not be part of the regularly scheduled patrol force, but any disorderly conduct, ie: fights, etc. would ultimately bring them into play. This is an unnecessary burden on a department that already has in excess of 100 square miles to patrol. In my experience, (33 years in law enforcement) I have found that private security such as that proposed for this event, are a conglomeration of too few professionals and too many "others" who have the potential to over-react to situations which could be handled calmly and exacerbate the problem.

I understand that there are members of the Planning Commission who may have conflict of interest issues with this application which are a cause for concern. If this is indeed the case, then the conflicting party must excuse themselves from discussing this application. It is incumbent on the overseeing Commission to ensure that this is done to validate and give credibility to the process. Transparency in an issue of this magnitude is paramount to the people of this County.

Hopefully, the bond posted by the event promoter is sufficient enough to cover the expenses of this event such as overtime, clean-up and sanitation, etc. If it is not, the people of Jefferson County will become responsible for those expenses. I urge the Board or Commission to obtain the maximum bond possible for this event. The wording that allows an event to continue into subsequent years without posting a bond is absolutely ridiculous and opens the County and its taxpayers up to the possibility of a severe financial burden. The BZA or Commission must revisit this ordinance and amend the wording that will ultimately negatively affect the people of Jefferson County.

Overnight camping on the site opens up another whole host of problems from security to sanitation. Noise and music from this area are not addressed in anything that I have read. Will officers with legal authority be patrolling the camping area and maintaining the peace? Will health concerns such as illegal dumping of sewage be monitored?

Quite frankly, my wife and I are concerned for the safety of our property as well. The protection of my property is of paramount concern to me. I don't want to see that which I have maintained over the years be damaged by trespassers or illegally parked cars. I don't want the refuse, wind blown or otherwise, littering my property. We came here for the simple life and are not happy with the decision of our farm neighbor who has decided to burden their neighbors with this event.

I invite the BZA and Commission to come out to the site and see what I see. Then ask yourselves, "Would I want this out my front door"? We adamantly urge you to deny this variance and subsequent application for permitting this event.

Thank you for your consideration.

Ken and Linda Hawthorne  
58 Kelcar Drive  
Summit Point, WV 25446

ZV14-14  
ZV14-15

September 16, 2014

Department of Planning and Zoning  
Board of Zoning Appeals  
200 E. Washington St.  
Charles Town, WV 25414

RECEIVED

SEP 17 2014

JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING  
- email

To Whom It May Concern:

We, Jarad andCarolynn Hawthorne, property owners of 199 Kelcar Drive, Summit Point, WV 25446; District: Kabletown (06); Map: 18; Parcels 6 & 9; would like to enter written public comment regarding:

Variance request by Mark Dyck, Consultant, on behalf of Tim Walther and Junipa Contento, Developers, from Section 2.2 to extend the time permitted for a Seasonal Use, which limits an event to not more than three consecutive days in each of the four solar systems. The applicant is requesting to hold a 5-day music festival and camp out during the June/August 2015 summer season. Property Owner: Nancy & Douglas Stolipher and Mark Stolipher. Location: 261 Berry Hill Farm Ln., Summit Point, WV. District: Kabletown (06); Map: 19; Parcels: 7, 16, & 8.4; Size: 347.15 ac (total); Zoned: Rural; File: ZV14-14.

We are opposed to the All Good Music Festival taking place at the proposed site due to the following reasons:

- Location of festival to our family, farm, property, home, and neighborhood.
- Security and safety of the aforementioned.
- Noise and public disturbances related to a festival of proposed size.
- Lack of County infrastructure to support the demands of our current County needs.
- Lack of public information and resources; as well as a conflict of interest between the Applicants and Members of County held seats in Offices/Commissions.
- Logistical problems associated with a prior festival of a similar kind (Lollapalooza in 1994) held at Charles Town Races and Slots. Miles of traffic, limited resources, noise, and full jails to name a few.
- Poor roadways and traffic management in the surrounding proposed location.
- Fact based reports and lawsuits including deaths; drugs; alcohol; and safety during prior All Good Music Festivals. Basic internet research will show the very negative side to this festival.
- Reports of increased tax burdens to the County after the festival has left based on the increased crime and need/use for Police and Law Enforcement.
- Lack of support from neighboring Clarke County and potential for expenses billed by Clarke County to Jefferson County for any/all additional required Law Enforcement related to event.

This is a very long list of concerns with issues that need to be considered and planned for regarding this application. We live in a quiet, rural, removed location of Jefferson County. We chose our home based on the farming ability and secluded location. If an event such as this were held were it is proposed, we will become completely exposed to potentially thousands of people and behavior associated with short-term visitors to an area that they have little concern for. Drugs, Alcohol and other disturbances are only a few of the concerns we have. The safety of our family and our home are paramount to us. What is Jefferson County going to do to protect us? We don't trust the incoming festival security or those they hire. They do not have a vested interest in our wellbeing and all stand to profit from this event. The proposed 6' fence will not hold anyone in who wants out.

Our roads and location are ill suited for this type of event. Currently, Frankintown Road is barely maintained by Jefferson County and is merely 18' wide. That barely allows safe passage of a school bus and oncoming traffic at the same time. It is crumbling into the dirt and cannot handle the proposed volume. In addition, as taxpayers and land/homeowners, we cannot be trapped at our homes (or stuck out) while thousands of cars make their way in and out of this festival. Should there be an emergency, where are drivers and vehicles supposed to move to? One of the entrances is proposed diagonally across the street from our Private Road. Who is going to make sure of our safe passage? Who is going to keep trespassers off our road and property? We currently can't count on response times by local law enforcement in our part of Jefferson County for home thefts and break-ins; of which there have been over 8 in the immediate impacted area since 2008 (4 in our wooded, secluded neighborhood). We were told by

Copies mailed in 09/25/14 BZA mtg packet.-JH

Public Officials at a Public Hearing at the South Jefferson Library that WV is a Right to Defend State and to proceed to defend your home and property if Law Enforcement was unable to assist you.

We are concerned for the entire immediate area to include farms; wildlife preserves (Craftworks at Coolspring); and overall wear and tear on our environment. We have a confirmed pair of American Bald Eagles that lives directly in the proposed area. They have a juvenile eaglet living near as well. While they are not on the endangered list, they are still a protected bird and worth protecting. Noise and disturbances will drive them out of a location during a time when they are nesting and hatching their young. Craftworks at Coolspring is: "a community supported nonprofit beautifully sited on 12 acres of environmentally sensitive land. Meandering Bullsken Run traverses our landscape which includes Cool Spring Marsh, a vital marl marsh containing 18 rare and very rare West Virginia plants." Is any consideration being given to the environmental impact of an event such as this on a nearby preserve?

In regards to prior events, Lollapalooza was held a number of years ago and while it may have been "fun" for some, it was never held again because the majority was unhappy with the overall negative impact of the event. Has the negative impact of this event been considered or is the monetary gain clouding the vision of those who stand to profit? Our family stands to gain nothing. We are in support of everyone having right to make money and prosper in our Country but in this instance, there is a total lack of regard for those who will be negatively affected.

There has not been any information presented to the surrounding residents, impact studies, surveys or research done. When we called to request information about the first meeting on Aug. 28th, we were told a drive by and photographs of the area were taken. Not even a letter was sent to advise us of the Public Hearing or pending status of the application. Residents living off the grid without internet, newspaper or the right connections may still know nothing. Our first tidbit on this was through the grapevine but we thought common sense would not allow this to happen; and then we saw a sign in the field about the Public Hearing. There has been no effort made by either the applicants or the event planner to inform the immediate impact zone. Quite frankly, the way this is being handled implies that there is something to hide. There are no facts available and prior inquiries by residents have pointed them in the wrong direction or in circles.

We do know that the event planner is hoping to extend the music from midnight to 3 a.m. and to hold the event yearly. We do know that it was run out of town from the prior festival location of numerous years. After wearing out their welcome and the local residents; crime; drug and alcohol related deaths; and overwhelming expenses to taxpayers. We also know it was denied approval at a previous location in Jefferson County. Why then is this attractive again for consideration if none other than the almighty dollar? We do not know anything about what Jefferson County is doing to protect residents and taxpayers other than requesting an inadequate bond amount for an event of an undetermined size.

For the record, we are opposed to this event and the application. This is not the right location or county to hold such an event. The application should be denied and this event should consider moving to a proper venue and location that can support it.

Respectfully,  
*Carolynn & Jarad Hawthorne*  
199 Keicar Drive  
Summit Point, WV 25446

Zoning Department

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**From:** Zoning <zoning@jeffersoncountywv.org>  
**Sent:** Wednesday, September 17, 2014 9:04 AM  
**To:** fmbud@aol.com  
**Cc:** zoning@jeffersoncountywv.org  
**Subject:** RE: All Good Music Festival

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mr. and Ms. Herndon,

This email serves as confirmation for receipt of your submission. Please be advised, your correspondence will be included in the Board of Zoning Appeals' mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. An electronic copy of the packet will be posted to the County's website [here] by 5:00 p.m. on September 19, 2014.

Thank you for your interest.

Sincerely,

Alexandra Beaulieu  
Office/Project Manager  
Jefferson County Departments of Planning and Zoning  
116 E. Washington Street  
P.O. Box 338  
Charles Town, WV 25414  
Phone: 304-728-3228  
Fax: 304-728-8126  
Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

**From:** fmbud@aol.com [mailto:fmbud@aol.com]  
**Sent:** Tuesday, September 16, 2014 9:51 PM  
**To:** walterpellish@mac.com; patsynol@gmail.com; dmanuel@frontiernet.net; vinemont@frontiernet.net; lynwidmyer@gmail.com; zoning@jeffersoncountywv.org; Stephen.skinner@wvhouse.gov; paul.espinosa@wvhouse.gov; lawrencefordelegate@hotmail.com  
**Subject:** All Good Music Festival

Distinguished Officials of Jefferson County and West Virginia,

I write this correspondence to express my lack of support of the "All Good Festival and Camp Out" proposed for approval this month. The picturesque rural land will be savagely raped for the simple minority wishing to cash in at the true expense of surrounding law abiding, taxpaying, and friendly neighborhood citizens.

As a bomb technician currently employed by the government in the northern Virginia area with a nineteen year career in emergency services, I can attest first hand to the logistics surrounding mass gathering venues such as those proposed. Having planned and deployed working dignitary protection events and presidential sweeps, I am well versed in the resources needed and the impacts imposed on surrounding areas as a result.

I would like to begin by pointing out several items of concern with the "All Good Festival and Camp Out" seasonal use permit supplemental information packet dated July 31, 2014.

Copies mailed in 09/25/14 BZA mtg packet.-JH

1. Having a five day event creates a significant negative impact on surrounding residences who must still work while dodging an estimated 40,000 concert goers. My current neighborhood has five law enforcement officers subject to emergency recall around the clock. This may present a challenge if allowed over a five day period forcing the surrounding property owners to use leave from work.
2. In the Community Planning section, there is no mention of including State Police, State Fire Marshal's Office, or the local Office of Emergency Management. Additionally, there is no plan for handling the event to ensure local staffing levels are maintained by various emergency services personnel.
3. The informational packet states "The proposed site is approximately 1.0 miles from Route 340 with the majority of the adjacent land used for agricultural purposes." This is absolutely incorrect as only two sides of adjoining properties are used for agricultural properties. In fact, there are a total of thirty one single family dwellings within 500 feet of the property line. Also adjacent to the property is a 9 house subdivision and another 91 house subdivision.
4. In the Mass Events Ordinance section, it states "The Applicant will provide the concept plan to the following entities: Jefferson County Health Department, EMS and Fire, 911 agencies." Shouldn't this be completed prior to approval so that all elements of the event can be discussed prior to ensuring that the adequate resources are gathered to know what costs are involved at a local level? The same section further states "As agreed to by the parties the agreement may include financial compensation to cover County staffing costs." Shouldn't this be WILL and not MAY?
5. The informational packet states "No amplified performance after 3 a.m. or before 10 a.m." Also, "No outdoor performance lighting after 3 a.m. or before 10 a.m." That is too late for a family oriented neighborhood for these types of activities to occur. This coupled with the constant noise of generators providing light creates a sleepless environment.
6. The Traffic Control section and attached map has the two main entry gates to the venue entering off Franklinton Road. I ask you drive this road, or at a minimum observe it on Google Earth, and observe the very minimal road width. It is the furthest location to the property from Route 340 and simply cannot handle the estimated vehicles required for 40,000 concert goers. Has the West Virginia Department of Highways been consulted, let alone a road feasibility study completed to ensure the roads are not ruined with taxpayers left to fund the repairs? One can derive that the road width and design features did not consider this type of activity when constructed.
7. The safety/Security section states "Planning includes basic preparation for concerns such as heat stroke and sunburn as well as more serious issues." Basic is a very broad term with one questioning what resources will be provided by the venue and what will need to be supplemented at the expense of the local emergency services. Might I remind you of the recent enacted Emergency Services Fee primarily due to the lack of volunteers and increasing call demand? Have the local volunteer fire and rescue departments been consulted with this pending decision?
8. The Power section states "The festival will provide independent power generation for the event." Again, the constant noise and light pollution to adjoining properties will be excessive. How will the Jefferson County Noise Ordinance be implemented and enforced?

A simple search of [www.youtube.com](http://www.youtube.com) and [www.google.com](http://www.google.com) of the "All Good Festival and Camp Out" will reveal many striking concerns that far outweigh the several thousand pounds of canned goods collected for charities. Immediate concerns beyond the observed drug use are fireworks and sky lanterns. The National Fire Protection Association (the adopted Fire Code of West Virginia enforced by the State Fire Marshal's Office) requires 150' per inch of firework shell between fireworks and observers for all firework displays. However, in the concert goers videos posted online the fireworks are being ignited on stage. Additionally, the West Virginia State Fire Marshal's Office requires that firework displays be permitted and inspected through their office yet the application mentions nothing of such. The same Code also prohibits the use of sky lanterns, un-tethered open burning candles below a small balloon that rises into the air with no mechanism to control its flight path, which are a significant fire hazard known to cause house fires and brush fires when they land still burning.

I commend Sheriff Dougherty for stating he would feel more comfortable if his staff were on site during the overnight hours. This should come without any shortage of staffing levels required for the remainder of Jefferson County ensuring public safety. Personally knowing a Jefferson County Baliff, he was detailed to the Jefferson County Fair to provide security – where he had NO arrest powers, had to flex his working time, and was dealing with a friendlier environment without the presence of drugs and alcohol. If there are not enough County resources to support the fair without pulling balliffs, how can the Jefferson County Sheriff's Office begin to handle this crowd? Has Jefferson County Sheriff's Department ever planned for an event of this magnitude and its intricacies (volume of people, drug filled environment, not so family oriented atmosphere, small land area compared to Hyper-Fest)?

I am sure you are aware from other West Virginia county officials of the negative impacts suffered as a result of this festival. For example, exceeding system capabilities of the local judicial system resulting in law enforcement not enforcing laws, added costs due to trash collection on roadsides, and the necessary added expenses of personnel due to poor planning of local governing bodies to name a few.

As technology savvy as most people are these days, it will not take a long traffic back up for concert goers to realize that the Quail Run subdivision is a convenient short cut to Franklinton Road from Lloyd Road. What planning and/or efforts can be implemented to eliminate this if approved ensuring that the lifestyles are not even further unnecessarily disrupted?

Has any feasibility study been explored surrounding the impact on local groundwater? Has the Jefferson County Health Department been consulted?

As the All Good Festival states on its website, it is developing and cultivating a long term location for the event. I respectfully request you place yourself in my shoes and ask if you would want his in your backyard? I understand lots of money is at stake here, and with the exception of the sole property owner, those that stand to profit are from out of county and even out of West Virginia. The local economy will not flourish as the promoters would like you to believe as the many vendors will not be from Jefferson County. Lastly, our quaint neighborhood is riddled with noise every day from a racetrack nearby (both racing engines and live explosive operations due to State Department training) and a shooting range on the other. Further noise and the potential of this festival being a long term will potentially decrease our current home values in an already volatile housing market.

In conclusion, I respectfully ask The Jefferson County Planning Commission President Steve Stolipher be forced to remove himself from any vote on the subject matter if he is related in any way to the property owner (Mark Stolipher) where the festival is planned to take place, as they share the last name. This conflict of interest would taint any fair vote on the controversial matter.

Thank you for your time and please feel free to contact me should you have any further questions.

Respectfully,

William Herndon Jr.

Karry Herndon

434 Pheasant Hill Road

Summit Point, WV 25446

September 1, 2014

190 Kelcar Drive  
Summit Point, WV 25446

SEP 17 2014  
JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING  
-mailed

To the Members of the Jefferson County Board of Zoning,

We are writing to express our concern and dismay in regard to the proposal made to this Board by the All Good Music Festival applicants.

We are homeowners in Summit Point directly across the field from where this proposed event is to occur. We are both born and raised in this community and chose to build our home in this community because of its peaceful and rural setting. It is appalling that the landowner of this area would forsake the peace and safety of this small community for his own financial gain. We further do not understand how any officials in this county could ever believe that the local infrastructure of this area could support such an event of this magnitude and such a mass number of people.

It is disrespectful to the neighbors and residents of this area to propose such an event. Furthermore, it is ludicrous to believe that the citizens of this area won't be negatively affected by such an ostentatious event. The *Charleston Gazette* reported that 30,000 people attended this event in 2011. How are our residents supposed to travel to work, church and town when this many people are trying to use narrow roads that see at most a few hundred cars on a daily basis?

The notion made by the promoter and attorney for this event that it will bring tourism to our community is absurd. 30,000 people camped out in a field are not using our hotels, nor our restaurants or businesses. There are in fact very few businesses in this area. The closest ones are across the Virginia line. The proponents don't think this community is naïve enough to believe this event is proposed to further tourism in our county and state? We have businesses and events in this county in structured settings which promote our tourism. If we want to promote tourism in our county, why don't we promote positive cultural events, not an event which already has a negative reputation? Furthermore, the proposal says the event "has collected 4,000 -5,000 pounds of food annually for donation to local food banks." This is almost laughable. I am the Principal of a local elementary school. Community Ministries has records that my small school alone contributed 2,000 pounds of food last school year alone. Campers in a field influenced by drugs and alcohol will not have a positive impact on our community. It is frightening that our emergency services and law enforcement personnel would also be forced to address the needs of such a large number of people and sacrifice the needs of our own community.

If this proposal has already been denied in one part of this county, I am not sure why anyone would believe it would be welcomed in another part of this same county? This organization's own website says it is "taking a year off in 2014." This can likely be attributed to the fact that due to their criminal and raucous reputation, no community wants to host them. A more likely contributing factor to this "hiatus" is the fact that a young woman lost her life when Preston County hosted this event.

Copies mailed in 09/25/14 BZA mtg packet.-JH

The residents of this community will not benefit in any way from outsiders who will make financial gains at our expense. We will be the victims. We implore the government officials of Jefferson County to protect our small community and our rights as citizens to not be exposed to such an event where no one stands to gain but the landowners proposing it.

Sincerely,

*Richard and Lisa Jenkins*

Richard and Lisa Jenkins

RECEIVED

SEP 17 2014

JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

September 15, 2014

TO: Jefferson Board of Zoning Appeals, Charles Town, WV 25414

RE: All Good Music Festival and Campout Seasonal Use permit and Variance Request

The "All Good Music Festival and Camp Out" variance request to add two days to the definition of a seasonal use event will adversely affect the public health, safety and welfare and the rights of adjacent property owners and residents.

**Safety and Traffic Congestion:**

The last All Good Music Festival and Camp Out event held in Preston County supposedly attracted 20,000 to 30,000 people from all over the country (the Charleston Gazette reported 30,000) and because these events will now be held much closer to the eastern population centers, we could easily see a much higher attendance number.

Perhaps the most dangerous aspect of this site (and one that did not exist on the "Stiles Farm Site") is that every West Virginia access point from the east (Rt. 340) must cross very busy railroad tracks. The Withers LaRue approach is approximately .05 miles from Rt. 340 and the same distance from the entrance to the festival. I know how busy these tracks are because I live right next to both the proposed site and the railroad tracks. There are fast and numerous trains traveling next to the site and across the roads leading to the site.

Have there been any studies conducted to determine how this will impact traffic-flow into and away from the site? Will the traffic from 20K to 50K festival-goers and the busy railroad track create another extreme safety hazard and an even more serious level of danger and liability? Is it really possible to control access to the site to mitigate the danger? Has Norfolk Southern been consulted? Have the BZA considered how safe ingress and egress will be affected by the close proximity to these rail road tracks? Will granting this variance with the knowledge of this hazard expose the BZA to legal culpability?

The promoter has given no indication in their application or supplemental documents that they understand that this rail road track exists and therefore has failed to meet the variance requirements to explain why it "will NOT adversely affect the public health, safety and welfare and the rights of adjacent property owners and residents".

**For this reason alone, the BZA must deny this request.**

Rt. 340 through Rippon is an extremely busy, two-lane road that is very difficult to safely access from the (unlined) Withers LaRue Road under "normal" conditions. All other access points from

\* Hand delivered.

Copies mailed in 09/25/14 BZA mtg packet.-JH

Rt. 340 are similarly challenged. All approaches to the site from the west are also on unlined roads that were never designed to carry this much traffic. The heavy truck and automobile traffic on Rt. 340 combined with a non-stop stream of drug and alcohol fueled drivers to and from this festival will create an unprecedented traffic hazard. This is not some lonely dirt road in the middle of Preston County West Virginia, rather this is a road used by many families to get to school and work and by businesses to transport goods to, from and through the eastern panhandle.

Rte. 340 through Rippon has already been identified as being inadequate for the current traffic-load by the WVDOT. It is certainly difficult to navigate, very dangerous and will be totally gridlocked during these festivals. Expanding this event by two days will result in 2 more days of lost revenue because of the inability to drive on Rt. 340, and all adjacent roads. Who will compensate the businesses and working-people unable to operate or get to work?

It seems impossible to have picked a more inappropriate site for this event!

For these reasons, the BZA should deny this request.

**Noise:**

For my family and my neighbors....and anyone else within a few miles that are not being paid to host these events, there will be no hope for any peace (or sleep) during these events. We will simply have to put up with the loud music, bright lights and the truly disruptive "tourists" until at least **3:00 AM** each morning. To add insult to injury, the festival will allow amplified announcements to occur around the clock.

While reviewing dozens of Mass Gathering Ordinances, each one included restrictions on "amplified sound" and some included "lawful detonation of fireworks". Most of these regulations require that these activities end no later than 11:00 PM. For good reason, who wants an outdoor amplified rock concert or fireworks display at 2:00 AM? 11:00 PM is an acceptable minimum time for secession of any event in Jefferson County. One thing is very clear when researching these ordinances, the prevention of noise pollution is a very important component in even the most simplistic documents. Since the promoter is stipulating in the supplemental information provided with the application that **3:00 AM** is when they want to turn off "amplified music" (but allow amplified announcements to occur at any time), we believe the BZA can add a condition to the application that **11:00 PM** is a more appropriate time to end all of the amplified sound and lighting for the health and well-being of the community. Perhaps the best decision the BZA can make is to deny the 2 day extension variance and spare the community from the extended 2 days of the event.

### **Law Enforcement:**

According to the Preston County (WV) Sheriff, 2011 was the last year the "All Good Music Festival" was held in that county. During that event, they hired over 100 additional police officers from ten (10) outside agencies, added nearly 20 undercover drug officers from the WV State Police Bureau of Criminal Investigation, added other local and regional drug agents, some K9 units and actually had to purchase a bus to transport the "attendees" to jail. Police were "only" able to make 75 felony drug arrest and issue over 200 drug and traffic citations before the Preston County judicial system was "saturated". After that, they simply stopped enforcing the laws.

If we try to enforce the same laws here (they do exist here), the results will be the same and that will put all of us in the southern end of Jefferson County at risk and will place an undue burden on all law enforcement agencies in the panhandle. With so much attention being placed on granting the wishes of the "All Good" festival promoters, will we be putting other jurisdictions at risk?

Is it possible that some "attendees" will attempt to navigate around the official gates and trespass on land not hosting the event in an attempt to gain free access to the event? How will the promoters compensate landowners for that intrusion? Will they need to increase liability coverage? Will those owning land close to the site need to hire security? Is the BZA "creating trouble" by allowing this event to take place on this site? Does Jefferson County really need this kind of "business"?

Careful research indicates that this will be a "wild" event with lots of drugs and alcohol and some music added in for good measure. We simply must voice our opposition and offer the opinion that after the promoters' take their money and go back to Maryland, the county will be left with the less-than-optimal aftermath. These events are not appropriate for most locations and are certainly not appropriate for the proposed Rippon site.

For these reasons, the BZA should deny this request.

### **Additional Considerations:**

According to a November 23rd, 2011 article on Fredericksburg.com, the promoters were looking at locations in Spotsylvania County (VA). This publication states that "The festival had been held in the mountains of West Virginia since 2001....but organizers said West Virginia's local officials never warmed up to the idea and passed a mass gathering ordinance that year which was "crippling" and also levied "an outrageous tax."

Tim Walther, president and co-owner of the All Good Music Festival, was quoted in the same article that the event had also outgrown the West Virginia location and they wanted to host the

festival at Caroline's Moss Neck Manor, a 1,200-acre site in Port Royal (VA) off U.S. Rt.17. This site was eventually abandoned due to the county noise ordinance.

Is it possible that Preston County finally realized that the expense associated with this event was much more than the little bit of revenue it generated for the county? If the relatively small and remote Preston County "rejected" this event by finally passing an ordinance that attempted to make it manageable and recoup some of the costs, what makes Jefferson County think it will be worth having here?

Doesn't it make sense that the costs will be much higher here?

The good news for the BZA is that you now have ample reason to reject this request and allow the "mass gathering" document currently before the County Commission to go through the public comment process and be adopted so that this event (and all like it) can be governed by an "actual" mass events ordinance that will protect all of the citizens of Jefferson County.

**In conclusion:**

The BZA **does not** have the authority to change the Jefferson County Planning and Zoning laws by granting a two day extension to the "Seasonal Use" permit. Allowing this variance will **fundamentally** change the land use in the rural district by allowing an event that would not otherwise be permitted. I believe that if the BZA researched this point and wished to "error on the side of the county's best interests", you will deny this request.

For **ALL** of these reasons, the BZA should deny this request and no other applications for "Seasonal Use Permits" for 1000 or more attendees should be considered until the Jefferson County Commission enacts a reasonable and responsible "mass events" ordinance.

Respectfully,

Thomas and Jan Loy

Rippon

CC Jefferson County Commission

CC Clark County Board of Supervisors

CC West Virginia Department of Transportation

CC Clark County Sheriff

CC Jefferson County Planning Commission

CC West Virginia State Police

CC Jefferson County Health Department

CC Norfolk and Southern Corporation

ZV14-14  
ZV14-15

To: Jefferson County, WV Board of Zoning Appeals

From: Elizabeth Mancuso, MS *EM*  
Rippon, WV

Date: September 17, 2014

Re: ZV14-14 & ZV14-15

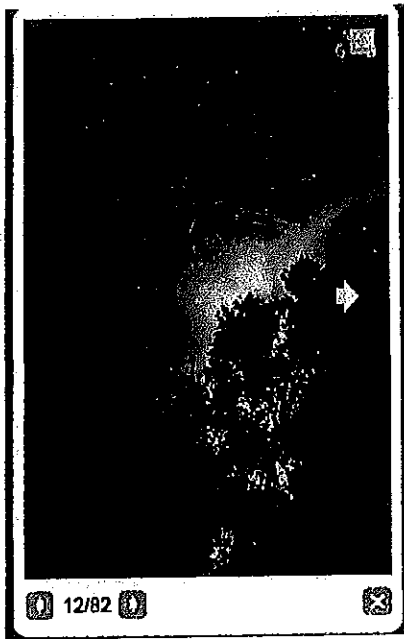
RECEIVED  
SEP 17 2014  
JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

Please do not grant a variance or seasonal use permit for the All Good Music Festival. Information provided was incomplete and I believe as a County agent you have a public duty to ensure all measures are complied with PRIOR to any board approval.

At this time, it appears that a significant level of clarity is required by the applicants; thus denial of the application is requisite. Following are discerning *matters of public and environmental concern* that have not been addressed or have been addressed marginally.

1. Environmental Concerns: There is no mention of environmental suitability of the proposed site. Can the Karst geology support the proposed use? Are there existing or predisposed sink holes? No strategies are listed to control ground / surface water contamination. The greatest environmental risk to me personally (an Asthmatic) is air quality. What is the plan to control dust and particulate matter? Unfortunately, the proposed dates are within the most poor air quality months.
2. A \$60,000.00 surety appears to be completely inadequate for the size of this venue. How much of this could/ would be used to mitigate any ground/ surface water contamination? Could the county afford to expand public water services into the rural and unincorporated towns of Jefferson County? How much of this surety will we need to share with Clarke, Loudoun, Frederick, VA and Frederick, MD Counties public safety organizations? Does this cover any public or private property damage to the surrounding neighborhoods?
3. What plans/ assurances are going to be provided so public safety entities will be able to access properties surrounding the event in case of an emergency?
4. No mention of permits, bonds, or public safety measures for carnival rides and festival sponsored fireworks, as shown in photos on the All Good's website. (see attached)
5. A 50' buffer from adjacent residential properties should be increased to at least 300'. A single 6' chain-link fence seems insufficient protection to neighboring properties. Who most, if not all, do not have existing fences between the festival site and their properties.
6. The 3 am time-frame for stopping *amplified* music & lights is excessive. Most of the surrounding community is comprised of working professionals and families with school age children.

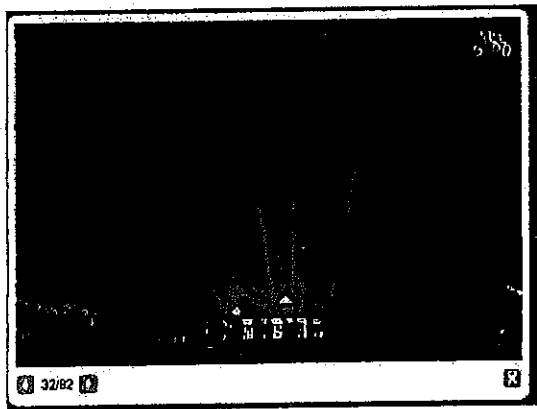
Photo's from All Good Festival Website: <http://www.allgoodfestival.com/gallery.cfm>



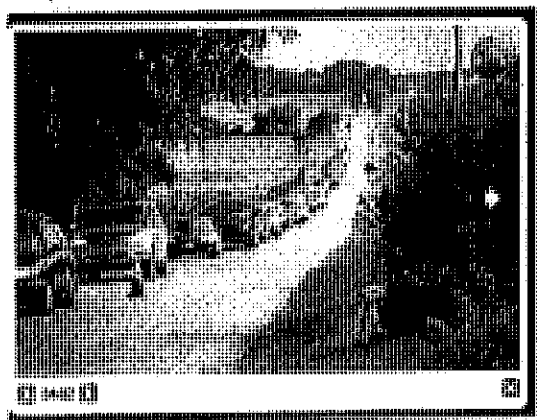
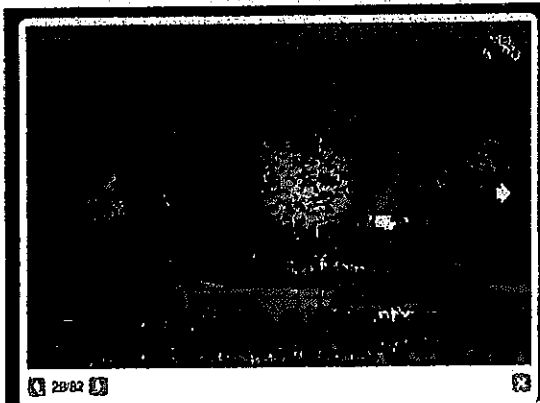
Fireworks



Carnival Rides



Laser Light shows



Example of traffic

To address my concerns pertaining to the All Good Festival in Rippon, WV my letter will show several aversions that I have concerning the festival. I am not against large Festival events but I feel that this event will cause local, long time residents many difficulties throughout the duration of the event. You will see from this article that the Promoters are truly motivated by dollars and once people are at the events they do not worry about their safety. [http://www.thedaonline.com/article\\_6af0a167-3312-5c6e-8780-8e4315852e36.html](http://www.thedaonline.com/article_6af0a167-3312-5c6e-8780-8e4315852e36.html) This article was from 2012 and the issues did not seem to get better after moving the event the next year. It's always someone else's fault, not theirs.

My first concern is the location. The location does not allow for the movement of large groups. The roads, most of which do not have lines on them, are only two lanes. Route 340 at the entrance of the roads is also only two lanes. This will cause major back ups that will stretch into Charles Town, WV, Berryville, VA and potentially Harpers Ferry WV. The following is the Mission Statement from the WV Director of Highways "*The West Virginia Department of Transportation's mission is to responsibly provide a safe, efficient and reliable transportation system that supports economic opportunity and quality of life.*" My family's quality of life will be violated. This will also have a tremendous effect on all of the State and Local Police Departments and their budgets. With the amount of traffic causing issues, you will find it difficult for the Police Departments and the Fire and Rescues (which are volunteer) to do their jobs effectively. The following article gives you an idea of what the County Commissioners felt about large events in Jefferson County and how it cost Preston County taxpayers \$250,000.00 not the \$60,000.00 the will be given to the local police for added help for the traffic problems and filling the jails with arrest. <http://wvpublic.org/post/jefferson-co-considers-ban-big-music-festivals>

My second concern is the noise. With one 4 foot by 6 foot amplifier causing a constant 120 decibels, many of the groups will have "stacks" that cause tremendous noise. To give you an example, a train horn is 90 decibels. The All Good Festival claims to have 12 to 14 hours of music. My family and many other residence of the area will have music playing as we try to sleep, after 10:00pm for most. I found on the Jefferson County Web Site the Ordinance to Abate Excessive Residential Noise where such noise is deemed a Public Nuisance. Many things strike me as unlawful for this event:

1. "above the level of 65 dB through the walls of apartment units within the range of the same building, from another property line, or from the street between the hours of 10:00 p.m. to 6:00 a.m."

2. Parties and other social events. It shall be unlawful for any person in charge of a party or other social event to allow that party or event to produce noise in a manner such that the noise is audible at or above the level of 65 dB
3. Residential area” shall mean any subdivision, development or other similar area used primarily for residential purposes located in Jefferson County but which is not within the boundaries of any municipality therein.

This is just to name a few of many things you already know.

My third concern is the Public Health. It is stated in Section 7 of the above ordinance “It is the purpose of this ordinance to promote the public health and safety of the community and as such it should be liberally construed to give effect to the purposes hereof.” You will find drug and alcohol abuse will be an issue with the “campers” through the several days of the festival. How will the above Police Departments and Fire and Safety be able to effectively enforce issues that occur? I have called the Preston County Sheriff’s office and was informed of many crimes to local businesses and homes of residence near the festival grounds. The following web page, <http://wvpublic.org/post/jefferson-co-considers-ban-big-music-festivals> , gives you an idea how the group will leave one facility after another and the injury issues that arise from death to paralysis. Per the Preston County Sheriff Office, they ran out of room in the jail and could not detain other violators of the law. The following web page gives you an idea of the types of drug that will be involved. [http://www.perrydaily.com/news/article\\_89657686-d4fc-11e1-9694-001a4bcf887a.html](http://www.perrydaily.com/news/article_89657686-d4fc-11e1-9694-001a4bcf887a.html) This article shows the arrest of not only marijuana but a major arrest for black tar heroin and LSD. The marijuana based magazine HIGH Times also promotes the event in the following article. <http://www.hightimes.com/read/review-17th-all-good-music-festival>

My fourth concern is my home. It is not a house or a residence it is my home. I choose to live where I do because it is quiet and next to a farm. I drive extra mileage to work because of the location. It would be on thing if I chose to live near the Jefferson County Fair Grounds or in an area near Jiffy Lube Live in Manassas VA, but I did not. The crimes that will happen to the properties around the facility will not be resisted by people with the use of security guards or a six foot fence around the farm I did not move to my home to have a “Security Guard” or a temporary six foot high chain linked fence to feel safe. Per consultation with local Real Estate Offices and local Insurance Agencies, the value of my home will go down and my insurance will go up. I will personally need to take 5 days vacation from work during this event that is slated for a family vacation that will now need to be cancelled. This will allow me to make sure my wife and sons are safe and secure. Again my quality of life is violated.

My fifth concern is the Planning and Zoning Committee. With great respect to these two individuals, I feel the Steve Stolipher and Mike Chapman have too much of a personal interest in having the event at this location and should recues themselves from any involvement in the discussion of the event. In no way can the local roads around the facility sustain the amount of traffic while allowing the residence the ability to go through their daily live in making a living to support their families.

You will see in my last reference, which explains everything, the ordinance passed in Preston County, WV after the 2012 All Good Festival to never allow it again because of all of the delinquent actions that took place.

<http://www.prestoncountywv.org/pdf/Mass%20Gathering%20Ordinance%201242011.PDF>

I think the most important part of this ordinance is the purpose:

*"The Commission FINDS that temporary mass gatherings of people to attend musical performances and other entertainment events have created a hazard to public health and safety and a public nuisance due to increased public activity, high levels of traffic congestion in the public roads surrounding such events and high demands on police, emergency and medical resources..."*

Thank you for allowing me to write to you. Please know that I personally know the Stolipher's and have known them for many years. They are a tremendous people and are assets to the community where we all live. Like I said I am not against festival events, I just do not feel the All Good Festival will be in any way positive for the property owners and the county for the above reasons stated.

Please include the following written testimony in the packet for the Board of Zoning Appeals consideration of The All Good Music Festival

Timothy & Kelye McKee  
885 Franklinton Road  
Summit Point, WV 25446

**Zoning Department**

---

**From:** Zoning Department <zoning@jeffersoncountywv.org>  
**Sent:** Friday, September 12, 2014 12:31 PM  
**To:** 'Jerry Mersing'  
**Subject:** RE: Not good Festival

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Mr. Mersing,

Your correspondence will be included in the Board's mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. This packet will be posted to the County's website [[here](#)] by 5:00 p.m. on September 19, 2014.

Thank you for your interest.

Sincerely,

Jennilee Hartman  
Zoning Clerk  
116 E. Washington Street  
P.O. Box 338  
Charles Town, WV 25414  
Phone: 304-728-3228  
Fax: 304-728-8126  
Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

**From:** Jerry Mersing [<mailto:jmfarmall@yahoo.com>]  
**Sent:** Thursday, September 04, 2014 7:11 PM  
**To:** zoning@jeffersoncountywv.org  
**Subject:** Not good Festival

This nightmare has no place in Jefferson county. if it was worth anything to the community Preston co. would have fought to keep it, instead they legislated out of their county. They moved to Ohio....for one year and go the boot. Law enforcement can't even begin to control this size of event and no way can they fully protect our citizens. It cost Preston Co. over \$200,000. each year we don't have that kind of money.... This event is nothing but a drunken drug fest that has no place here...we elected the commission to look out for the people of this county.....it's time to do just that....this thing is a nightmare to any city or town dumb enough to let it get a toe hold.....vote this thing away..

Gerald Mersing  
Quail Run  
Summit Point..

ZV14-14  
ZV14-15

August 19, 2014

Dear Jefferson County Board of Zoning Appeals,

I have been looking over the information made available about the 5-day All Good Festival and Camp Out that is being proposed on a farm in Summit Point. I own property and live adjacent to the site where the proposed festival will take place. I would like this letter to stand as my objection to the festival being held in the proposed location. It is surrounded by houses and the buffer is not adequate for the magnitude and duration of the festival.

Access for vehicles is a concern because there are no major roads that lead to the farm. All the roads are small and go through residential areas. I certainly can't imagine a band's huge bus rounding the corner at Lewisville and Franklinton roads. I feel that traffic will be horrendous and accidents will occur.

Sanitation and trash are also concerns. There is no public or mass sanitation facility to accommodate the large number of people over several days. Portable units seem inadequate to handle the amount of use. With the number of attendees and the multiple days, the amount of trash will be astronomical. Plus, if a wind picks up, trash will be blown all over the surrounding personal properties.

And of course noise is a large concern. The proposal states no amplified sound after 3am. What about the noise from that large a group of people? Plus, 3am is extremely late to have loud music playing with the area so close to so many houses. Would you want loud music playing until 3am in your back yard?

If the festival is intended to increase tourism in the county why can't it be held at the fairgrounds, Sam Michael Park or some other facility that is designed to support this type of activity and the large number of attendees?

After researching the festival and its impact on the surrounding areas, I have seen nothing but a negative impact and can not see how it will positively impact Jefferson County. It obviously is not a positive event or it would still be held where it has been for years.

Thank you for considering my concerns.

Mike and Barbara Milleson

Copies mailed in 09/25/14 BZA mtg packet.-JH

RECEIVED

AUG 20 2014

JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING  
-email

ZV14-14  
ZV14-15

Quail Run I Home Owners Association

PO Box 293, Rippon, WV 25441

September 16, 2014

Jefferson County West Virginia  
Department of Planning and Zoning  
116 East Washington St 2<sup>nd</sup> Flr  
PO Box 338  
Charles Town WV, 25414

**RECEIVED**

SEP 17 2014

JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

- email

Reference: Zoning Variance Request ZV14-14 and ZV14-15

Our members and residents in the vicinity of the proposed location of the referenced zoning variance request have expressed several concerns about the request to allow a permit for a large music festival, known as the All Good Festival and Camp Out. There are significant issues regarding the planning of a five-day event that seem to be lacking in the provided plan that should be addressed. Also the intent seems to be a permanent variance, which is not typically agreeable without a trial run.

The event planners did not provide a key element in the analysis of the plan. Specifically the number of individuals and vehicles expected. If past events (in areas further from major populations centers such as DC) could provide a model, the festival could bring more than 30,000 people and 16,000 vehicles. It is believed that such an influx of people would quickly overwhelm the current infrastructure of police and medical personnel and additional days would exasperate the problem.

There would not appear to be a reasonable benefit to the area by extending the amount of allowable days by 150%. There would be a reasonable expectation that the "campers" will actually bring in everything they need and primarily purchase concessions (t-shirts, albums, banners etc.) on-site from the All Good specific vendors. It is also probable that the extensive traffic would present harmful effects since most high population areas may only access the site via single lane roadways which will block Rt-340 preventing individuals going to Hollywood Casino or shopping in Charles Town on the weekend.

The planning has a number of shortcomings with the most egregious in the area of safety and liability. The applicants plan on providing only \$60,000 surety for event costs of the county, while it is expected they could spend a million on their own private

security. However, there were no real medical services mentioned that would be provided. This disparity in reasoning seems to place a significant and heavy burden on local resources. The plan did account for emergency entrances that are in the middle of the two main entry locations to the site. This emergency access would be essentially blocked during concert traffic flow periods.

The \$2 million general liability insurance seems wholly inadequate to the number of individuals at the event. Given that injuries and death have already occurred at prior All Good events it would not be unreasonable to expect coverage of significantly higher levels would be warranted. Recent events at other music festivals have shown that large numbers of individuals are capable of being injured and with 5 days and nights all possible things could happen.

While the Zoning Board has no jurisdiction outside the county let alone the state, it would be reasonable to expect a significant traffic issue would be also coordinated with the local counties in Virginia which will certainly also be impacted. There was no mention in the plan of such coordination.

The community is not agreeable to amplified music until 3AM. In general the community is not in favor of the event since it is expected that the event as planned will be at best a 5-day upheaval requiring many to stay home but it could potentially be dangerous to individuals since the proposed security will be protecting people within the gate, not outside.

There is serious concern about the level of traffic going through 2 gates, which must also screen (typically campers) for a large list of illegal items. It is not expected that any real inspections will be performed. It is anticipated that 8 cars a minute must continually pass through each gate to meet the expected traffic. It is not reasonable to expect a search of vehicles in that timeframe. And while you may not bring a cat you can bring a gun.

Other notable issues are the site location is adjacent to a large housing development which would need 24 hour security through event setup and subsequent to the event. The site is also adjacent to a cemetery which has historic value which must be protected. There is a major power substation adjacent to the property as well as high-tension wires. Both of these critical infrastructures provide a major safety hazard and significant harm to the area if they were damaged.

Dept of Zoning & Planning  
September 16, 2014  
RE: Zoning Variance Request ZV14-14 & ZV14-15  
Quail 1 HOA

While the music event would be noteworthy, it may be news worthy as well. We urge the Board to carefully consider the concerns expressed here and by others. It is believed that the area benefits little from such events by adding days and more importantly the scope of the event adds significantly to the burden to police and volunteer rescue and hospitals.


If you have questions I can be reached by email at [wontwo3@icloud.com](mailto:wontwo3@icloud.com) or at home 304-885-4844.

Regards,

William O'Neill  
Quail Run 1 HOA President

ZV14-14  
ZV14-15

To: Jefferson County, WV Board of Zoning Appeals

From: James Slusser, MS   
Rippon, WV

Date: September 17, 2014

Re: ZV14-14 & ZV14-15

RECEIVED

SEP 17 2014

JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

I, James Slusser of 2881 Withers LaRue Rd, Rippon, WV state that I am an adjoining property owner to the proposed application by Ms. Mark D Stolipher, Ms. Nancy & Mr. Douglas Stolipher, and Mr. Tim Walther. I am in opposition to this request and *urge* the Jefferson County Board of Zoning Appeals (BZA) to *deny* the All Good festival application as referenced by application number(s) ZV14-14 and ZV14-15, dated July 29, 2014 and July 31, 2014 respectively.

To date, Mr. Walther promised to be:

1. Good neighbors
2. Provide economic stimulus to the county

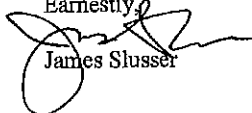
To date, Mr. Walther, Mark Stolipher, Nancy & Douglas Stolipber have not provided:

1. Enumeration of estimated users
2. Enumeration of economic impacts
  - a. Potential economic impacts gained or lost by Jefferson County
  - b. Potential economic impacts of spatially proximate neighboring parcel owners
3. Groundwater recharge and quality assessment data
  - a. Potential groundwater degradation impacts
    - i. Pre-event testing base values?
    - ii. Post event testing values?
4. Inventory and Assessment of Current Environmental Concerns related to our sensitive Karst Geology.
  - a. Springs
  - b. Streams
  - c. Sink holes, dolines, swallets,
  - d. Rock outcrops
  - e. Relevant underground geology status
    - i. Can the geology support the proposed use and bearing loads?
    - ii. Are there any predisposed areas of sink hole formation in relation to the proposed parking, day use areas, and stadium(s)? When do we assure protection of the site users?
5. Public safety plan to include
  - a. Acoustical Studies to determine noise level compliance with local, state, and federal laws
  - b. Traffic studies to consider road impacts to existing and proposed users
  - c. Vehicle searches for contraband at entrance gates
    - i. Inspection time per vehicle
    - ii. What happens to contraband items

Should the applicants be sincere in there endeavors about seeking a "permanent" home for All Good Festival, then there should be no objection as to the long term planning required for such a facility. We all would like to find "good neighbors", but I feel the *ALL GOOD FESTIVAL* is *NO GOOD* for Jefferson County. The All Good proposal is not promoting agricultural practices or uses. The plan is merely "selling landuse" for a more profitable choice as the proposed land use does not appear to consistent with the Jefferson County Comprehensive Plan 2004.

Potential public risks appear to be greater than the public benefit. I strenuously urge the Jefferson County Board of Zoning Appeals (BZA) to *DENY* ZV14-14 and ZV14-15 applications.

Earnestly,

  
James Slusser

Copies mailed in 09/25/14 BZA mtg packet.-JH

Exhibit 1

## After fatal accident in West Virginia, All Good Music Festival moves to Ohio

An attendee at July's All Good Festival in West Virginia ((All Good Festival website) )  
November 29, 2011|By Erik Maza | The Baltimore Sun

After a fatal accident in July at the All Good Festival in West Virginia, Walther Productions, the festival's Maryland-based promoter, has moved the jam band music festival to Ohio, the company has said.

The accident, which left a 20-year-old woman dead and two others injured, has resulted in three lawsuits, as first reported by The Baltimore Sun, accusing the company, as well as several of the festival's vendors, like a security company, of negligence.

Earlier this month, Walther Productions moved to dismiss the lawsuits in U.S. District Court in Clarksburg, West Virginia. It also filed a cross-claim against the festival's security company, Event Staffing, Inc., charging the independent contractor with negligence.

Walther Productions announced last week the festival would move to Legend Valley in Ohio for its 16th edition, from July 19-22.

Without addressing the accident, the company acknowledged in the statement that Marvin's Mountaintop, the West Virginia fairgrounds that has hosted the festival for the past 9 years, had created "challenges and frustrations" for fans and the grounds' neighbors.

"While Marvin's Mountaintop was a brilliant place for the music and camping aspects of the All Good Festival, **getting over 12,000 cars up and down single lane country roads was problematic**," said company president Tim Walther.

This year's festival ended in tragedy when a truck careened into a camp of tents where attendees slept, killing a South Carolina woman, Nicole Faris Miller. Her friends Yen Ton and Elizabeth Rose Doran were injured.

In three separate lawsuits filed in September and October, Ton, Doran, and Kim S. Miller, Nicole's father, accused Walther; his company; Marvin's Mountaintop and several of the festival's vendors, including parking and security operators, of "wanton, reckless, grossly negligent" acts.

Walther Productions filed its first response to the allegations in U.S. District Court November 15, denying it should be held responsible for the accident. Instead, it claims Event Staffing, Inc., an independent contractor it hired, was responsible for assessing the venue's security needs and implementing a security plan.

In failing to do so, the security company "breached" its contract with Walther Productions and should be held liable for negligence.

A U.S. District judge has set a planning meeting on Kim Miller's lawsuit for January 6 and the initial discovery process due by February 3.

The civil lawsuits do not preclude a criminal case. In October, Preston County Sheriff Dallas Wolfe said West Virginia State Police have completed an accident reconstruction report. And the department's own report on the accident would be released this month.

Pasted from <[http://articles.baltimoresun.com/2011-11-29/entertainment/bal-after-fatal-accident-in-west-virginia-all-good-music-festival-moves-to-ohio-20111129\\_1\\_fatal-accident-independent-contractor-lawsuits](http://articles.baltimoresun.com/2011-11-29/entertainment/bal-after-fatal-accident-in-west-virginia-all-good-music-festival-moves-to-ohio-20111129_1_fatal-accident-independent-contractor-lawsuits)>

Exhibit 2  
p1 of 2

[July 27, 2010]

## **Some say All Good Festival too bad: Resident bothered by trespassers, feces wants it stopped**

KINGWOOD, Jul 27, 2010 (The Dominion Post - McClatchy-Tribune Information Services via COMTEX) -- George Street has seen enough of the All Good Festival.

Street, who lives near the annual gathering of jam band fans, said he's collected more than 120 signatures from neighbors and Masontown residents who feel the same way. He told Preston County Commissioners on Monday he'll do anything he can -- including hiring a lawyer to draft an ordinance -- to see that the festival is stopped.

"It's the worse 2 1/2 weeks of the year for the Valley District," he said.

This year, a man defecated in Street's driveway, broke into his garage and spread feces on his wife's car. The man tried to get into the car, but it was locked.

"This was at 3 a.m.," Street said. After the man was arrested, police learned there were outstanding warrants for him in Virginia.

"What happened to me is not an isolated incident, hes daid" Other homes in the area were broken into. One man was arrested on W.Va. 7 with a laptop computer he stole from a house near the festival.

Street said it took his wife more than three hours to get home from Morgantown on the first day of the festival. That's only one reason he wants the festival stopped. There are others: Oversized tractor-trailers get hung up on the narrow road outside his home. Street said he had to call more than one tow truck.

People knock on his door at all hours of the night to ask for money, food and a place to sleep during the festival.

Trespassers arrive a day before the festival to line up -- often on his property.

He said he's had to call police to have vehicles moved from his driveway, despite erecting barriers.

Exhibit 2  
p292

Street said he took two days off work "to watch my house -- to guard my house," during the festival. He said he asked a man attending the festival from Arkansas why he came to Masontown. "They won't let us have a party like this in Arkansas," was his reply, according to Street. So why do we let them do it here, Street wanted to know.

While Street wants All Good stopped, Glenn Larew, of mining company Coal-Train Association, said, "I'd like to see if there's a way to make it work." He said the festival is "a \$4 to \$5 million operation that comes to this county." He said it's time to do an accounting of the festival -- what the county pays out and what it brings in.

"For 30 years, I've heard, 'we need tourism.' " It's here, he said, and the commission is saying it would like to see it go away. Commission President Craig Jennings said the festival costs the county money, and tax revenue from the festival goes to the state, not the county.

"Let's figure it out," Larew said. "This is a business decision. Let's be businesslike about it." He said he's taken friends to the festival and "they all have a wonderful time. You're only giving one side." Sheriff Dallas Wolfe said the festival draws good people and bad.

"I worked undercover at the festival and every fourth person was trying to sell me drugs," Wolfe said. He said he didn't have the personnel or money to buy all the drugs that were available to bust attendants. "We just skimmed the surface," he said.

The festival, Street said, "*does nothing but harm us and bring drugs into our community.*" He said he'll continue to work against the festival, and next year, he'll have a video camera.

"Only two or three people are making money off of this festival," Street said. "Why are you sacrificing the many for the few?" Commissioner Vicki Cole said she's heard from Masontown residents who oppose the festival but are afraid to speak up for fear of causing problems with neighbors and friends.

Jennings said the prosecuting attorney's office is drafting an ordinance that Assistant Prosecutor Bill Means said will "address the health and safety issues arising from the number of people descending upon Preston County at one time." To see more of The Dominion Post or to subscribe to the newspaper, go to <http://www.dominionpost.com/>. Copyright (c) 2010, The Dominion Post, Morgantown, W.Va. Distributed by McClatchy-Tribune Information Services. For more information about the content services offered by McClatchy-Tribune Information Services (MCT), visit [www.mctinfoservices.com](http://www.mctinfoservices.com), e-mail [services@mctinfoservices.com](mailto:services@mctinfoservices.com), or call 866-280-5210 (outside the United States, call +1 312-222-4544)

Zoning Department

---

**From:** Zoning Department <zoning@jeffersoncountywv.org>  
**Sent:** Friday, September 12, 2014 4:27 PM  
**To:** mas926@aol.com  
**Subject:** RE: Proposed All Good Music Festival

Ms. Spruill,

Your correspondence will be included in the Board's mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. This packet will be posted to the County's website [here] by 5:00 p.m. on September 19, 2014.

Thank you for your interest.

Sincerely,

Jennilee Hartman  
Zoning Clerk  
116 E. Washington Street  
P.O. Box 338  
Charles Town, WV 25414  
Phone: 304-728-3228  
Fax: 304-728-8126  
Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

**From:** mas926@aol.com [mailto:mas926@aol.com]  
**Sent:** Friday, September 12, 2014 6:45 AM  
**To:** zoning@jeffersoncountywv.org  
**Subject:** Proposed All Good Music Festival

Margaret A. Spruill  
345 Quail Run Rd.  
Summit Point, WV 25446-3608

September 12, 2014

**SUBJECT: Application for Approval of All Good Music Festival**

Dear Alexandra Beaulieu,

I am writing to express my **opposition** to the proposed music festival across from our community.

The residents of Quail Run are mainly working individuals who enjoy their peaceful residential lifestyle. The introduction of hundreds of additional cars and unknown numbers of individuals would tax our current roads far beyond their capacity. In addition, according to another county's sheriff that had the "All Good Music Festival" held in their county, they experienced drug trafficking that saturated their judicial system. The problem was so bad that they simply stopped enforcing the law. The devastating litter/trash problems during similar events would also impact our environment. My understanding is once permission is granted for this festival, other events of undetermined nature could be forthcoming.

Given the history of these types of events (music festivals), there will be a monumental impact on our local law enforcement and emergency facilities. We have just experienced an ambulance fee for Jefferson County to support emergency services. Will we be assessed additional tax increases to support law and emergency services required for this festival and possible future festivals?

This application should not be approved in any form because of its adverse impact on our community and the other surrounding communities.

Please partner with our community to stop the approval of this application and leave our little community the way it is.

Thank you in advance for considering the community's needs,  
Margaret A. Spruill

## Zoning Department

**From:** Zoning <zoning@jeffersoncountywv.org>  
**Sent:** Wednesday, September 17, 2014 9:05 AM  
**To:** 'Karl Straley'  
**Cc:** zoning@jeffersoncountywv.org  
**Subject:** RE: Please reject the request for the All Good Festival and Camp Out

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mr. and Ms. Straley,

This email serves as confirmation for receipt of your submission. Please be advised, your correspondence will be included in the Board of Zoning Appeals' mailed packet for the September 25, 2014 meeting, which will begin at 2:00 p.m. An electronic copy of the packet will be posted to the County's website [[here](#)] by 5:00 p.m. on September 19, 2014.

Thank you for your interest.

Sincerely,

Alexandra Beaulieu  
Office/Project Manager  
Jefferson County Departments of Planning and Zoning  
116 E. Washington Street  
P.O. Box 338  
Charles Town, WV 25414  
Phone: 304-728-3228  
Fax: 304-728-8126  
Website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)  
Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

**From:** Karl Straley [<mailto:karl.straley@gmail.com>]  
**Sent:** Tuesday, September 16, 2014 8:01 PM  
**To:** zoning@jeffersoncountywv.org; Karl Straley; Brenda Straley  
**Subject:** Please reject the request for the All Good Festival and Camp Out

Jefferson County – Board of Zoning Appeals,

September 16, 2014

Dear Jefferson County Zoning Board,

Please don't tarnish the positive image Jefferson County has spent years developing by approving any planning or zoning variances or ordinances that would allow the "All Good Festival and Camp Out" or similar events to occur in our county!

We the neighbors of Summit Point have heard all the terrible things the proposed camp out will bring to the county, please as the board considered the impact such an enormous event could have on the following:

- Contamination of ground water that feeds local wells
- Local traffic congestion
- Damage to surrounding property
- Damage to farmland
- Damage to rural roads
- **Additional expenses for emergency services**
- Impact on local judicial system

We have lived in Summit Point, Jefferson County for over 13 years and live within a few thousand feet of the proposed event site and we cannot believe any citizen wants our historical county known for a five-day drunken party fest.

The Zoning Variance Request (ZV1414) submitted by Mr. Tim Walther and Ms. Junipa Conteto is deceptive by stating it is for a single three-day period, but then requests a music festival and camp out for five consecutive days. In reality, the event will disrupt the community for approximately one month due to setting up, holding the event, and removing their temporary infrastructure.

Also, you will notice on their application the proximity of the railroad to the event. It is our opinion that attendees will disrupt the frequent train commerce and perhaps deaths will occur on the tracks. The frequent running of the trains combined with the influx of thousands of partygoers will also exasperate the traffic congestion on the county roads backing up traffic for miles.

It is our understanding that the promoters and property owners will erect a six-foot chain link fence to contain the estimated 15,000 – 30,000 attendees for the five-day period. They are trying to create a police state for the event. This should send a red flag right away regarding the caliber of people and the illegal activities that will occur; therefore, their request must not be approved by the county.

This type of event will not bring additional tax revenues to the county, but will actually cost the county a great deal more financially not to mention the negative impact on our historical image, future tourism, and future relocations to our county.

The citizens of this county are looking to each of you to do the right thing for all the residents of the county not just the property owner wishing to make a quick buck by holding this event.

We understand there is a mass gathering ordinance being developed to address these type of mass events and we believe it is in the best interest of the county to develop the rules and standards that augment the county and in no way negatively impact our

communities. Please delay the review of the "All Good Festival" until the new mass event policy is in place.

One last thing, we don't understand why the county needs to grant approval for mass gathering events on farmland surrounded by tax payers who moved to the rural parts of the county to enjoy the peace and quiet environment when there are two existing venues within the county for such events; Jefferson County Fairgrounds and the Sam Michael Park.

Thank you for taking the time to read our communities letter and considering the points that we all wish to raise.

In closing please reject this Zoning Variance Request and stop this event.

Yours truly,

Karl and Brenda Straley

432 Quail Run Road  
Summit Point, WV 25446

ZV14-14  
ZV14-15

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414


RECEIVED  
SEP 17 2014  
JEFFERSON COUNTY  
PLANNING, ZONING & APPLICABLE CODES  
-mailed

Dear Planning Commission Officers  
I currently own property at

near 261 Berry Hill Farm Ln., Summit Point, WV. District: Kabletown (06); Map: 19; Parcels: 7, 16, & 8.4; Size: 347.15 ac (total); Zoned: Rural; File: ZV14-15. As a concerned property owner I am asking you to consider the impact that the All Good Festival will have on our community. The festival is expecting 30,000 people to attend and camp out. The impact of travel on Wither's Larue Road, the repair costs that will extend to the state to repair and maintain the road, let alone the cost of volunteer fire department personnel and water usage needed to prevent or treat any medical emergencies. In addition the security and police force needed to help protect the folks who attend the conference as well as the community. Consider the impact of our neighboring state of Virginia and its follow through of billing the state of West Virginia and/or Jefferson County for each man hour of police force spent to maintain traffic safety. Let alone the impact of 911 service calls that are originated from the festival noise complaints. Last but not least is the impact to the precious farm land and destruction of property that will occur from thousands of people trampling on precious farm land in our area and pollution. We are surrounded by beautiful farm land that enhances the beauty of our area, provides adequate property values. With the addition of this festival, property values will decrease and safety for the citizens will be at hand a questionable occurrence. Wither's Larue Road and Franklin town Road are dangerous and not wide enough currently, let alone add in drunk drivers who cross the line and kill someone. Please take an opportunity to consider these very important points before the approval of the variance to hold the five day festival.

Kind regards

A concerned citizen of Jefferson County

 Kevin T Paradis Sr. (signature)  
Sept. 16, 2014 (date)

229 Quail Run Rd  
Summit Point WV  
25446

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

SEP 17 2014  
JEFFERSON COUNTY  
PLANNING, ZONING & BZA DEPT.

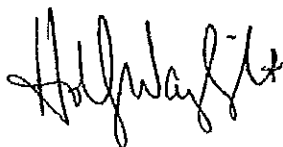
ZV14-14  
ZV14-15

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Kind regards

A concerned citizen of Jefferson County



Holly Waybright 447 Pheasant Hill Rd, Summit Point WV 25446

ZV14-14  
ZV14-15

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

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Kind regards  
A concerned citizen of Jefferson County

Vel Anne Schlachter  
September 17, 2014

Copies mailed in 09/25/14 BZA mtg packet.-JH

**RECEIVED**

SEP 18 2014

JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

- email

ZV14-14  
ZV14-15

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

Dear Planning Commission Officers

I currently own property at 417 Quail Run Rd Summit Point WV 25446 near 261 Berry Hill Farm Ln., Summit Point, WV. District: Kabletown (06); Map: 19; Parcels: 7, 16, & 8.4; Size: 347.15 ac (total); Zoned: Rural; File: ZV14-15. As a concerned property owner I am asking you to consider the impact that the All Good Festival will have on our community. The festival is expecting 30,000 people to attend and camp out. The impact of travel on Wither's Larue Road, the repair costs that will extend to the state to repair and maintain the road, let alone the cost of volunteer fire department personnel and water usage needed to prevent or treat any medical emergencies. In addition the security and police force needed to help protect the folks who attend the conference as well as the community. Consider the impact of our neighboring state of Virginia and its follow through of billing the state of West Virginia and/or Jefferson County for each man hour of police force spent to maintain traffic safety. Let alone the impact of 911 service calls that are originated from the festival noise complaints. Last but not least is the impact to the precious farm land and destruction of property that will occur from thousands of people trampling on precious farm land in our area and pollution. We are surrounded by beautiful farm land that enhances the beauty of our area, provides adequate property values. With the addition of this festival, property values will decrease and safety for the citizens will be at hand a questionable occurrence. Wither's Larue Road and Franklin town Road are dangerous and not wide enough currently, let alone add in drunk drivers who cross the line and kill someone. Please take an opportunity to consider these very important points before the approval of the variance to hold the five day festival.

Kind regards

A concerned citizen of Jefferson County

Henry Schlachter III  
9/16/2014

RECEIVED

SEP 17 2014

JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING  
-email

Copies mailed in 09/25/14 BZA mtg packet.-JH





We, the under signed property owners ~~\_\_\_\_\_~~  
below, hereby file a protest to the Municipality of Jefferson County W.V.  
Planning Commission in the jurisdiction of Summit Point W.V. 116 East  
Washington Street, 2<sup>nd</sup> Floor P.O. Box 338 Charles Town, W.V. against the  
proposed zoning map amendment for the area described as:

Legal Description: 261 Berry Hill Farm Lane Tax District 6, Map 19, Parcel  
7, 16, 8.4 Parcel Size 347.15 Deed Book 944; 913; 1129 Page Number  
45; 746; 678. Zoning District Rural A Nancy C & Douglas Stolipher and Mark  
D Stophiler owners. Address of owners: 1599 Roper North Fork Road  
Charles Town, W.V. 25414. PO: Box 190 Rippon, W.V 25446

Planning and Zoning Commission case number: ZV14-14 and ZV14-5

Petitioner:

Name (Please Print)	Mailing Address	Signature
Maryann Harrigan	39 Grouse Knoll Ln. Summit Point WV 25446	<i>Maryann Harrigan</i>
William D'Neill	456 Pheasant Hill Rd	<i>William D'Neill</i>
Marianne O'Neill	" " " "	<i>Marianne O'Neill</i>
John Barile	597 Pheasant Hill Rd	<i>John A. Barile</i>
Sarah Barile	597 Pheasant Hill Rd	<i>Sarah Barile</i>
Melissa A. Costello	48 Grouse Knoll Ln.	<i>Melissa A. Costello</i>
Melissa A. Costello	20 Grouse Knoll	<i>Melissa A. Costello</i>
Jim Harrell	593 Grouse Knoll	<i>Jim Harrell</i>
Raymond Sauer	593 Grouse Knoll	<i>Raymond Sauer</i>





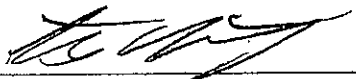
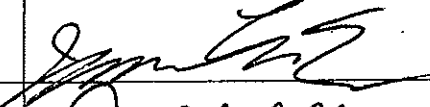
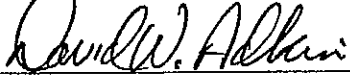

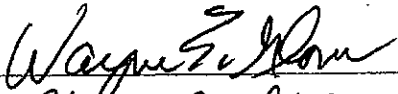



We, the under signed property owners within 100 feet of the area described below, hereby file a protest to the Municipality of Jefferson County W.V. Planning Commission in the jurisdiction of Summit Point W.V. 116 East Washington Street, 2<sup>nd</sup> Floor P.O. Box 338 Charles Town, W.V. against the proposed zoning map amendment for the area described as:

Legal Description: 261 Berry Hill Farm Lane Tax District 6, Map 19, Parcel 7, 16, 8.4 Parcel Size 347.15 Deed Book 944; 913; 1129 Page Number 45; 746; 678. Zoning District Rural A Nancy C & Douglas Stolipher and Mark D Stophiler owners. Address of owners: 1599 Roper North Fork Road Charles Town, W.V. 25414. PO. Box 190 Rippon, W.V 25446

Planning and Zoning Commission case number: ZV14-14 and ZV14-5

Petitioner:

Name (Please Print)	Mailing Address	Signature
Barbara Milleson	94 Pheasant Hill Rd Summit Pt, WV 25446	
Michael Milleson	94 Pheasant Hill Rd. Summit Point WV 25446	
Jeffrey Albert	126 Pheasant Hill Road Summit Point, WV 25446	
Rebecca Hall	521 Grouse Knoll Ln Summit Point, WV 25446	
Bob + Rebecca Thompson	529 Quail Run Rd Summit Point, WV 25446	
James A. Lavigne	367 Grouse Knoll Lane Summit Point, WV 25446	
David W. Adkins	203 Pheasant Hill Rd Summit Point WV 25446	
Matthew W. Glover	308 Pheasant Hill Road Summit Point, WV 25446	
Wayne E. Glover	228 Quail Run Summit Point WV 25446	
Cheryl D. Lavigne	367 Grouse Knoll Lane Summit Point, WV 25446	


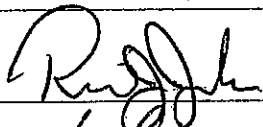
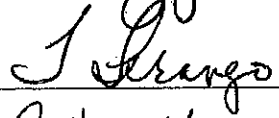
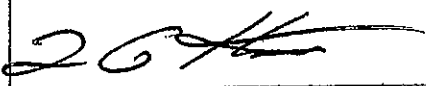
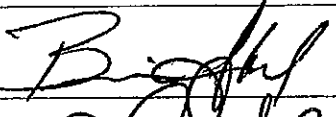
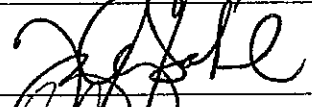
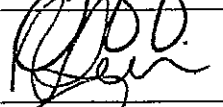



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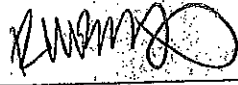
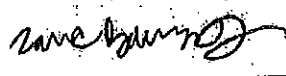
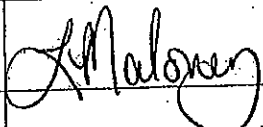
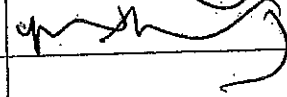
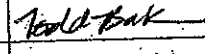

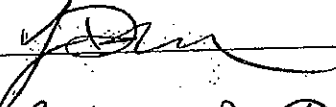
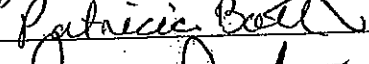
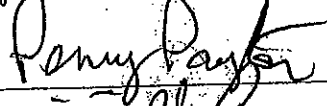
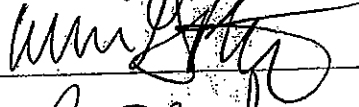
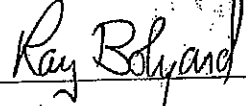
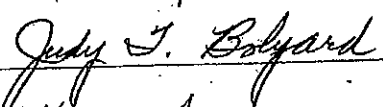

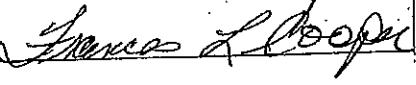
Legal Description: 261 Berry Hill Farm Lane Tax District 6, Map 19, Parcel 7, 16, 8.4 Parcel Size 347.15 Deed Book 944; 913; 1129 Page Number 45; 746; 678. Zoning District Rural A Nancy C & Douglas Stolipher and Mark D Stophiler owners. Address of owners: 1599 Roper North Fork Road Charles Town, W.V. 25414. PO. Box 190 Rippon, W.V 25446

Planning and Zoning Commission case number: ZV14-14 and ZV14-5

Petitioner:

Name (Please Print)	Mailing Address	Signature
KEN HAWTHORNE	58 Kelcar Dr Summit Pt. WV	
Hinda Hawthorne	58 Kelcar Dr Summit Pt WV	Hinda Hawthorne
Rick Jenkins	190 Kelcar Drive Summit Point WV	
Traci Terango	199 Kelcar Dr	
Carolynn Hawthorne	199 Kelcar Dr. SP, WV	C. Hawthorne
	199 Kelcar Dr.	Jarad Hawthorne
Brian Sokel	45 Kelcar Dr	
Tammy Sokel	45 Kelcar Dr.	
Rochelle Pen	133 Kelcar Dr.	
Todd Lewis	133 Kelcar Dr.	

ALL GOOD MUSIC FESTIVAL

Name (Please Print)	Mailing Address	Signature
RON BRADBURY	267 PHEASANT HILL RD	
ZANE BRADBURY	267 PHEASANT HILL RD	
LISA MALONEY	357 Grouse Knoll Ln	
MARK MALONEY	357 Grouse Knoll Ln	
Todd Baker	274 Pheasant Hill Rd	
Rebecca Durr	246 Pheasant Hill Rd	
Terence Durr	246 Pheasant Hill Rd	
Patricia Bott	246 Pheasant Hill Rd	
PENNY PAYTON	67 PHEASANT HILL RD	
GARY PAYTON	67 PHEASANT HILL RD	
RAY BOLYARD	874 Pheasant Hill Road	
Judy T. Bolyard	874 Pheasant Hill Road	
Karen Fletcher	193 Quail Run Rd	
Frances Cooper	P.O. Box 152 Rippon	

ZV14-14  
ZV14-15

We, the under signed property owners within 100 feet of the area described below, hereby file a protest to the Municipality of Jefferson County W.V. Planning Commission in the jurisdiction of Summit Point W.V. 116 East Washington Street, 2<sup>nd</sup> Floor P.O. Box 338 Charles Town, W.V. against the proposed zoning map amendment for the area described as:

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Planning and Zoning Commission case number: ZV14-14 and ZV14-5

Petitioner:

Name (Please Print)	Mailing Address	Signature
Jeff Gallahan	29 Quail Run RD	Jeff Gallahan
MARGARET SPRUILL	345 Quail Run RD	Margaret G. Spruill
FRANK W. PERROW	Summit Pt W.V. 350 GROUSE Knoll Ln	Frank W. Perrow
Carey Hall	521 Grouse Knoll Lane	Carey Hall
Matth Wellr	460 Grouse Knoll Lane	Matth Wellr
Wendy Wellr	460 Grouse Knoll Lane	Wendy Wellr
Joseph Williams	176 Grouse Knoll Lane	Joseph Williams
Erica Williams	176 Grouse Knoll LN	Erica L. Williams
Michelle Ridemour	234 Grouse Knoll Ln	Michelle L. Ridemour
Matt Ridemour	234 Grouse Knoll Ln	Matt Ridemour

Name (Please Print)	Mailing Address	Signature
Jane Paradis	229 Quail Run Rd Summit Point WV	Jane Paradis
Kevin T Paradis Sr	229 Quail Run Rd Summit Point WV 25446	Kevin T Paradis
David Viten	451 QUAIL RUN RD Summit Point WV. 25446	David Viten
Jessica W. Forbes	479 Grouse Knoll Lane Summit Point WV 25446	Jessica W. Forbes
Thomas W. Lay	48 Rippon WV	Thomas W. Lay
MICHELLE BRADBURY	267 PHEASANT HILL SUMMIT POINT WV 25446	Michelle Bradbury
Kelye McKee	885 Franklinton Rd Summit Point, WV 25446	Kelye McKee
TIM MCKEE	885 FRANKLINTON ROAD SUMMIT POINT, WV 25446	Tim McKee
Vel Schlachter	417 Quail Run Rd Summit Point WV 25446	Vel Schlachter
HENRY SCHLACHTER	417 QUAIL RUN RD	Henry Schlachter
Rusty Morgan	2547 Berryville Pike Rippon WV. 25441	Rusty Morgan
EDWARD L BOYD	PO Box 38 RIPPON WVA 25441	Edward L Boyd
Brenda Stealey	432 Quail Run Rd Summit Point WV 25446	Brenda Stealey
Janet Peterson	Summit Point WV 25446 432 Quail Run Rd	Janet Peterson
Cindy Jansen	150 Center Ct. Harpers Ferry WV	Cindy Jansen



Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

Dear Planning Commission Officers

I currently own property at

near 261 Berry Hill Farm Ln., Summit Point, WV. District: Kabletown (06); Map: 19; Parcels: 7, 16, & 8.4; Size: 347.15 ac (total); Zoned: Rural; File: ZV14-15. As a concerned property owner I am asking you to consider the impact that the All Good Festival will have on our community. The festival is expecting 30,000 people to attend and camp out. The impact of travel on Wither's Larue Road, the repair costs that will extend to the state to repair and maintain the road, let alone the cost of volunteer fire department personnel and water usage needed to prevent or treat any medical emergencies. In addition the security and police force needed to help protect the folks who attend the conference as well as the community. Consider the impact of our neighboring state of Virginia and its follow through of billing the state of West Virginia and/or Jefferson County for each man hour of police force spent to maintain traffic safety. Let alone the impact of 911 service calls that are originated from the festival noise complaints. Last but not least is the impact to the precious farm land and destruction of property that will occur from thousands of people trampling on precious farm land in our area and pollution. We are surrounded by beautiful farm land that enhances the beauty of our area, provides adequate property values. With the addition of this festival, property values will decrease and safety for the citizens will be at hand a questionable occurrence. Wither's Larue Road and Franklin town Road are dangerous and not wide enough currently, let alone add in drunk drivers who cross the line and kill someone. Please take an opportunity to consider these very important points before the approval of the variance to hold the five day festival.

Kind regards

A concerned citizen of Jefferson County

Jane Paradis (signature)

9/16/14 (date)

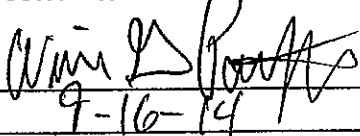
Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

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Kind regards

A concerned citizen of Jefferson County

 (signature)  
9-16-14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

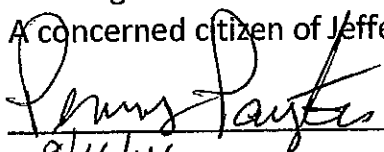
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Kind regards

A concerned citizen of Jefferson County



(signature)

9/16/14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

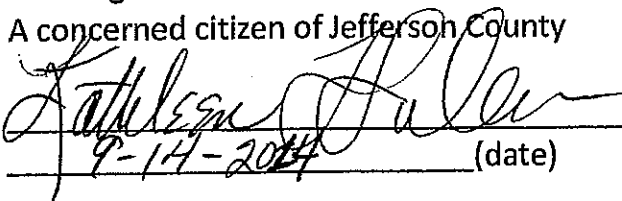
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Kind regards

A concerned citizen of Jefferson County

  
\_\_\_\_\_  
9-14-2014 (date) (signature)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

Dear Planning Commission Officers  
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Kind regards

A concerned citizen of Jefferson County

Brenda Staley (signature)  
9-14-2014 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414


Dear Planning Commission Officers

I currently own property at

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Kind regards

A concerned citizen of Jefferson County

 (signature)  
9-16-14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

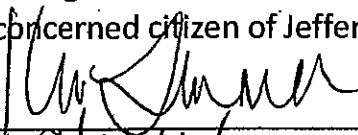
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Kind regards

A concerned citizen of Jefferson County



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(signature)

9/16/14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

Dear Planning Commission Officers  
I currently own property at

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Kind regards

A concerned citizen of Jefferson County

Angela Bulb (signature)  
9/16/14 (date)

ZV14-14

ZV14-15

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

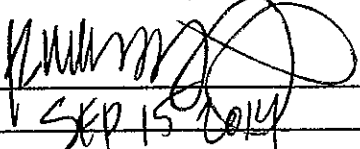
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Kind regards

A concerned citizen of Jefferson County

  
\_\_\_\_\_  
SEP 15 2014 (date)

(signature)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

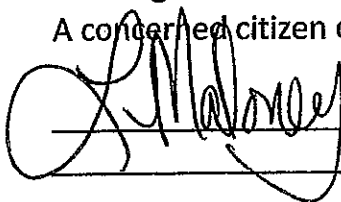
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Kind regards

A concerned citizen of Jefferson County



(signature)

09.16.14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

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Kind regards  
A concerned citizen of Jefferson County

John (signature)  
16 Sept 14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414


Dear Planning Commission Officers

I currently own property at

near 261 Berry Hill Farm Ln., Summit Point, WV. District: Kabletown (06); Map: 19; Parcels: 7, 16, & 8.4; Size: 347.15 ac (total); Zoned: Rural; File: ZV14-15. As a concerned property owner I am asking you to consider the impact that the All Good Festival will have on our community. The festival is expecting 30,000 people to attend and camp out. The impact of travel on Wither's Larue Road, the repair costs that will extend to the state to repair and maintain the road, let alone the cost of volunteer fire department personnel and water usage needed to prevent or treat any medical emergencies. In addition the security and police force needed to help protect the folks who attend the conference as well as the community. Consider the impact of our neighboring state of Virginia and its follow through of billing the state of West Virginia and/or Jefferson County for each man hour of police force spent to maintain traffic safety. Let alone the impact of 911 service calls that are originated from the festival noise complaints. Last but not least is the impact to the precious farm land and destruction of property that will occur from thousands of people trampling on precious farm land in our area and pollution. We are surrounded by beautiful farm land that enhances the beauty of our area, provides adequate property values. With the addition of this festival, property values will decrease and safety for the citizens will be at hand a questionable occurrence. Wither's Larue Road and Franklin town Road are dangerous and not wide enough currently, let alone add in drunk drivers who cross the line and kill someone. Please take an opportunity to consider these very important points before the approval of the variance to hold the five day festival.

Kind regards

A concerned citizen of Jefferson County

 (signature)  
16 Sept 14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

Dear Planning Commission Officers

I currently own property at *874 Pheasant Hill Road, Summit Point, WV*  
near 261 Berry Hill Farm Ln., Summit Point, WV. District: Kabletown (06); Map:  
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Kind regards

A concerned citizen of Jefferson County

*Judy T. Bolyard* *Judy T. Bolyard* (signature)  
*9-16-14* (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

Dear Planning Commission Officers

I currently own property at 874 Pheasant Hill Rd, Summit Point, WV  
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Kind regards

A concerned citizen of Jefferson County

Ray Bolyard (Ray Bolyard) (signature)  
9-16-14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

Dear Planning Commission Officers

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Kind regards

A concerned citizen of Jefferson County

Karen A. Flecker (signature)  
9-16-14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

Dear Planning Commission Officers

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Kind regards

A concerned citizen of Jefferson County

Steve Adams (signature)  
9-17-14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

Dear Planning Commission Officers

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Kind regards

A concerned citizen of Jefferson County

Ja. F. O. (signature)  
9/17/14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

Dear Planning Commission Officers

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Kind regards

A concerned citizen of Jefferson County

*Evelyn S. Dailey* (signature)  
Sept 16, 2014 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

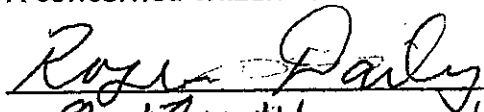
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Kind regards

A concerned citizen of Jefferson County



(signature)

9-18-14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

Dear Planning Commission Officers

I currently own property at *765 Pleasant Hill Rd, Summit Point, WV* near 261 Berry Hill Farm Ln., Summit Point, WV. District: Kabletown (06); Map: 19; Parcels: 7, 16, & 8.4; Size: 347.15 ac (total); Zoned: Rural; File: ZV14-15. As a concerned property owner I am asking you to consider the impact that the All Good Festival will have on our community. The festival is expecting 30,000 people to attend and camp out. The impact of travel on Wither's Larue Road, the repair costs that will extend to the state to repair and maintain the road, let alone the cost of volunteer fire department personnel and water usage needed to prevent or treat any medical emergencies. In addition the security and police force needed to help protect the folks who attend the conference as well as the community. Consider the impact of our neighboring state of Virginia and its follow through of billing the state of West Virginia and/or Jefferson County for each man hour of police force spent to maintain traffic safety. Let alone the impact of 911 service calls that are originated from the festival noise complaints. Last but not least is the impact to the precious farm land and destruction of property that will occur from thousands of people trampling on precious farm land in our area and pollution. We are surrounded by beautiful farm land that enhances the beauty of our area, provides adequate property values. With the addition of this festival, property values will decrease and safety for the citizens will be at hand a questionable occurrence. Wither's Larue Road and Franklin town Road are dangerous and not wide enough currently, let alone add in drunk drivers who cross the line and kill someone. Please take an opportunity to consider these very important points before the approval of the variance to hold the five day festival.

Kind regards

A concerned citizen of Jefferson County

*Caul Townsel* (signature)  
*9/16/14* (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

Dear Planning Commission Officers

I currently own property at *765 Pheasant Hill Road, Summit Point, WV 25446*  
near 261 Berry Hill Farm Ln., Summit Point, WV. District: Kabletown (06); Map:  
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Kind regards

A concerned citizen of Jefferson County

*Phillip J. Cunsent*

(signature)

*9/16/14*

(date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

Dear Planning Commission Officers

I currently own property at 707 Pheasant Hill Rd Summit Point, WV 25446  
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Kind regards

A concerned citizen of Jefferson County

Elizabeth Friend (Elizabeth Friend) (signature)  
09-17-14 (date)

Jefferson County Planning Commission  
124 East Washington St.  
Charles Town, W.V. 25414

ZV14-14  
ZV14-15

Dear Planning Commission Officers

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707 Pheasant Hill Rd

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Kind regards

A concerned citizen of Jefferson County

JoBeth Friend      JoBeth Friend (signature)  
9/17/14      (date)

DeLois Blevins  
805 Leetown Road  
Summit Point, WV 25446

September 25, 2014

Reference: September 2014 Zoning Board Appeals Hearing

To the Board,

My family and I are opposed to the zoning variance requested by Mark Dyck on behalf of developers Tim Walthers and Junipa Contento.

Summit Point is a quiet rural community; a place where the residents of South Jefferson County live so they can enjoy the solitude of the quiet pastoral settings and to be apart from the traffic and congestion of the metropolitan areas. After researching other Good Music Festival events, I am disturbed that this type of venue could destroy the area that my family has come to call home.

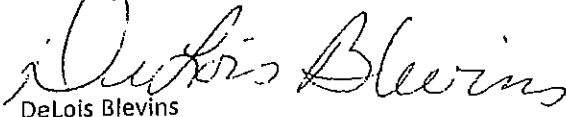
Good Music Festival is advertised as "the party of the year", a place where you can "Rage all night", that advertises a ticket price that includes "unlimited beer". Is it any wonder that these events host tens of thousands of participants every year? Raging is associated with the use of drugs such as Molly, and ecstasy. We do not want this type of behavior shoved down our throats. Our community has a big enough drug problem without promoting events such as these. There are no police or Sheriff patrols that work in this area. I know, my husband is a Jefferson County Reserve and they all patrol the northern end of the county.

The residents of South Jefferson County do not want a venue that will allow an event that does not have to abide by the normal noise ordinance for our area. We are not visitors and we have jobs to go to and children to attend to and hearing "world class sound and light systems" until 2:59 a.m. is disruptive to our daily lives.

Additionally, our infrastructure cannot accommodate this volume of traffic. Currently, we have the traffic from Summit Point Race Way and the bike traffic. We do not need an additional 20,000 plus cars on our roads for five or more days. Who's going to pay for the road repairs or the traffic light that will need to be installed at the intersection of Withers LaRue and Rt. 340. You denied Summit Point residents the ability to operate an internet business from their home because of your concern over potential of deliveries to the residence; stating our roadways are not meant to accommodate this addition volume of traffic. So how can you justify one over the other?

This type of zoning change is bad for Jefferson County and I am opposed to this change.

Sincerely,

  
DeLois Blevins

RECEIVED

SEP 25 2014

JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

## Woman hurt at music fest released from hospital

July 18, 2011 5:00 PM

By Kaitlynn Riely Pittsburgh Post-Gazette

One woman is in good condition and another has been discharged from Ruby Memorial Hospital in Morgantown a day after a runaway truck injured them and killed another woman at a music festival in Masontown, W.Va., a hospital spokeswoman said.

Yen Ton, 21, was discharged this morning, and Elizabeth Doran, 20, was in good condition. Nicole Miller, 20, was pronounced dead at the scene after a pickup truck rolled down a hill, out of control, at the four-day All Good Music Festival.

The three women were attending from Mount Pleasant, S.C.

Meanwhile, the Preston County sheriff's department has identified the man at the wheel of a pickup truck.

Clay Harlin Lewin, 20, of Cape Charles, Va., was in the driver's seat of a 2002 GMC pickup truck when the accident occurred, said Sheriff Dallas Wolfe.

The investigation is ongoing and no charges have been filed, Sheriff Wolfe said.

Ms. Miller's death was the first fatality in the festival's 15-year history, Sheriff Wolfe said.

More details in tomorrow's Pittsburgh Post-Gazette.

Kaitlynn Riely: [kriely@post-gazette.com](mailto:kriely@post-gazette.com) or 412-263-1707.

## Woman killed by runaway truck at West Virginia music festival

July 18, 2011 12:00 AM

By Kaitlynn Riely Pittsburgh Post-Gazette

MASONTOWN, W. Va. -- In an instant Sunday morning, all was not good at the All Good Music Festival in Masontown.

People were still asleep or just starting to wake up in tents and cars packed onto the sprawling concert grounds when a GMC pickup truck began rolling down a hill, out of control.

A man was in the driver's seat as the car careened forward 30 or 40 feet, striking at least 4 cars, several tents and coming to a stop at 8:48 a.m., when it rolled over three young women from Mount Pleasant, S.C., said Cpl. Rick Dotson of the Preston County sheriff's department.

Nicole Miller, 20, was pronounced dead at the scene. Two other women, Elizabeth Doran, 20, and Yen Ton, 21, were seriously injured and taken by helicopter to Ruby Memorial Hospital in Morgantown. No update on their conditions was available.

The man in the vehicle was in his early 20s, but his name has not been released, Cpl. Dotson said. No charges have been filed, and the investigation is ongoing, he said.

Several hours after the incident, it still wasn't clear why the man had lost control of his vehicle and whether the women had been sleeping or if they had been inside or outside their tent at the time of the accident.

But on the concert stage, the music was still playing. About 30,000 people attended this year's 15th annual weekend concert, which ended Sunday.

Each year, people travel to the festival from all around the country to camp in the Allegheny Mountains and listen to more than 40 hours of live music from bands performing rock, bluegrass, electronic, jam, reggae and funk sets.

The hordes started arriving at the Marvin's Mountaintop campground site on Thursday. They parked their cars on most of the available grassy space, some on the sides of hills, and set up camp with tents and blankets.

One man sat on the grass, playing with his phone. The sound of sirens rushing to the women crushed by the truck a mile or so away from where he was sitting had awakened him, he said.

And now the man, who declined to give his name, was sitting next to his own car, which had just slid 20 feet down the hill it was parked on when the parking brake slipped. It came to a stop

when it collided with a pickup truck. No one was hurt, and the cars were able to drive away from the scene.

From his post, he couldn't hear the music playing, but up one hill and down another, shirtless men with dreadlocks and women in tie-dyed shirts swayed to the music in front of a large stage.

They were the stalwarts. By Sunday afternoon, thousands of cars were making their way out of the campground, down a windy gravel road turned into dust by the churning tires.

At a gas station, their cars marked with the gray dust from the road, many people were shocked to hear that a woman had died that morning at the festival, since the only way for news to spread is through word of mouth.

But a 20-year-old man who introduced himself as Taylor Snowgrass, of Shadwell, W.V., said he happened to be walking towards the scene shortly after the crash happened.

"People were running around flipping out, because I guess so many people were worried," he said.

He watched as paramedics pulled three women out from under the truck and said he saw one make a signal that a woman had already died.

Julie Bee, 37, of Baltimore, was by her tent near the main stage Sunday morning when she saw an ambulance and heard sirens. She heard what had happened, and later in the afternoon, she saw a truck towing the pickup truck, with a big dent in the front hood, and guessed it was likely the truck involved in the incident.

It was tragic, she said, but the rest of the festival was "all good."

And it was mostly uneventful. Officers with the sheriff's department said they had made some drug arrests and dealt with some traffic-control issues over the four-day event.

The All Good Music Festival released a statement saying it was "heartbroken" about the incident and was working with the Preston County, W.V., sheriff's department and other authorities.

"We extend our deepest condolences and sympathy to their family and loved ones," the statement said. "There also were two other individuals that suffered injuries in the incident and we wish them a speedy recovery."

The festival's Facebook page filled up Sunday evening with notes thanking organizers for a fun weekend. Amid the notes about the good times, there were respectful condolences to the people involved in the bad time.



.....



Noble Visions  
July 23

My friends... All Good Music Festival...  
magical place. Preview: [Furtur](#) - 7/20/13 - All Good  
Music Festival - Legend Valley (Buckeye Lake) Ohio.  
©Josh Timmermans & Noble Visions, All Rights  
Reserved. — with Jo F. Coyne, Michael Copp, Chris  
Michael, Melissa Hutton, Savannah Ragan, Rebecca  
Vollmar, Max Mason Miller, All Good Music Festival  
Lesh, Furtur, Bob Weir, Steve Trinkle and Josh  
Timmermans at Legend Valley Concert Venue -  
Campground.

Tags: Visions

Content

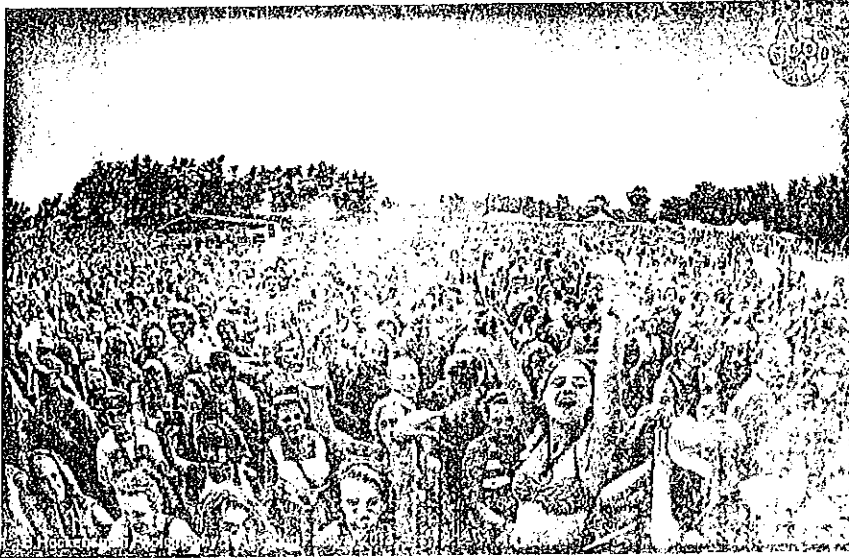
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II Good Music Festival

View of the Music Festival



1. The first part of the festival was held in the park. The weather was perfect and the music was great. The crowd was very large and the atmosphere was very festive. The festival was a great success and we were very happy to see everyone having a good time.

2. The second part of the festival was held in the park. The weather was perfect and the music was great. The crowd was very large and the atmosphere was very festive. The festival was a great success and we were very happy to see everyone having a good time.

3. The third part of the festival was held in the park. The weather was perfect and the music was great. The crowd was very large and the atmosphere was very festive. The festival was a great success and we were very happy to see everyone having a good time.

4. The fourth part of the festival was held in the park. The weather was perfect and the music was great. The crowd was very large and the atmosphere was very festive. The festival was a great success and we were very happy to see everyone having a good time.

5. The fifth part of the festival was held in the park. The weather was perfect and the music was great. The crowd was very large and the atmosphere was very festive. The festival was a great success and we were very happy to see everyone having a good time.



## Zoning Department

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**From:** Zoning Department <zoning@jeffersoncountywv.org>  
**Sent:** Wednesday, October 01, 2014 4:34 PM  
**To:** costellor@frontiernet.net  
**Subject:** FW: Large events (All Good Festival)

Good afternoon,

Please note that the comment period for the Variance Request and Seasonal Use applications for the All Good Music Festival was closed on September 25, 2014. While the Board of Zoning Appeals voted to continue the applications until October 2, 2014, this was for Deliberation and Action only. The public hearing was officially closed at the September 25, 2014 meeting.

All comments that are received subsequent to the meeting will be filed and made part of the official record; however, they will not be provided to the Board for their consideration at the October 2, 2014 meeting.

While the public comment period for this item has ended, this Special Meeting is open to the public for those who wish to hear the Board's decision. You may also find out the results of the Board's decision by contacting the office on October 3, 2014. The Special Meeting will be held in the Conference Room on the second floor of 116 East Washington Street in Charles Town, West Virginia. The meeting will begin at 2:00 p.m. at which time the Board will immediately go into deliberative session.

If you have any questions please feel free to contact the office. Thank you for your interest.

Jennilee Hartman

Zoning Clerk

304-728-3228

**From:** Richard Costello [<mailto:costellor@frontiernet.net>]  
**Sent:** Monday, September 29, 2014 9:55 PM  
**To:** [webmaster@jeffersoncountywv.org](mailto:webmaster@jeffersoncountywv.org); [cschott@jeffersoncountywv.org](mailto:cschott@jeffersoncountywv.org); [sandy@jeffersoncountywv.org](mailto:sandy@jeffersoncountywv.org); [chernandez@jeffersoncountywv.org](mailto:chernandez@jeffersoncountywv.org)  
**Subject:** Large events (All Good Festival)

## Your submission:

**Your Name:** Richard Costello

**Your Email Address:** [costellor@frontiernet.net](mailto:costellor@frontiernet.net)

**Subject:** Large events (All Good Festival)

**Message:** I am writing again to say that I oppose any mass gathering that would interfere with the peace of surrounding properties. I would be across the street from the property that wants to host the All Good Festival. I am a police officer and I feel that this event would stress the Sheriff Office, Fire and Rescue and would overburden the roads that are not meant for the type of traffic. My property is so close to this proposed event that, if the event is allowed to have lights and music til 3 am, I won't be able to sleep or even walk in my yard without being disturbed. I am also concerned about the possibility of people abusing my property and those around me. If the commission wants to allow a festival of this type, why not on park property? Or on the property where the fair is

held. Both would be more conducive to an event of this type by already being accessible to the public with parking and facilities.

Zoning Department

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**From:** Tim & Kelye McKee <tmckee@citlink.net>  
**Sent:** Wednesday, October 01, 2014 8:56 PM  
**To:** Zoning Department  
**Subject:** Re: All Good Festival Oposition

Is this for the Board of Zoning or the County Commisioners?

Also if this is for the Board of Zoning, what is the difference with one of the Festivals Attorney and Christy Huddle, a member of the BZA, having conversations about the ordinance and me sending an email? It sounds to me that all contact, in any form should not be allowed.

Thank you,

Tim McKee

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

**From:** Zoning Department  
**To:** tmckee@citlink.net  
**Sent:** Wednesday, October 01, 2014 4:34 PM  
**Subject:** FW: All Good Festival Oposition

Good afternoon,

Please note that the comment period for the Variance Request and Seasonal Use applications for the All Good Music Festival was closed on September 25, 2014. While the Board of Zoning Appeals voted to continue the applications until October 2, 2014, this was for Deliberation and Action only. The public hearing was officially closed at the September 25, 2014 meeting.

All comments that are received subsequent to the meeting will be filed and made part of the official record; however, they will not be provided to the Board for their consideration at the October 2, 2014 meeting.

While the public comment period for this item has ended, this Special Meeting is open to the public for those who wish to hear the Board's decision. You may also find out the results of the Board's decision by contacting the office on October 3, 2014. The Special Meeting will be held in the Conference Room on the second floor of 116 East Washington Street in Charles Town, West Virginia. The meeting will begin at 2:00 p.m. at which time the Board will immediately go into deliberative session.

If you have any questions please feel free to contact the office. Thank you for your interest.

Jennilee Hartman  
Zoning Clerk  
304-728-3228

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

**From:** Tim & Kelye McKee [<mailto:tmckee@citlink.net>]  
**Sent:** Monday, September 29, 2014 10:29 PM  
**To:** [patsynol@gmail.com](mailto:patsynol@gmail.com); [dmanuel@frontiernet.net](mailto:dmanuel@frontiernet.net); [walterpellish@mac.com](mailto:walterpellish@mac.com);  
[vinemont@frontiernet.net](mailto:vinemont@frontiernet.net); [lynwidmyer@gmail.com](mailto:lynwidmyer@gmail.com);  
[dkeyser@jeffersoncountywv.org](mailto:dkeyser@jeffersoncountywv.org); [sandy@jeffersoncountywv.org](mailto:sandy@jeffersoncountywv.org)

Subject: All Good Festival Oposition

To address my concerns pertaining to the All Good Festival in Rippon, WV my letter will show several aversions that I have concerning the festival. I am not against large Festival events but I feel that this event will cause local, long time residents many difficulties throughout the duration of the event. You will see from this article that the Promoters are truly motivated by dollars and once people are at the events they do not worry about their safety.

[http://www.thedaonline.com/article\\_6af0a167-3312-5c6e-8780-8e4315852e36.html](http://www.thedaonline.com/article_6af0a167-3312-5c6e-8780-8e4315852e36.html)

This article was from 2012 and the issues did not seem to get better after moving the event the next year. It's always someone else's fault, not theirs.

My first concern is the location. The location does not allow for the movement of large groups. The roads, most of which do not have lines on them, are only two lanes. Route 340 at the entrance of the roads is also only two lanes. This will cause major back ups that will stretch into Charles Town, WV, Berryville, VA and potentially Harpers Ferry WV. The following is the Mission Statement from the WV Director of Highways " The West Virginia Department of Transportation's mission is to responsibly provide a safe, efficient and reliable transportation system that supports economic opportunity and quality of life." My family's quality of life will be violated. This will also have a tremendous effect on all of the State and Local Police Departments and their budgets. With the amount of traffic causing issues, you will find it difficult for the Police Departments and the Fire and Rescues (which are volunteer) to do their jobs effectively. The following article gives you an idea of what the County Commissioners felt about large events in Jefferson County and how it cost Preston County taxpayers \$250,000.00 not the \$60,000.00 the will be given to the local police for added help for the traffic problems and filling the jails with arrest.

<http://wvpublic.org/post/jefferson-co-considers-ban-big-music-festivals>

My second concern is the noise. With one 4 foot by 6 foot amplifier causing a constant 120 decibels, many of the groups will have "stacks" that cause tremendous noise. To give you an example, a train horn is 90 decibels. The All Good Festival claims to have 12 to 14 hours of music. My family and many other residence of the area will have music playing as we try to sleep, after 10:00pm for most. I found on the Jefferson County Web Site the Ordinance to Abate Excessive Residential Noise where such noise is deemed a Public Nuisance. Many things strike me as unlawful for this event:

1. "above the level of 65 dB through the walls of apartment units within the range of the same building, from another property line, or from the street between the hours of 10:00 p.m. to 6:00 a.m."
2. Parties and other social events. It shall be unlawful for any person in charge of a party or other social event to allow that party or event to

produce noise in a manner such that the noise is audible at or above the level of 65 dB

3. Residential area" shall mean any subdivision, development or other similar area used primarily for residential purposes located in Jefferson County but which is not within the boundaries of any municipality therein.

This is just to name a few of many things you already know.

My third concern is the Public Health. It is stated in Section 7 of the above ordinance "It is the purpose of this ordinance to promote the public health and safety of the community and as such it should be liberally construed to give effect to the purposes hereof." You will find drug and alcohol abuse will be an issue with the "campers" through the several days of the festival. How will the above Police Departments and Fire and Safety be able to effectively enforce issues that occur? I have called the Preston County Sheriff's office and was informed of many crimes to local businesses and homes of residence near the festival grounds. The following web page, <http://wvpublic.org/post/jefferson-co-considers-ban-big-music-festivals> , gives you an idea how the group will leave one facility after another and the injury issues that arise from death to paralysis. Per the Preston County Sheriff Office, they ran out of room in the jail and could not detain other violators of the law. The following web page gives you an idea of the types of drug that will be involved. [http://www.perrydaily.com/news/article\\_89657686-d4fc-11e1-9694-001a4bcf887a.html](http://www.perrydaily.com/news/article_89657686-d4fc-11e1-9694-001a4bcf887a.html) This article shows the arrest of not only marijuana but a major arrest for black tar heroin and LSD. The marijuana based magazine HIGH Times also promotes the event in the following article. <http://www.hightimes.com/read/review-17th-all-good-music-festival>

My fourth concern is my home. It is not a house or a residence it is my home. I choose to live where I do because it is quiet and next to a farm. I drive extra millage to work because of the location. It would be on thing if I chose to live near the Jefferson County Fair Grounds or in an area near Jiffy Lube Live in Manassas VA, but I did not. The crimes that will happen to the properties around the facility will not be resisted by people with the use of security guards or a six foot fence around the farm I did not move to my home to have a "Security Guard" or a temporary eight foot high chain linked fence to feel safe. My house sits on a hill that would need a twenty foot fence to block my view. Per consultation with local Real Estate Offices and local Insurance Agencies, the value of my home will go down and my insurance will go up. I will personally need to take 5 days vacation from work during this event that is slated for a family vacation that will now need to be cancelled. This will allow me to make sure my wife and sons are safe and secure. Again my quality of life is violated.

My fifth concern is the Planning and Zoning Committee. With great respect to these two individuals, I feel the Steve Stolipher and Mike Chapman have too much of a personal interest in having the event at this location and should recuse themselves from any involvement in the discussion of the event. In no way can the local roads around the facility sustain the amount of traffic while allowing the residence the ability to go through their daily live in making a living to support their families.

You will see in my last reference, which explains everything, the ordinance passed in Preston County, WV after the 2012 All Good Festival to never allow it again because of all of the delinquent actions that took place.

<http://www.prestoncountywv.org/pdf/Mass%20Gathering%20Ordinance%201242011.PDF>

F

I think the most important part of this ordinance is the purpose:

"The Commission FINDS that temporary mass gatherings of people to attend musical performances and other entertainment events have created a hazard to public health and safety and a public nuisance due to increased public activity, high levels of traffic congestion in the public roads surrounding such events and high demands on police, emergency and medical resources."

What you have read is the email I sent to the Jefferson County Board of Zoning Appeals prior to their illegitimate meeting to approve the Festival. In my further investigations I have found another article that will again, shed more light on what the Festival organizers bring to Jefferson County. At the last Festival in 2013 before they took a "break", this was written in the following article referenced,

<http://woub.org/2013/07/24/all-good-bad-and-weird>

<<http://woub.org/2013/07/24/all-good-bad-and-weird>> . It states in the WOUB Public Media from a festival "fester" the following:

"freak show on parade. people offered us "doses" on multiple occasions.

I couldn't write this story without talking about the drug culture at these festivals. I wasn't around for Woodstock, but I imagine there are similarities, although there are probably more drugs nowadays and they all have different names. At any moment, you could look over and see someone on cat tranquilizers trying to battle their stupor or glance over and hear a fervent talker on speed. There were people trying to get their hands on "hippie crack," while thousands were smoking dope in plain sight.

Despite the abundant drug use, there is an unspoken understanding at music festivals that anything goes, as long as you're not stupid, stay hydrated and don't get caught (fest organizers do not condone such activities and each car was searched along with each person entering the festival).

Then there are the "Pro-festers." A Pro-fester has been to festival after festival. They follow their favorite rock stars while selling tickets, food,

clothes, drugs or whatever they can to support their transient lifestyle. My camping neighbor that first night happened to be a Pro-fester. Jeremey "Blazed" was from Cleveland and had been traveling around the nation from festival to festival, living in a tent and selling whatever he could to get tickets to the next music show."

Listening to the presentation from the ALL Good Festival producers and their Attorney's it is in my opinion that they are playing at the heart strings of the Farmers of Jefferson County and the people of this County, both Government and Citizens, that thing this in any way will bring in tourism. They are promising financial gains but when we do not see it they will move to another location blaming this county for not being good neighbors.

Thank you for allowing me to write to you. Please know that I personally know the Stolipher's and have known them for many years. They are a tremendous people and are assets to the community where we all live. Like I said I am not against festival events, I just do not feel the All Good Festival will be in any way positive for the property owners and the county for the above reasons stated not to mention the State Laws that will be in violation.

Please include the following written testimony in opposition of The All Good Music Festival.

Timothy & Kelye McKee

885 Franklinton Road

Summit Point, WV 25446

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

Week Ending Date	March 28, 2015
To be Deposited on:	April 3, 2015
Amount Played	62,165,254.60
Amount Won	56,020,996.93
Amount Promo	290,431.00
MWAP Contribution	<u>3,261.36</u>
Adjusted Gross Terminal Revenue	<u>5,850,565.31</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>234,022.61</u>
Net Terminal Revenue	<u>5,616,542.70</u>
Surcharge @ 10%	561,654.28
State Share Excess @ 58% & 10% of 42%	349,348.96
Track Share of Capital Reinvestment @ 90% of 42%	<u>212,305.32</u>
<i>Track Share of Capital Reinvestment @ 96%</i>	<i>203873.11</i>
<i>Track Share of Capital Reinvestment @ 4%</i>	<i>8492.21</i>
Adjusted Net Terminal Revenue	<u>5,054,888.42</u>
Racetrack @ 46.50% / 42%	2,123,053.14
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,072,504.26
Excess Lottery Fund @ 12.85% / 9.55%	482,741.84
Race Track Purses @ 90% of 7% / 4%	181,975.98
Employee Pension Fund @ 1% / .5%	25,274.44
Greyhound Development @ 90% of .75%	34,120.50
Thoroughbred Development @ 90% of .75%	34,120.50
County/Municipality @ 2%	<u>101,097.76</u>
	<u>5,054,888.42</u>

WEST VIRGINIA LOTTERY

First Benchmark  
Charles Town  
County / City Split  
Fiscal Year 2015

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

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 7.93%	CHARLES TOWN 39.90%	HARPERS FERRY 2.17%	RANSON 33.68%	SHEPHERDS TOWN 16.32%
5 days ending: 07/05/14	\$ 106,819.12	\$ 106,819.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/12/14	\$ 111,792.16	\$ 111,792.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/19/14	\$ 116,320.32	\$ 116,320.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/26/14	\$ 112,502.48	\$ 112,502.48	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/02/14	\$ 117,145.12	\$ 117,145.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/09/14	\$ 114,374.60	\$ 114,374.60	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/16/14	\$ 114,105.32	\$ 114,105.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/23/14	\$ 116,097.04	\$ 116,097.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/30/14	\$ 117,652.72	\$ 60,280.02	\$ 57,372.70	\$ 4,549.65	\$ 22,891.71	\$ 1,244.99	\$ 19,323.13	\$ 9,363.22
09/06/14	\$ 122,840.56	\$ 61,420.28	\$ 61,420.28	\$ 4,870.83	\$ 24,506.69	\$ 1,332.82	\$ 20,666.35	\$ 10,023.79
09/13/14	\$ 102,729.92	\$ 51,364.96	\$ 51,364.96	\$ 4,073.24	\$ 20,494.62	\$ 1,114.62	\$ 17,299.72	\$ 8,382.76
09/20/14	\$ 101,329.08	\$ 50,664.54	\$ 50,664.54	\$ 4,017.70	\$ 20,215.15	\$ 1,099.42	\$ 17,063.82	\$ 8,268.45
09/27/14	\$ 100,254.44	\$ 50,127.22	\$ 50,127.22	\$ 3,975.09	\$ 20,000.76	\$ 1,087.76	\$ 16,882.85	\$ 8,180.76
10/04/14	\$ 107,062.56	\$ 53,531.28	\$ 53,531.28	\$ 4,245.03	\$ 21,358.98	\$ 1,161.63	\$ 18,029.34	\$ 8,736.30
10/11/14	\$ 102,254.00	\$ 51,127.00	\$ 51,127.00	\$ 4,054.37	\$ 20,399.67	\$ 1,109.46	\$ 17,219.57	\$ 8,343.93
10/18/14	\$ 112,829.28	\$ 56,414.64	\$ 56,414.64	\$ 4,473.68	\$ 22,509.44	\$ 1,224.20	\$ 19,000.45	\$ 9,206.87
10/25/14	\$ 99,780.40	\$ 49,890.20	\$ 49,890.20	\$ 3,956.29	\$ 19,906.19	\$ 1,082.62	\$ 16,803.02	\$ 8,142.08
11/01/14	\$ 104,484.68	\$ 52,242.34	\$ 52,242.34	\$ 4,142.82	\$ 20,844.69	\$ 1,133.66	\$ 17,595.22	\$ 8,525.95
11/08/14	\$ 105,638.52	\$ 52,819.26	\$ 52,819.26	\$ 4,188.57	\$ 21,074.88	\$ 1,146.18	\$ 17,789.53	\$ 8,620.10
11/15/14	\$ 103,620.64	\$ 51,810.32	\$ 51,810.32	\$ 4,108.56	\$ 20,672.32	\$ 1,124.28	\$ 17,449.72	\$ 8,455.44
11/22/14	\$ 92,457.24	\$ 46,228.62	\$ 46,228.62	\$ 3,665.93	\$ 18,445.22	\$ 1,003.16	\$ 15,569.80	\$ 7,544.51
11/29/14	\$ 111,186.88	\$ 55,593.44	\$ 55,593.44	\$ 4,408.56	\$ 22,181.78	\$ 1,206.38	\$ 18,723.87	\$ 9,072.85
12/06/14	\$ 93,585.00	\$ 46,792.50	\$ 46,792.50	\$ 3,710.64	\$ 18,670.21	\$ 1,015.40	\$ 15,759.71	\$ 7,636.54
12/13/14	\$ 81,809.96	\$ 40,904.98	\$ 40,904.98	\$ 3,243.76	\$ 16,321.09	\$ 887.64	\$ 13,776.80	\$ 6,675.69
12/20/14	\$ 83,201.68	\$ 41,600.84	\$ 41,600.84	\$ 3,298.95	\$ 18,598.73	\$ 902.74	\$ 14,011.16	\$ 6,789.26
12/27/14	\$ 116,229.36	\$ 58,114.68	\$ 58,114.68	\$ 4,608.49	\$ 23,187.78	\$ 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	\$ 4,518.66	\$ 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
03/28/15	\$ 101,097.76	\$ 50,548.88	\$ 50,548.88	\$ 4,008.53	\$ 20,169.00	\$ 1,096.91	\$ 17,024.86	\$ 8,249.58
Subtotal	\$ 4,019,403.48	\$ 2,465,733.48	\$ 1,553,670.00	\$ 123,206.04	\$ 619,914.30	\$ 33,714.66	\$ 523,276.07	\$ 253,558.93

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	3/28/2015	50,548.88
4/2/2011	70,846.58	3/31/2012	74,244.22	4/6/2013	63,108.84	4/5/2014	55,229.90		
4/9/2011	67,076.78	4/7/2012	75,382.98	4/13/2013	56,849.30	4/12/2014	48,653.18		
4/16/2011	64,698.56	4/14/2012	71,065.34	4/20/2013	55,432.12	4/19/2014	54,469.22		
4/23/2011	67,674.14	4/21/2012	68,055.08	4/27/2013	58,612.74	4/26/2014	51,637.18		

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

<b>TOTALS</b>	<b>4,016,541.01</b>	<b>4,124,906.80</b>	<b>3,580,645.18</b>	<b>3,261,565.02</b>	<b>2,465,733.48</b>
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## Table Game Revenue

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

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

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

Week Ending Date	April 4, 2015
To be Deposited on:	April 10, 2015
Amount Played	60,511,474.41
Amount Won	54,247,396.61
Amount Promo	275,395.00
MWAP Contribution	<u>3,292.06</u>
Adjusted Gross Terminal Revenue	<u>5,985,390.74</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>239,415.64</u>
Net Terminal Revenue	<u>5,745,975.10</u>
Surcharge @ 10%	574,597.52
State Share Excess @ 58% & 10% of 42%	357,399.66
Track Share of Capital Reinvestment @ 90% of 42%	<u>217,197.86</u>
<i>Track Share of Capital Reinvestment @ 96%</i>	<i>208509.95</i>
<i>Track Share of Capital Reinvestment @ 4%</i>	<i>8687.91</i>
Adjusted Net Terminal Revenue	<u>5,171,377.58</u>
Racetrack @ 46.50% / 42%	2,171,978.58
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,120,264.80
Excess Lottery Fund @ 12.85% / 9.55%	493,866.56
Race Track Purses @ 90% of 7% / 4%	186,169.59
Employee Pension Fund @ 1% / .5%	25,856.89
Greyhound Development @ 90% of .75%	34,906.80
Thoroughbred Development @ 90% of .75%	34,906.80
County/Municipality @ 2%	<u>103,427.56</u>
	<u>5,171,377.58</u>

WEST VIRGINIA LOTTERY

First Benchmark  
Charles Town  
County / City Split  
Fiscal Year 2015

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

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 7.93%	CHARLES TOWN 39.90%	HARPERS FERRY 2.17%	RANSON 33.68%	SHEPHERDS TOWN 16.32%
5 days ending: 07/05/14	\$ 106,819.12	\$ 106,819.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/12/14	\$ 111,792.16	\$ 111,792.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/19/14	\$ 116,320.32	\$ 116,320.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/26/14	\$ 112,502.48	\$ 112,502.48	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/02/14	\$ 117,145.12	\$ 117,145.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/09/14	\$ 114,374.60	\$ 114,374.60	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/16/14	\$ 114,105.32	\$ 114,105.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/23/14	\$ 116,097.04	\$ 116,097.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/30/14	\$ 117,652.72	\$ 60,280.02	\$ 57,372.70	\$ 4,549.65	\$ 22,891.71	\$ 1,244.99	\$ 19,323.13	\$ 9,363.22
09/06/14	\$ 122,840.56	\$ 61,420.28	\$ 61,420.28	\$ 4,870.63	\$ 24,506.69	\$ 1,332.82	\$ 20,686.35	\$ 10,023.79
09/13/14	\$ 102,729.92	\$ 51,364.96	\$ 51,364.96	\$ 4,073.24	\$ 20,494.62	\$ 1,114.62	\$ 17,299.72	\$ 8,382.76
09/20/14	\$ 101,329.08	\$ 50,664.54	\$ 50,664.54	\$ 4,017.70	\$ 20,215.15	\$ 1,099.42	\$ 17,063.82	\$ 8,268.45
09/27/14	\$ 100,254.44	\$ 50,127.22	\$ 50,127.22	\$ 3,975.09	\$ 20,000.76	\$ 1,087.76	\$ 16,882.85	\$ 8,180.76
10/04/14	\$ 107,062.56	\$ 53,531.28	\$ 53,531.28	\$ 4,245.03	\$ 21,358.98	\$ 1,161.63	\$ 18,029.34	\$ 8,736.30
10/11/14	\$ 102,254.00	\$ 51,127.00	\$ 51,127.00	\$ 4,054.37	\$ 20,399.67	\$ 1,109.46	\$ 17,219.57	\$ 8,343.93
10/18/14	\$ 112,829.28	\$ 56,414.64	\$ 56,414.64	\$ 4,473.68	\$ 22,509.44	\$ 1,224.20	\$ 19,000.45	\$ 9,206.87
10/25/14	\$ 99,780.40	\$ 49,890.20	\$ 49,890.20	\$ 3,956.29	\$ 19,906.19	\$ 1,082.62	\$ 16,803.02	\$ 8,142.08
11/01/14	\$ 104,484.68	\$ 52,242.34	\$ 52,242.34	\$ 4,142.82	\$ 20,844.69	\$ 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	\$ 3,710.84	\$ 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	\$ 18,321.09	\$ 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	\$ 8,789.26
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
03/21/15	\$ 106,162.16	\$ 53,081.08	\$ 53,081.08	\$ 4,209.33	\$ 21,179.35	\$ 1,151.86	\$ 17,877.71	\$ 8,682.83
03/28/15	\$ 101,097.76	\$ 50,548.88	\$ 50,548.88	\$ 4,008.53	\$ 20,169.00	\$ 1,096.91	\$ 17,024.86	\$ 8,249.58
04/04/15	\$ 103,427.56	\$ 51,713.78	\$ 51,713.78	\$ 4,100.90	\$ 20,633.80	\$ 1,122.19	\$ 17,417.20	\$ 8,439.60
Subtotal	\$ 4,122,831.04	\$ 2,517,447.26	\$ 1,605,383.78	\$ 127,306.94	\$ 640,548.10	\$ 34,836.85	\$ 540,693.27	\$ 261,998.62

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	3/28/2015	50,548.88
4/2/2011	70,846.58	3/31/2012	74,244.22	4/6/2013	63,108.84	4/5/2014	55,229.90	4/4/2015	51,713.78
4/9/2011	67,076.78	4/7/2012	75,382.98	4/13/2013	56,849.30	4/12/2014	48,653.18		
4/16/2011	64,698.56	4/14/2012	71,065.34	4/20/2013	55,432.12	4/19/2014	54,469.22		
4/23/2011	67,674.14	4/21/2012	68,055.08	4/27/2013	58,612.74	4/26/2014	51,637.18		

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

<b>TOTALS</b>	<b>4,016,541.01</b>	<b>4,124,906.80</b>	<b>3,580,645.18</b>	<b>3,261,565.02</b>	<b>2,517,447.26</b>
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**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>
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**Table Game Revenue Distribution - Jefferson County School Board**

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
July, 2011	425,154.03	July, 2012	415,990.92	July, 2013	297,823.08	July, 2014	235,917.21
August, 2011	412,421.76	August, 2012	399,737.49	August, 2013	334,283.25	August, 2014	254,179.53
September, 2011	331,125.75	September, 2012	382,597.20	September, 2013	242,573.22	September, 2014	215,902.53
October, 2011	372,821.82	October, 2012	379,446.06	October, 2013	243,198.27	October, 2014	198,771.06
November, 2011	363,356.61	November, 2012	403,331.79	November, 2013	239,561.82	November, 2014	213,139.98
December, 2011	421,529.79	December, 2012	440,033.75	December, 2013	238,851.93	December, 2014	230,391.72
January, 2012	413,438.04	January, 2013	397,951.05	January, 2014	225,281.43	January, 2015	220,039.98
February, 2012	428,310.03	February, 2013	381,857.07	February, 2014	225,512.70	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>