

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

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- July 16, 2015 Regular Meeting

APPROVAL OF ACCOUNTS PAYABLE

- July 23, 2015
- July 30, 2015

APPROVAL OF MANUAL CHECKS

- July 23, 2015
- July 30, 2015

PAYROLL APPROVAL

- July 16, 2015

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT

PRESENTATIONS

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

2. 10:00 a.m. John Reisenweber, Director - Jefferson County Development Authority
- Introduction of new Program Manager and Business Coach
3. 10:15 a.m. Bill Polk, Maintenance Director
- Postage Machine - Replacing Outdated Postage Machine - Discussion/Action
- Discuss Cleaning Contract and hiring of in-house cleaning staff - Discussion/Action
- Courthouse Roof Renovation - Change Order due to Deteriorated Wood Sheathing - Discussion/Action
- Update on discussion with Historic Landmarks Commission and Sheriff on the Old School House at Poor House Farm - Discussion/Action
4. 10:45 a.m. **BREAK**
5. 11:00 a.m. Martin Burke, Jefferson County Historic Landmarks Commission
- Request for 50% matching funds for Historic Preservation Development Grant from WV Archives and History Commission to replace roof on Snow Hill/Poor Farm Kearneysville, WV
6. 11:15 a.m. Ronda Eddy, Jefferson County Day Report Center
- Request County Commission appoint Berkeley County Council Nominee to the Jefferson County Criminal Justice Board - Discussion/Action
- Overview of the Jefferson Day Report Program
- Community Corrections Grant Funding
- DHHR JRI Funding
- Approval of Resolution and Contract - Community Corrections Grant (16-CC-07) - \$150,000 - Discussion/Action
7. 11:30 a.m. Bridget Cohee, Esquire
- Executive Session §6-9A-3 - Discussion on Litigation - 3:13-cv-95 and 3:13-cv-156 - K-9 Cases
8. 11:45 a.m. Jennifer Myers, Jefferson County Parks and Recreation
- Request to over-spend in the park improvement category from the JCPRC impact fee account to complete construction at James Hite Park - Discussion/Action
9. 12:00 p.m. Roger Goodwin, Chief County Engineer
- Approval to reallocate budgeted compensation for three positions in the Engineering Department - Discussion/Action

10. 12:15 p.m. Jennifer Brockman, Department of Planning and Zoning
- Recommendation from Planning Commission regarding proposed text amendment to Appendix C, Principal Permitted Uses Table of the Jefferson County Zoning and Land Development Ordinance, regarding Cultural Facilities (ZTA 15-01) - Discussion/Action
- Bolivar Urban Growth Boundary recommendation from Planning Commission - Possible Executive Session §6-9A-3 - Discussion/Action

UNFINISHED BUSINESS

11. Review GASB 45, actuarial study, and clarification on County's Post-Retirement Health Benefits - Discussion/Action

NEW BUSINESS

12. Approval/Signature of Resolution conveying Deed from West Virginia Department of Transportation, Division of Highways to the Jefferson County Commission for the Jefferson County Convention and Visitor Bureau - Discussion/Action
13. Request to use County Commission meeting room on Saturday, September 12, 2015 from 9:00 a.m. - 12:00 p.m. to hold a "Running for Office" workshop - Discussion/Action
14. Request to schedule an agenda appointment with WV State Police Captain Widmyer to discuss the All Good Festival during the August 6, 2015 County Commission meeting - Discussion/Action (DM)

COUNTY ADMINISTRATOR REPORTS

- Discuss County Commission meeting the week of August 15, 2015 - Discussion/Action

COUNTY COMMISSION REPORTS

14. **ADJOURN**

CORRESPONDENCE/INFORMATION

Notice of Intent to Appoint to the Jefferson County Property Safety Ordinance Enforcement Agency.

Notice of Public Hearing - August 11, 2015.

Jefferson County Historic Landmarks Commission Addition of Beeler's Mill Water Wheel.

Letter from the US Department of the Interior National Park Service re: Finding of No Significant Impact for the Shepherdstown Battlefield Special Resource Study, Boundary Study, and Environmental Assessment.

WV Lottery Weekly Settlement for Charles Town - week ending July 11, 2015.

WV Lottery Weekly Settlement for Charles Town - week ending July 18, 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, July 16, 2015

A meeting of the Jefferson County Commission was held on Thursday, July 16, 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, July 16, 2015 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Pellish led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the July 2, 2015 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Manuel to approve the Regular Payroll for July 2, 2015 in the amount of \$229,752.10. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
074663	428	ACCURATE SYSTEMS INC		\$ -	\$ 4,000.00	\$ 4,000.00
074664	425	COMCAST		\$ -	\$ 233.63	\$ 233.63
074664	425	COMCAST		\$ -	\$ 189.90	\$ 189.90
074665	712	AT&T/GA		\$ -	\$ 43.45	\$ 43.45
074666	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 1,203.91	\$ 1,203.91

074667	424	CHARLES TOWN UTILITIES	\$ -	\$ 49.19	\$ 49.19
074667	425	CHARLES TOWN UTILITIES	\$ -	\$ 830.85	\$ 830.85
074668	403	COAST TO COAST COMPUTER	\$ -	\$ 3,366.95	\$ 3,366.95
074669	700	BRANDON CONWAY	\$ -	\$ 335.50	\$ 335.50
074670	425	DEHAVEN BERKELEY SPRINGS	\$ -	\$ 78.55	\$ 78.55
074671	406	GLOBAL SCIENCE & TECH	\$ -	\$ 895.00	\$ 895.00
074672	700	ALBERT HOCKMAN	\$ -	\$ 335.50	\$ 335.50
074673	401	RICOH USA, INC	\$ -	\$ 29.06	\$ 29.06
074673	403	RICOH USA, INC	\$ -	\$ 58.14	\$ 58.14
074673	404	RICOH USA, INC	\$ -	\$ 29.07	\$ 29.07
074673	405	RICOH USA, INC	\$ -	\$ 87.21	\$ 87.21
074673	406	RICOH USA, INC	\$ -	\$ 29.07	\$ 29.07
074673	425	RICOH USA, INC	\$ -	\$ 29.07	\$ 29.07
074673	433	RICOH USA, INC	\$ -	\$ 29.07	\$ 29.07
074673	440	RICOH USA, INC	\$ -	\$ 58.14	\$ 58.14
074673	700	RICOH USA, INC	\$ -	\$ 29.07	\$ 29.07
074673	712	RICOH USA, INC	\$ -	\$ 29.07	\$ 29.07
074674	ALLOC	JEFFERSON CO EMERGENCY	\$ -	\$ 121,380.16	\$ 121,380.16
074675	ALLOC	JEFFERSON COUNTY HISTORI	\$ -	\$ 1,783.57	\$ 1,783.57
074676	401	JEFFERSON PUBLISH CO INC	\$ -	\$ 170.10	\$ 170.10
074676	402	JEFFERSON PUBLISH CO INC	\$ -	\$ 197.04	\$ 197.04
074677	425	JEFFERSON RENTAL	\$ -	\$ 307.50	\$ 307.50
074678	ALLOC	JEFFERSON DAY REPORT CNT	\$ -	\$ 25,000.00	\$ 25,000.00
074679	403	MATTHEW BENDER & CO	\$ -	\$ 905.36	\$ 905.36
074679	406	MATTHEW BENDER & CO	\$ -	\$ 158.16	\$ 158.16
074680	GRANT	MINGHINI'S	\$ -	\$ 3,658.50	\$ 3,658.50
074681	700	ROBIN MAHONY	\$ -	\$ 25.81	\$ 25.81
074682	406	THE OBSERVER	\$ -	\$ 287.50	\$ 287.50
074683	ALLOC	JEFF CO PARKS &	\$ -	\$ 27,124.52	\$ 27,124.52
074684	402	PIFER OFFICE SUPPLY, INC	\$ -	\$ 29.34	\$ 29.34
074684	404	PIFER OFFICE SUPPLY, INC	\$ -	\$ 31.66	\$ 31.66
074685	424	POTOMAC EDISON/OH	\$ -	\$ 2,160.33	\$ 2,160.33
074685	425	POTOMAC EDISON/OH	\$ -	\$ 14,671.28	\$ 14,671.28
074686	402	RECORD MANAGEMENT SOLUTN	\$ -	\$ 35.00	\$ 35.00
074686	403	RECORD MANAGEMENT SOLUTN	\$ -	\$ 60.00	\$ 60.00
074687	402	SOFTWARE SYSTEMS, INC	\$ -	\$ 27.00	\$ 27.00
074687	403	SOFTWARE SYSTEMS, INC	\$ -	\$ 72.54	\$ 72.54
074687	404	SOFTWARE SYSTEMS, INC	\$ -	\$ 938.70	\$ 938.70
074687	406	SOFTWARE SYSTEMS, INC	\$ -	\$ 56.00	\$ 56.00
074687	428	SOFTWARE SYSTEMS, INC	\$ -	\$ 377.00	\$ 377.00

074688	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,001.53	\$ 10,001.53
074688	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 3,433.38	\$ 3,433.38
074689	428	STORAGE NETWORKS	52342	\$ 12,665.00	\$ -	\$ 12,665.00
074690	425	CAPITAL TRISTATE		\$ -	\$ 3,317.79	\$ 3,317.79
074691	403	UNITED SYSTEMS & SOFTWARE		\$ -	\$ 242.00	\$ 242.00
074692	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 30,112.59	\$ 30,112.59
074693	406	AWVA-ASSOC OF WV ASSESSR		\$ -	\$ 100.00	\$ 100.00
074694	717	WHOLESALE TIRES, INC.		\$ -	\$ 8.97	\$ 8.97
074695	402	XEROX CORPORATION		\$ -	\$ 1,401.32	\$ 1,401.32
074695	439	XEROX CORPORATION		\$ -	\$ 528.62	\$ 528.62
TOTAL						\$ 273,237.67
TOTAL				\$ 12,665.00	\$ 260,572.67	\$ 273,237.67

Motion by Ms. Noland to approve the accounts payable for July 9, 2015 in the amount of \$273,237.67. Motion seconded and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
074698	424	AT&T/IL		\$ -	\$ 3.88	\$ 3.88
074699	700	AUTOZONE		\$ -	\$ 109.49	\$ 109.49
074700	717	ALL STAR AUTO GLASS		\$ -	\$ 210.00	\$ 210.00
074701	424	BOLAND SERVICES		\$ -	\$ 270.00	\$ 270.00
074701	425	BOLAND SERVICES		\$ -	\$ 1,325.00	\$ 1,325.00
074702	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
074703	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
074704	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
074705	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
074706	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
074707	425	CHARLES TOWN UTILITIES		\$ -	\$ 977.00	\$ 977.00
074708	405	MARCIA LYNN CHANDLER		\$ -	\$ 88.55	\$ 88.55
074708	405	MARCIA LYNN CHANDLER		\$ -	\$ 523.60	\$ 523.60
074709	424	CENTRAL ELEVATOR		\$ -	\$ 160.00	\$ 160.00
074709	425	CENTRAL ELEVATOR		\$ -	\$ 480.00	\$ 480.00
074710	425	COVENANT BUILDING MAINT		\$ -	\$ 6,478.58	\$ 6,478.58
074711	425	DAYCON		\$ -	\$ 2,214.29	\$ 2,214.29
074712	413	ESS ELECTION SYSTEMS &		\$ -	\$ 10,401.68	\$ 10,401.68
074713	424	J.C.EHRLICH		\$ -	\$ 30.00	\$ 30.00
074713	425	J.C.EHRLICH		\$ -	\$ 603.00	\$ 603.00
074714	717	FISHER AUTO PARTS		\$ -	\$ 290.82	\$ 290.82

074715	ALLOC	GENERAL COUNTY FUND-J FE	\$ -	\$ 19,294.53	\$ 19,294.53
074716	PAYROLL	VOYA FINANCIAL	\$ -	\$ 3,085.00	\$ 3,085.00
074717	425	JEFF CO PUBLIC SER DEPT	\$ -	\$ 166.90	\$ 166.90
074718	401	JEFFERSON CENTER	\$ -	\$ 408.00	\$ 408.00
074719	PAYROLL	JEFFERSON SECURITY BANK	\$ -	\$ 5,750.00	\$ 5,750.00
074720	717	JASPER ENGINE&TRANSMISSN	\$ -	\$ 2,745.00	\$ 2,745.00
074721	405	MATTHEW BENDER & CO	\$ -	\$ 1,987.81	\$ 1,987.81
074722	412	JUDITH A MATLICK	\$ -	\$ 70.15	\$ 70.15
074723	GRANT	MASTER SRVC MID-ATLANTIC	\$ -	\$ 50,000.00	\$ 50,000.00
074724	412	SHAY MCNEIL	\$ -	\$ 145.79	\$ 145.79
074725	PAYROLL	HELEN M. MORRIS, TRUSTEE	\$ -	\$ 150.00	\$ 150.00
074726	PAYROLL	NATIONWIDE RETIREMENT	\$ -	\$ 749.00	\$ 749.00
074727	425	POTOMAC EDISON/OH	\$ -	\$ 2,839.22	\$ 2,839.22
074728	425	RCS SECURITY	\$ -	\$ 125.00	\$ 125.00
074729	PAYROLL	RETIREE HLTH BENEFIT TRS	\$ -	\$ 7,181.00	\$ 7,181.00
074730	704	ST/WV REGIONAL JAIL &	\$ -	\$ 76,138.50	\$ 76,138.50
074731	PAYROLL	SHERIFF OF JEFFERSON CO	\$ -	\$ 10,989.18	\$ 10,989.18
074731	PAYROLL	SHERIFF OF JEFFERSON CO	\$ -	\$ 46,988.16	\$ 46,988.16
074731	PAYROLL	SHERIFF OF JEFFERSON CO	\$ -	\$ 46,078.32	\$ 46,078.32
074732	425	SHERWIN-WILLIAMS	\$ -	\$ 153.17	\$ 153.17
074733	425	SPECTRUM FIRE PROTECTION	\$ -	\$ 365.00	\$ 365.00
074734	425	SHENANDOAH VALLEY WATER	\$ -	\$ 613.15	\$ 613.15
074735	717	S & S MOTOR PARTS	\$ -	\$ 832.84	\$ 832.84
074736	425	TRENARY SERVICE CO	\$ -	\$ 7,009.76	\$ 7,009.76
074739	401	SPRINT	\$ -	\$ 109.62	\$ 109.62
074739	401	STAPLES	\$ -	\$ 74.19	\$ 74.19
074739	401	USPS US POSTAL SERVICE	\$ -	\$ 164.00	\$ 164.00
074739	402	CNA INSURANCE CO	\$ -	\$ 50.00	\$ 50.00
074739	402	EZ NETTOOLS	\$ -	\$ 34.95	\$ 34.95
074739	402	FEDEX	\$ -	\$ 23.59	\$ 23.59
074739	402	THE RESORT AT GLADESPRIN	\$ -	\$ 251.88	\$ 251.88
074739	402	THE RESORT AT GLADESPRIN	\$ -	\$ 364.11	\$ 364.11
074739	402	THE RESORT AT GLADESPRIN	\$ -	\$ 364.11	\$ 364.11
074739	403	ACT WEST VIRGINIA UNIV	\$ -	\$ 175.00	\$ 175.00
074739	403	BLACKWATER FALLS STATE P	\$ -	\$ 160.00	\$ 160.00
074739	403	CVS	\$ -	\$ 49.98	\$ 49.98
074739	403	DELL	\$ -	\$ 1,039.96	\$ 1,039.96
074739	403	HP DIRECT	\$ -	\$ 423.98	\$ 423.98
074739	403	SHOPLET	\$ -	\$ 1,802.98	\$ 1,802.98
074739	403	SPRINT	\$ -	\$ 54.81	\$ 54.81

074739	403	STAPLES		\$ -	\$ 129.94	\$ 129.94
074739	403	UCR - SPARE PARTS WAREHO		\$ -	\$ 85.14	\$ 85.14
074739	406	BLACKWATER FALLS STATE P		\$ -	\$ 160.00	\$ 160.00
074739	415	FRONTIER		\$ -	\$ 84.07	\$ 84.07
074739	415	SPRINT		\$ -	\$ 108.54	\$ 108.54
074739	424	FRONTIER		\$ -	\$ 20,158.04	\$ 20,158.04
074739	424	SPRINT		\$ -	\$ 54.81	\$ 54.81
074739	424	4 IMPRINT		\$ -	\$ 1,450.54	\$ 1,450.54
074739	425	GRAINGER		\$ -	\$ 629.88	\$ 629.88
074739	425	LOWES		\$ -	\$ 436.72	\$ 436.72
074739	425	THE HOME DEPOT		\$ -	\$ 64.33	\$ 64.33
074739	425	THE HOME DEPOT		\$ -	\$ 10.29	\$ 10.29
074739	425	THE HOME DEPOT		\$ -	\$ 327.14	\$ 327.14
074739	425	WAL-MART		\$ -	\$ 70.40	\$ 70.40
074739	425	4 TEAM CORP		\$ -	\$ 39.95	\$ 39.95
074739	425	84 LUMBER		\$ -	\$ 169.81	\$ 169.81
074739	428	BATTERY MART		\$ -	\$ 37.95	\$ 37.95
074739	428	DOUBLE RADIUS INC		\$ -	\$ 510.09	\$ 510.09
074739	428	SPRINT		\$ -	\$ 109.62	\$ 109.62
074739	428	SYX - TIGER DIRECT, INC.		\$ -	\$ 20,934.31	\$ 20,934.31
074739	433	SPRINT		\$ -	\$ 54.81	\$ 54.81
074739	439	SPIRIT OF JEFFERSON		\$ -	\$ 43.52	\$ 43.52
074739	439	SPRINT		\$ -	\$ 54.81	\$ 54.81
074739	439	SPRINT		\$ -	\$ 352.99	\$ 352.99
074739	439	STAPLES		\$ -	\$ 15.99	\$ 15.99
074739	439	USPS US POSTAL SERVICE		\$ -	\$ 98.00	\$ 98.00
074739	439	VISTA PRINT		\$ -	\$ 46.99	\$ 46.99
074739	440	AMERICAN SOC CIVIL ENGIN		\$ -	\$ 270.00	\$ 270.00
074739	440	BLACKWATER FALLS STATE P		\$ -	\$ 170.24	\$ 170.24
074739	440	BLACKWATER FALLS STATE P		\$ -	\$ 228.00	\$ 228.00
074739	440	PAYPAL		\$ -	\$ 749.50	\$ 749.50
074739	440	PRINT-O-STAT		\$ -	\$ 2,053.00	\$ 2,053.00
074739	440	SHELL OIL		\$ -	\$ 32.60	\$ 32.60
074739	440	SHELL OIL		\$ -	\$ 26.85	\$ 26.85
074739	440	SPRINT		\$ -	\$ 54.81	\$ 54.81
074739	440	SPRINT		\$ -	\$ 169.05	\$ 169.05
074739	700	EAT-N-PARK		\$ -	\$ 25.07	\$ 25.07
074739	700	ELITE K-9 INC		\$ -	\$ 369.25	\$ 369.25
074739	700	ENH. PROMOS		\$ -	\$ 220.20	\$ 220.20
074739	700	GAL		\$ -	\$ 908.00	\$ 908.00

074739	700	GAL		\$ -	\$ 5,000.00	\$ 5,000.00
074739	700	GINO'S PIZZA		\$ -	\$ 20.31	\$ 20.31
074739	700	GOWERS FEED INC		\$ -	\$ 95.98	\$ 95.98
074739	700	HOLIDAY INN		\$ -	\$ 73.14	\$ 73.14
074739	700	MCDONALDS		\$ -	\$ 4.34	\$ 4.34
074739	700	OTL ENTERPRISES		\$ -	\$ 98.10	\$ 98.10
074739	700	PETCO		\$ -	\$ 88.74	\$ 88.74
074739	700	SPRINT		\$ -	\$ 61.99	\$ 61.99
074739	700	SPRINT		\$ -	\$ 1,122.54	\$ 1,122.54
074739	700	STAPLES		\$ -	\$ 964.75	\$ 964.75
074739	700	TURKEY HILL		\$ -	\$ 46.80	\$ 46.80
074739	700	USPS US POSTAL SERVICE		\$ -	\$ 98.00	\$ 98.00
074739	700	WENDY'S		\$ -	\$ 8.30	\$ 8.30
074739	711	AMAZON		\$ -	\$ 29.98	\$ 29.98
074739	711	BLACKWATER FALLS STATE P		\$ -	\$ 228.00	\$ 228.00
074739	711	CANAAN VALLEY RESORT LOD		\$ -	\$ 249.00	\$ 249.00
074739	711	CANAAN VALLEY RESORT LOD		\$ -	\$ 249.00	\$ 249.00
074739	711	LOWES		\$ -	\$ 353.42	\$ 353.42
074739	711	PAYPAL		\$ -	\$ 50.00	\$ 50.00
074739	711	SPRINT		\$ -	\$ 186.82	\$ 186.82
074739	711	STAPLES		\$ -	\$ 127.95	\$ 127.95
074739	711	STAPLES		\$ -	\$ 133.35	\$ 133.35
074739	711	WAL-MART		\$ -	\$ 58.12	\$ 58.12
074739	712	DELL		\$ -	\$ 6,772.59	\$ 6,772.59
074739	712	DELL		\$ -	\$ 1,871.94	\$ 1,871.94
074739	712	FRONTIER		\$ -	\$ 5,099.85	\$ 5,099.85
074739	712	MEDICAL PRIORITY CONSULT		\$ -	\$ 375.00	\$ 375.00
074739	712	NETMOTION		\$ -	\$ 14,209.22	\$ 14,209.22
074739	712	RADIO SHACK		\$ -	\$ 16.95	\$ 16.95
074739	712	SPRINT		\$ -	\$ 1,280.49	\$ 1,280.49
074739	712	STAPLES		\$ -	\$ 305.93	\$ 305.93
074739	712	XYBIX SYSTEMS INC.		\$ -	\$ 461.80	\$ 461.80
074739	716	PANHANDLE PRINTING AND D		\$ -	\$ 238.26	\$ 238.26
074739	717	APOLLO OIL LLC		\$ -	\$ 1,618.10	\$ 1,618.10
074739	717	GTS - WELCO		\$ -	\$ 143.25	\$ 143.25
074739	900	SPRINT		\$ -	\$ 112.52	\$ 112.52
074740	PAYROLL	WV BUREAU OF EMPLOYMENT		\$ -	\$ 1,594.44	\$ 1,594.44
TOTAL						\$ 409,512.76
TOTAL				\$ -	\$ 409,512.76	\$ 409,512.76

Motion by Mr. Manuel to approve the accounts payable for July 19, 2015 in the amount of \$409,512.76. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

MAGISTRATE COURT			
OO5			
Date	Check #	VENDOR	Amount
6/17/2015	320	MARY PAUL RISSLER	\$ 223.38
ASSESSOR VALUATION			
O56			
Date	Check #	VENDOR	Amount
6/10/2015	551	GLOBAL SCIENCE & TECH	\$ 12,119.52
FARMLAND PROTECTION BOARD			
O57			
Date	Check #	VENDOR	Amount
6/17/2015	266	JEFFERSON CO FARMLAND PROT.	\$ 61,266.67
BARDANE			
244			
Date	Check #	VENDOR	Amount
6/17/2015	573	JEFFERSON CO P.S.D	\$ 146.11
TOTAL			\$ 73,755.68

Motion by Ms. Noland to approve the Manual Checks for July 17, 2015 in the amount of \$73,755.68. Motion seconded and unanimously approved.

PUBLIC COMMENT:

Jacqueline Milliron, resident – spoke regarding her support of sewer impact fees in relation to consolidation of sewer services in Jefferson County.

Eleanor Finn, resident – spoke regarding her concerns over the Jefferson County Public Service District’s Special Meeting scheduled between two public workshops, and stated the League of Women Voters strongly supports a County Commission led consolidation meeting between the County utility providers. Ms. Finn also expressed her regrets over Mr. Stanton’s departure from the County.

David Tabb, resident – stated again the Commission is not following the rules, which sets a poor example for other elected officials.

PRESENTATIONS

- 1. Angie Banks, Assessor – presented the following Exonerations:

NAME	TYPE	DISTRICT	TICKET #	AMOUNT
Michele Burdette	PP	Harpers Ferry	306909	\$334.50

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

- 2. Ed Hannon, Deputy Director, Jefferson County Emergency Services Agency – introduced Denise Pouget, newly hired Director for the JCESA. Mr. Hannon also provided the Commission with a report on the medical services rendered at the All Good Festival.
- 3. Nikki Painter, Chief Deputy of Elections and Voter Registration – requested a discussion regarding the possibility of upgrading current election equipment and the costs associated with the upgrade.
- 4. Interviews/Appointment to the Regional Airport Authority for one three-year term ending July 2, 2018.

- **Motion by Mr. Manuel to appoint Jared Esselman to the Regional Airport Authority for one three year term to end July 2, 2018. Motion seconded and unanimously approved.**

- 5. The Commission recessed for break at 11:00 am.
The Commission reconvened at 11:15 am.
- 6. Roger Goodwin, Chief County Engineer – requested the acceptance of contractor’s bid to proceed with the work necessary to remediate the property in Property Safety Enforcement Agency Case 12-002 – Williams.

- **Motion by Ms. Noland to allow staff to move forward with contracting with Remac America, Inc. to carrying out the work required for Property Safety Case 12-002 (Williams) as presented. Motion seconded and unanimously approved.**

7. Lynn Fields, Probate Office

- a. Requested the Commission schedule a public hearing on the Petition to Remove Co-Executor Mark E. Hicks from the Estate of Joann V. Hicks, deceased.

- **Motion by Ms. Tabb to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
- **Motion by Ms. Noland to set a public hearing on the Petition to Remove Co-Executor Mark E. Hicks from the Estate of Joann V. Hicks, deceased during the September 3, 2015 Regular Meeting. Motion seconded and unanimously approved.**

b. July Quarterly Review

- **Motion by Ms. Noland to approve and close estates that have met the necessary requirements for closure, as presented by Ms. Fields and attached as an appendix to these minutes. Motion seconded and unanimously approved.**

8. Tim Stanton, Finance Director – provided the Commission with a discussion of the follow items:

- Review of Budget to Actual Variances as of June 30, 2015
- Review of Policy Number 308 Fund Balance Policy
- Review GASB45 actuarial study, and clarification on County's Post-Retirement Health Benefits.

Budget Revision #1 of the General Fund for FY16

- **Motion by Mr. Manuel to approve State Budget Revision #1 of the General Fund for FY16 as presented. Motion seconded and unanimously approved.**

Budget Revision #1 of the Coal Severance Fund for FY16

- **Motion by Ms. Noland to approve State Budget Revision #1 of the Coal Severance Fund for FY16 as presented. Motion seconded and unanimously approved.**

9. Request that all Jefferson component units be placed on an equitable basis when receiving wage and benefits from the County Budget.
 - **Motion by Mr. Manuel for Jefferson County component units be treated equitably when receiving wage and benefits from the County budget, to be accomplished within a nine month period. Motion seconded and fails on a vote of 1-4 with Mr. Bell, Ms. Tabb, Ms. Noland, and Mr. Pellish opposing.**
10. Set date and time for a meeting to discuss the consolidation of sewer services in Jefferson County.
 - Ms. Grove stated she was hoping to plan the consolidation meeting for the first regular County Commission meeting in August, provided all parties interested were available to attend.
11. Approval of Resolution and Contract – Community Participation Grant Program for the Blue Ridge Mountain Volunteer Fire Company in the amount of \$3,000.
 - **Motion by Mr Manuel to approve the Resolution and contract for the Community Participation Grant Program for the Blue Ridge Mountain Volunteer Fire Company in the amount of \$3,000 and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded and unanimously approved.**
12. Approval of Resolution and Contract – Community Participation Grant Program for Citizens Fire Company in the amount of \$5,000.
 - **Motion by Ms. Noland to approve the Resolution and contract for the Community Participation Grant Program for the Citizens Fire Company in the amount of \$5,000 and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

Revised Absence Time with Pay Policy – Ms. Grove explained the changes made to the County’s Absence Time with Pay Policy, including a revision of holiday and overtime pay, expanded military leave section, and a section regarding suspected misuse of leave.

- **Motion by Ms. Tabb to approve the revised Absence Time with Pay Policy as presented by Ms. Grove. Motion seconded and unanimously approved.**
- **Motion by Mr. Manuel to amend the revised Absence Time with Pay policy to strike “their regular rate of pay” and restore “a rate of time and one half”**

under the Holiday Pay section. Motion seconded but fails on a vote of 1-4 with Mr. Bell, Ms. Tabb, Ms. Noland, and Mr. Pellish opposing.

- Revise leave accrual rates for employees – It was the consensus of the Commission to review the revised leave accrual rates for employees during the next regular meeting.

Ratification of vote made on July 2, 2015 to advertise for the position of Finance Director

- **Motion by Mr. Manuel to ratify the vote made on July 2, 2015 to advertise for the position of Finance Director. Motion seconded and unanimously approved.**

Maintenance Department and Solid Waste Authority – Ms. Grove stated the Maintenance Department and the Jefferson County Solid Waste Authority were hoping to enter into a contract in which the Jefferson County Maintenance Department would provide service on two vehicles belonging to the Solid Waste Authority and in turn, the Solid Waste Authority would no longer charge the Maintenance Department for disposal of tires. Ms. Grove stated this contract would come before the Commission during one of the August meetings.

All Good Festival Report – Ms. Grove stated Barbara Miller, Director of Jefferson County Homeland Security and Emergency Management, would be working with the Sheriff's Department, Communications, JCESA, and other involved agencies to compile a comprehensive report regarding the All Good Festival, and once completed, it would come before the Commission for discussion.

COUNTY COMMISSION REPORTS

Patsy Noland

- Attended a Region 9 meeting.
- Attended a 4H meeting.
- Attended a CVB meeting.
- Attended the All Good Festival and provided a positive report on her experience.

Jane Tabb

- Attended a Farmland Protection Board meeting.
- Hosted Fresh Feast on the Farm.

Dale Manuel

- Attended a PSD meeting.
- Attended a Jefferson Center meeting.
- Attended a Council on Aging meeting.
- Attended a Water Advisory Committee meeting field trip to the Ranson Community Garden.

Eric Bell

- Attended Juvenile Drug Court hearings.
- Reported on his vacation to Canada.
- Briefly attended the All Good Festival.

Walt Pellish

- Attended an Executive Committee meeting with the Development Authority.
- Provided a report on his health status, and stated there was no growth and he'd be starting a new form of chemotherapy in the coming weeks.

13. The Commission meeting adjourned at 12:27 pm on a motion by Ms. Noland. Motion was seconded and unanimously approved.

JANE M. TABB, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant

Regular Term

JULY 2015

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

At a Regular Term of the County Commission of said County and State,
begun and held at the Old Charles Town Library thereof, on Thursday, July
16th, 2015 beginning at 11:05 a.m.

PRESENT: Jane Tabb, President
Eric Bell, Patsy Noland
Walt Pelish, and Dale Manuel, Commissioners

A list of Wills Probated, Executors qualified, Guardians, Administrators,

&c appointed since the last Regular Term of this Commission, to-wit: The July

2015 Term, thereof was this day presented to the Commission by the Clerk

thereof, examined by it, and ordered filed:

Estate of Charles R. Huff, deceased, First and Final Accounting, Donna
McDonald, Executrix

Estate of Marie Ott Hummer, deceased, First and Final Accounting, Brenda H.
Jenkins, Executrix

Estate of Flora Bell Keene, deceased, First and Final Accounting, Michele
Pruitt, Administratrix

Estate of Thelma E. Lloyd, deceased, Interim Accounting, Dennis D. Ellis,
Executor

Estate of Robert William McCarty, deceased, First and Final Accounting, James
B. Crawford, III, Executor

Estate of Blanche Nelson, deceased, First and Final Accounting, Stephen
Slaughter, Administrator cta

Estate of Harold Bell Stanley, deceased, First and Final Accounting, Joyce DePalma Ponton, Executrix

Estate of Georgie Wyne Whitmer, deceased, First and Final Accounting, J. David McAteer, Executor

The following Waivers of Final Settlement were this day examined by the Commission and there being no exceptions thereto, and none appearing on the face thereof, same are ordered approved and recorded as follows:

Estate of William Neil Boyd, deceased, Waiver of Final Settlement, Howard D. Boyd, Executor

Estate of Dorothy E. Butler, deceased, Waiver of Final Settlement, Ida Mary B. Hull, Executrix

Estate of Calvin Leroy Butler, deceased, Waiver of Final Settlement, Ida Mary Hull, Executrix

Estate of Carl. L. Gray, Jr., deceased, Waiver of Final Settlement, Perenia Gray, Executrix

*Estate of John F. Hancock, deceased, Waiver of Final Settlement, Vilma H. Hancock, Executrix

Estate of Robert Lee Harding, Sr., deceased, Waiver of Final Settlement, Mary C. Harding, Administratrix

Estate of Stanley E. Jenkins, deceased, Waiver of Final Settlement, Brenda Rowan, Executrix

*Estate of Barbara H. Kemp, deceased, Waiver of Final Settlement, Cynthia H. Webster, Executrix

Estate of Betty Geneva Engle Kidwiler, deceased, Waiver of Final Settlement, Ida Mary Butler Hull, Executrix

Estate of Joseph Lebida, III, deceased, Waiver of Final Settlement, Joseph Lebida, IV, Administrator

Estate of David Lynn Lewis, deceased, Waiver of Final Settlement, Jacqueline Lewis, Executrix

Estate of James W. Manor, deceased, Waiver of Final Settlement, Kaye F. Manor, Executrix

Estate of Margaret Virginia Miller, deceased, Waiver of Final Settlement, Holly Miller Silveous, Executrix

*Estate of Joan T. Moler, deceased, Waiver of Final Settlement, Judith Moler Robertson, Executrix

Estate of Peter Huber Morgens, deceased, Waiver of Final Settlement, Ann Callahan, Executrix

Estate of Nelson E. Penwell, deceased, Waiver of Final Settlement, Holly Miller Silveous, Executrix

Estate of David M. Ruhala, deceased, Waiver of Final Settlement, Kirsten Miller, Administratrix

Estate of Charanjit Singh, deceased, Waiver of Final Settlement, Inderjit Singh and Naunihal Singh Gumer, Ancillary Co-Administrators

Estate of Jeffrey Kemp Sperry, deceased, Waiver of Final Settlement, Bettina A. Sperry, Executrix

Estate of Francis E. Stauffer, deceased, Waiver of Final Settlement, Dawn Miller, Ancillary Administrator

Estate of Cornelia Druzella Souders, deceased, Waiver of Final Settlement, Deborah D. Webber, Executrix

Estate of Edna C. Ware, deceased, Waiver of Final Settlement, Rick E. Ware, Executor

Estate of Ernest O. Ware, deceased, Waiver of Final Settlement, Rick E. Ware, Executor

Estate of Theda S. Wintermoyer, deceased, Waiver of Final Settlement,
Theda W. Lane, Executrix

Accountings and Waivers of Final Settlement submitted from the Fiduciary

Commissioners: June K. Jovanelly, S. Andrew Arnold, Frank D. Hill, III and

David A. Dejarnett:

Estate of Sharon L. Penwell Bagent, deceased, First Interim Accounting, Bank
of Charles Town, Executor

Estate of Joseph P. Christian, Jr., deceased, Sixth Interim Accounting, F.
Samuel Byrer, Executor

Estate of William C. Dodson, deceased, Sixty and Final Accounting, James B.
Crawford, III, Executor

Estate of Charles Francis Hillyer, deceased, First Interim Accounting, Charlene
Frances Hillyer, Executrix

Estate of Paul F. Huber, deceased, First and Final Accounting, Roberta
Yurcina, Executrix

Estate of Bernard A. Jefferson, deceased, Waiver of Final Settlement, Tanya
A. Jefferson and Sandra Jefferson Grannum, Co-Executors

Estate of Alvin McDonald Linton, deceased, Waiver of Final Settlement,
Charles B. Howard, Executor

*Estate of Nancy T. Longerbeam, deceased, First and Final Accounting, Mary
Frances Furr, Executrix

*Estate of Charles H. Miller, deceased, Waiver of Final Settlement, Stephen
S. Miller and Kathy J. Gess, Co-Executors

Estate of Kathleen Lucille Moore, deceased, Waiver of Final Settlement,
Hester A. Woodward, Executrix

Estate of Stephen Patrick, O'Brien, deceased, First and Final Accounting, Kelly
O'Brien Todd, Executrix

*Estate of Billy F. Owens, deceased, Waiver of Final Settlement, Valerie A. Owens, Michael K. Owens, and Vanessa J. Owens, Co-Executors

*Estate of Charles A. Rocheleau, deceased, First Accounting, Charles A. Belisle, Executor

Estate of Henry H. Schneider, Jr., deceased, First Accounting, Ruth S. Furr, Executrix

President



DESCRIPTION	Fund 001 CO.	Fund 003 Dog	Total
Gross Wages	\$ 392,592.80	\$ -	\$ 392,592.80
6.2% Tax Payable OASDI	\$ 23,494.08	\$ -	\$ 23,494.08
1.45% Tax Payable HI	\$ 5,494.59	\$ -	\$ 5,494.59
Fed Withholding	\$ 46,078.32	\$ -	\$ 46,078.32
WV State Withholding	\$ 16,969.52	\$ -	\$ 16,969.52
PERS Retirement Deduct	\$ 12,999.57	\$ -	\$ 12,999.57
Hosp. Pre-Tax	\$ 11,077.50		\$ 11,077.50
Cancer/ICU Pre-Taxed	\$ 1,155.54		\$ 1,155.54
Cancer/ICU Not Pre-Taxed	\$ 896.75		\$ 896.75
Optional Life Not Pre-Taxed	\$ 2,239.86		\$ 2,239.86
Christmas Club	\$ 5,750.00		\$ 5,750.00
Wage Attach #1	\$ 1,311.70		\$ 1,311.70
Wage Attach #2	\$ 83.25		\$ 83.25
Wage Attach #3	\$ 212.31		\$ 212.31
Wage Attach #4	\$ -		\$ -
DSRS Retirement Deduct 8.5%	\$ 6,823.52		\$ 6,823.52
457 - Nationwide	\$ 749.00		\$ 749.00
457I - ING	\$ 3,085.00		\$ 3,085.00
MD State Tax	\$ 371.71		\$ 371.71
D/VF	\$ 1,481.48		\$ 1,481.48
VA. State Tax	\$ 128.36		\$ 128.36
COLONIAL(PLUS)	\$ 258.09		\$ 258.09
Total Deductions	\$ 140,660.15	\$ -	\$ 140,660.15
Net Wages Total	\$ 251,932.65	\$ -	\$ 251,932.65
Payroll Dated	16-Jul-2015		



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Angie Banks, Assessor

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

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **July 30, 2015**

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

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

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

✚ Exonerations

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

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

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

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

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

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

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

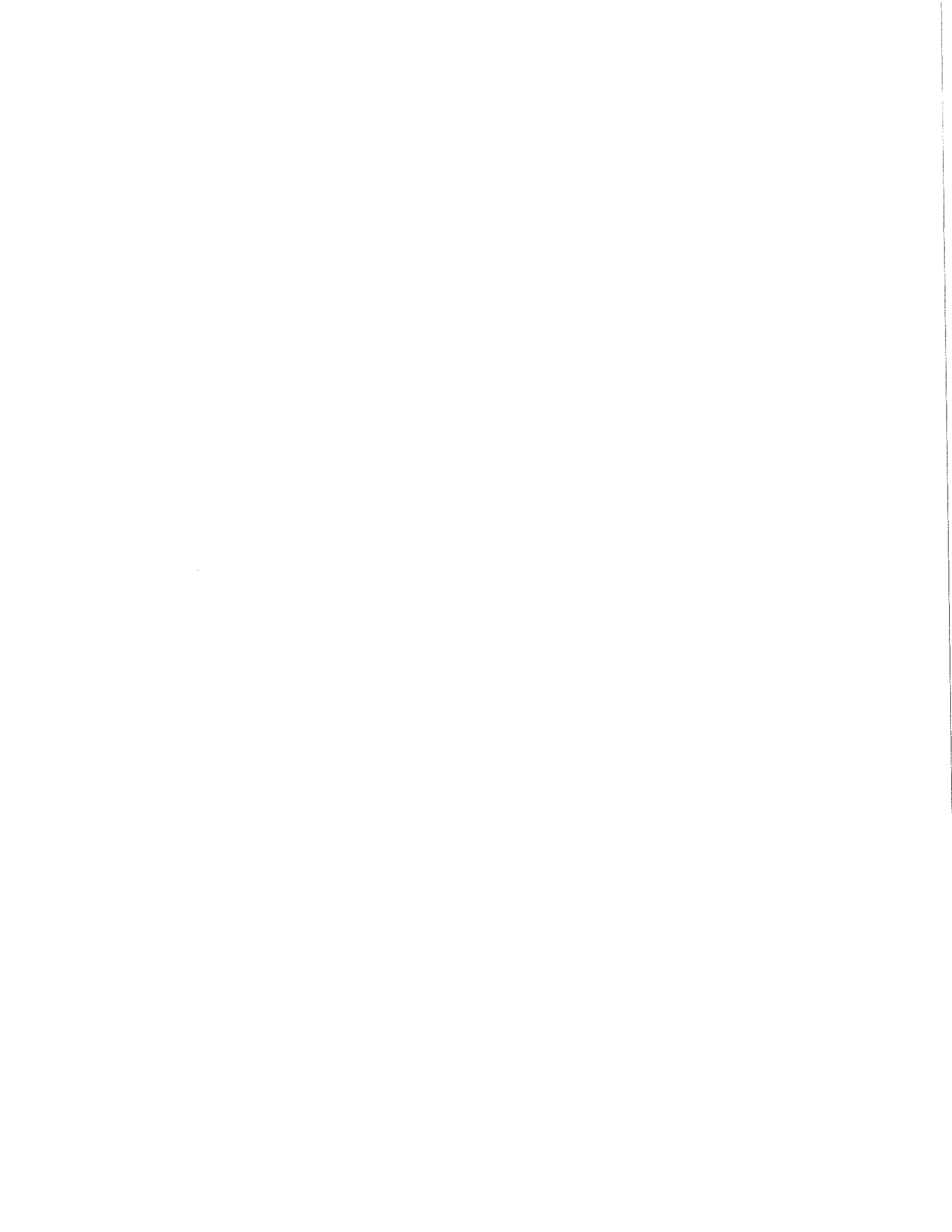
Telephone for conference call Y/N Click here to enter text.

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: John Reisenweber

Department or Organization: Jefferson County Development Authority

Estimation of amount of time needed for appointment: 15 Minutes

Date Requested – 1st Choice: July 30, 2015

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

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

Subject (*Wording to be placed on agenda*): Introduce new Program Manager and Business Coach

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 No
If so, how much? \$Click here to enter text.

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): 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 Click here to enter text. Telephone for conference call Y/N Click here to enter text.

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Bill Polk

Department or Organization: **Maintenance**

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1st Choice: **July 30, 2015**

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

- Postage Machine – Discussion/Action on Replacing Outdated Postage Machine
- Cleaning Contract – Discussion/Action on Cleaning Contract and Hiring Cleaning Staff In House
- Courthouse Roof Renovation – Change Order due to Deteriorated Wood Sheathing – Discussion/Action
- Old School House – Update on discussion with Historic Landmarks Commission and Sheriff on the Old School House at Poor House Farm – Discussion/Action

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

- Postage Machine – Our current machine is very outdated and becoming obsolete.
- Cleaning Contract – We are in need of in-house cleaning staff to replace the current part-time cleaning contract that is inadequate. (See attachment)
- Courthouse Roof Renovation – These are the repairs to the roof that are being partially funded through grant funds. Rotten/deteriorated wood sheathing was discovered that will need to be reinforced. (See Photos)
- Old School House – Discussion/action on what direction to take with Old School House property.

Is this a funding request? Yes. See documentation for explanations.

Attach supporting documents for request, or request may be denied.
If not attached, explain: Documentation attached for postage machine quotes, cleaning information, and Courthouse change order.
There is no supporting documentation for the Old School House.

Is equipment needed? Yes. We will have Power Point photos of the Courthouse roof.

Contact information:

Email address: bpolk@jeffersoncountywv.org Phone Number: 304-728-3355

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Martin Burke**

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

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

Date Requested – 1st Choice: **July 30, 2015**

*If a specific date is needed, please provide reason for specific date: **Grant acceptance letter must be signed and returned by July 31, 2015***

Date Requested – 2nd Choice: **NA**

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

Request for 50% matching funds for Historic Preservation Development Grant from WV Archives and History Commission to replace roof on Snow Hill/Poor Farm Kearneysville, WV

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

JCHLC acquired Snow Hill/Poor Farm in 2011 from the Solid Waste Authority. To date maintenance and upgrades have focused on documenting and stabilizing the structure, correcting health and safety problems, and excluding pests all while attempting to find an occupant. The current request focuses on replacing the roof, repointing the chimneys, installing gutters, and replacing cornices to prevent further damage to roof structure and brick walls. Estimated cost \$43,890 to 48,950 depending on masonry Bid #1 or Bid #2.

Is this a funding request? **Y/N YES**

If so, how much? **\$14,685.00**

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. **SEE ATTACHED: grant application, Grant award letter, roofing and gutter estimate, masonry estimate, and cornice estimate**

If not attached, explain:

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

Contact information:

Email address: **martinburke@frontiernet.net**

Phone Number: **304-876-3883**

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION



The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Commissioner

Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562

EEO/AA Employer

July 20, 2015

Mr. Martin Burke, Chair
Jefferson County HLC
P.O. Box 622
Shepherdstown, WV 25443

Dear Mr. Burke:

I am pleased to announce that the Archives and History Commission has approved a grant of \$14,685.00. The grant award is to be used for the Snow Hill project described below:

Historic Preservation Grant: \$14,685.00

Required Match: \$14,685.00

Beginning Date: August 5, 2015

Ending Date: June 30, 2016

Project Description: Assist with roof replacement.

Monitoring: Mills Group, architectural firm will act as monitor for this project. They will review and approve Request for Quotations and contract contents; meet with the project consultant before work begins; conduct at least one site visit during work; and conduct final site project review. The project monitor will also review and approve plans and specifications. You must meet with the monitor and discuss your plans prior to initiation of the scope of work to insure its conformance with the Secretary of the Interior's Standards for Historic Preservation projects. Please remember that any amendments to this scope of work must receive prior written approval from this office.

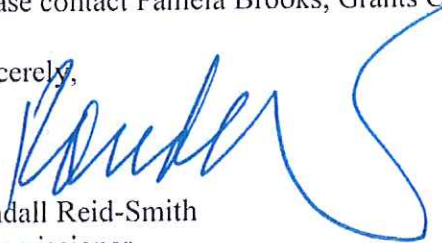
If you wish to accept the grant, the project coordinator must attend a subgrant orientation meeting at the Culture Center on Wednesday, August 5, 2015 at 11:00 a.m. It is imperative that the person attending the orientation be the one responsible for tracking and administration of the grant. At this orientation, the Grants Staff will discuss subgrantee financial and reporting requirements, as well as the federal guidelines for these grants. You will receive a contract for the project at this meeting. Any work to be considered a part of this grant **may not** begin until you have attended the orientation and received approval from our office. There will be a luncheon for all grantees after the orientation.

July 20, 2015
Page 2

Please sign below and return no later than July 31, 2015 if you wish to accept this grant and identify who will be attending the orientation meeting and lunch. We are happy to be able to assist in your efforts and look forward to the completion of a successful project.

Please contact Pamela Brooks, Grants Coordinator if you have any questions.

Sincerely,



Randall Reid-Smith
Commissioner

RRS/pab

I have read the award letter, agree to its contents, and will send the project coordinator specified below to the orientation meeting.

Signed: _____ How many attending: _____

Project Name: _____

Project Coordinator: _____

Email Address: _____

PROPOSAL

DATE: March 19, 2015

PRESENTED TO: Jefferson County Historic Landmarks Commission
Attn: Martin Burke
1328 Terrapin Neck Rd.
Shepherdstown, WV 25443

PROJECT: Chimney Repairs
Poor House Farm
162 Poor Farm Rd.
Shepherdstown, WV 25443

PROPOSAL NUMBER: 1522

As requested, Gruber-Latimer Restoration, LLC is pleased to submit the following proposal for the above-referenced project.

Section A Scope of Work

Bid #1, Chimney Re-pointing

01. Stage materials and equipment on site. Erect scaffolding.
02. After temporarily removing the existing metal chimney caps, cut out the existing mortar joints on four chimneys, to a depth suitable for re-pointing. Re-point these joints of four chimneys (i.e., one on either end of the main block of the house, and two on the 1859 addition), using Type N mortar that replicates the original mortar as closely as possible, and a flat brushed joint profile.
03. Apply one (1) saturation coat of silane/siloxane water repellent on all exterior brick surfaces of the four chimneys, at a ratio of one (1) gallon per seventy-five (75) square feet of wall area. See Special Note 12, below, regarding this class of product and its application.
04. Re-install metal caps on the tops of the chimneys.
05. Clean work area. Remove any debris and excess materials that result directly from our work.

Bid #2, Chimney Re-pointing/Reconstruction

06. Stage materials and equipment on site. Erect scaffolding.
07. After temporarily removing existing metal chimney caps, cut out and re-point the right front chimney (on the main block), using the same Type N mortar and joint profile as above.

08. Remove (demo) the remaining three chimneys, down to the roofline. Save brick for use in reconstruction. Chimney flashing will also remain, and be re-used.
09. Reconstruct the three chimneys, to the same size and configuration as the original structures, using existing brick and the same mortar as above. Parge accessible inside faces of the reconstructed portion of the flues. See Special Note 08, below, regarding repair/reconstruction on these chimneys below the roofline, if needed.
10. Apply one (1) saturation coat of silane/siloxane water repellent on all exterior brick surfaces of the four chimneys, at a ratio of one (1) gallon per seventy-five (75) square feet of wall area. See Special Note 12, below, regarding this class of product and its application.
11. Re-install existing flashing and metal caps.
12. Clean work area. Remove any debris and excess materials that result directly from our work.

Section B Special Notes

01. Owner to provide potable water and electrical service to the site of our work, at no charge.
02. This project is not a prevailing wage (Davis-Bacon or WV wage scale) project.
03. In addition to ladders and frame scaffolding, a boom lift may be used to access the work. A diligent effort will be made to limit the amount of disturbance to adjacent soils, landscaping and sidewalks, however no guarantee can be offered in this regard. In those areas where scaffolding is required to be erected directly on top of the roof or other structures, plywood decking and tarps/plastic will be used to avoid damage to these structures.
04. General exclusions: structural steel, carpentry, framing, painting/caulking, plaster/GWB work, roof work, window/door work, insulation, gutters/down spouts, concrete work, finished grading and landscaping, electrical/mechanical/HVAC/plumbing work.
05. Mortar removal will be done by mechanical means, but only by masons with substantial experience in restoration work. The use of hand tools (only) is specifically excluded.
06. Any additional brick reconstruction that exceeds the above scope of work, the need for which is discovered in the course of our work, is excluded from this proposal and, if so directed by the owner, would be pursued on a 'time and material' basis.
07. Additional historic handmade brick, if needed, would be supplied by the contractor on a 'time and material' basis.
08. This proposal covers reconstruction of the three existing brick chimneys above the roofline only. Brick reconstruction on any of these chimneys below the roofline would be in addition to the specified work and is therefore excluded from this proposal. If so directed by the owner, this work would be pursued on a 'time and material' basis.
09. Existing chimneys, being of mid-19th century construction, are not lined like more modern chimneys. After demolition, we will parge the interior brick surface (within arm's reach) below the level of demolition, as well as the new brickwork above the roof.
10. Existing step flashing around base of each chimney will be re-used (and re-sealed, as needed), in reconstruction.
11. The greater durability and lower cost of modern mortars should be weighed against the historical authenticity, lower durability and higher cost of lime-based mortars. Modern mortars with appropriate strength and color characteristics can be made to resemble historic mortars, thereby providing better value, both initially and over the extended life

Jefferson County Historic Landmarks Commission
Attn: Martin Burke
Proposal #1522
March 19, 2015
Page 3

of the building. From our experience, a practical balance...using modern materials that resemble older materials...is a sound investment.

12. Regarding the proposed silane/siloxane water repellent for masonry surfaces:
- product dries clear, with no adverse affect to the color of the stone or mortar;
 - product is temperature-sensitive in terms of ambient conditions at the time of application;
 - one saturation coat typically provides the desired level of protection;
 - product has limited initial surface repellency and may require up to 14 days to develop optimal performance;
 - product is estimated to have a service life of 7-10 years, after which time a maintenance coat is recommended.

A diligent effort will be made to prevent overspray of the water repellent onto adjacent surfaces and landscaping. However, while this water-based product will not damage other materials/surfaces and will be cleaned off windows with a standard window cleaning agent, all parking and driveway areas need to be clear of vehicles.

Section C Price

All labor, materials and equipment to complete the above Scope of Work:

Bid #1: \$6,445.00 (six thousand, four hundred and forty-five), plus any applicable state or local taxes (e.g., WV Sales & Use Tax; Charles Town B & O Tax)

Bid #2: \$11,505.00 (eleven thousand, five hundred and five dollars), plus any applicable state or local taxes (e.g., WV Sales & Use Tax; Charles Town B & O Tax)

Section D Terms

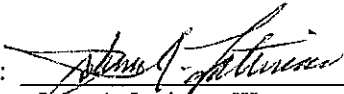
01. Payment in full upon completion of the work performed. Due upon receipt.
02. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices, and warranted for a period of one (1) year.
03. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the price estimate.
04. This proposal, and any contract that results from this proposal, is made with the expressed condition that Gruber-Latimer Restoration, LLC cannot be held responsible for strikes, accidents, delays or other circumstances beyond our control.
05. Owner to be responsible for all necessary permits. Owner will be responsible for fire, tornado and other necessary and applicable insurance. Gruber-Latimer Restoration employees are fully covered by workers' compensation insurance.
06. West Virginia Contractor's License # WV034399.
07. Gruber-Latimer Restoration, LLC reserves the right to withdraw this proposal if not accepted within 30 days.

Thank you for considering Gruber-Latimer Restoration to be your partner in completing this project. We are confident that our construction experience, and in particular our knowledge and expertise in the restoration field, will enable us to meet...and, in fact, exceed...your expectations.

Jefferson County Historic Landmarks Commission
Attn: Martin Burke
Proposal #1522
March 19, 2015
Page 4

Please call with questions that may arise or if further information would be helpful. We look forward to working with you.

Gruber - Latimer Restoration, LLC

By: 

John A. Latimer, III
President

Acceptance of Proposal

The above specifications, price estimates and terms and conditions are satisfactory and are hereby accepted. Gruber-Latimer Restoration, LLC is authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____ Date: _____

In order to complete the agreement contemplated by this proposal, please sign both originals, retain one copy for your records and return the other signed original to Gruber-Latimer Restoration at the above address. Thank you.

MICHAEL F. TAYLOR, INC.

769 Fruit Hill Lane
Shepherdstown, WV 25443
304-876-2900 FAX 304-876-6469

Remodeling Proposal

Michael F. Taylor, Inc.
Contractor License No. WV003031, MHIC47792

SUBMITTED TO: Jefferson County Landmarks Commission
C/O Martin Burke

JOB LOCATION: Poor House Property
PHONE:

DATE: June 04, 2015

Approx. Start Date:
Approx. Completion Date:

We hereby submit specifications and an estimate to:

Repair and restore approximately 45 lineal feet of cornice and fascia on the front face and 35 lineal feet on the back, to include:

Repair and replace the crown moulding, fascia board and soffit with like kind material.

All surfaces will be primed before being installed.

Repair all needed rotten or missing framing for the installation of the roof trim.

Provide all necessary scaffolding and staging for the performance of the work.

This proposal does not include:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from the above specifications involving extra costs will be done only upon written change order. The costs will become an extra charge over and above the estimate. This is to include, but is not limited to, hidden damages that are uncovered during the course of the job and additional work required by local building inspectors.

All elements of this agreement are contingent upon strikes, accidents or delays beyond our control. The estimate does not include material price increases, or additional labor and materials which may be required should unforeseen problems arise after the work is started.

You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction.

Cancellation must be done in writing.

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:
Thirteen thousand one hundred eighty-eight dollars (\$13,188.00)

Payment to be made as follows:

AT SIGNING: \$4,000.00
AT COMPLETION: \$9,188.00

Note: This proposal may be withdrawn by us if not accepted within 30 days.


Authorized Signature

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date _____

Proposal

RUSSELL'S ROOFING CO.

2244 Papermill Road
Winchester, VA 22601
(540)667-4965 Office
(540)722-2166 Fax

Proposal No. _____

Sheet No. 1

Date: 02-06-15

Proposal Submitted To _____	Work To Be Performed At _____
Name <u>Martin Burke</u>	Street <u>162 Poor Farm Road</u>
Street <u>P.O. Box 23</u>	City <u>Kearneysville, WV</u>
City <u>Charles Town</u>	Date of Plans _____
State <u>WV 25414</u>	Architect _____
Telephone Number <u>304-876-3883</u>	Email _____

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of To install an Englert 26 gauge standing seam metal roof over 30 lb felt on the front roof, rear roof and the smaller roof in the rear. Will install drip edge, wall flashing, chimney flashing, all fasteners and sealants. Will install a 6" half round galvanized gutter and 4" galvanized downspout installed with strap hangers. All fasteners and sealants.

NO FRONT PORCH WORK NEEDED, BEING REMOVED.
Any bad woodwork will be an extra.

Customer will pick up building permit.
We will clean up all debris from property when job is completed.
We do not guarantee this roof not to rattle or oil canning.
There is a 30 year warranty on the paint on the prepainted metal.
There is a two year warranty on the workmanship.

Virginia Class A License #141339.
WV Contractors License #WV04-8809.
WV Business Registration Certificate #2259-0969.

All material is guaranteed to be specified, and the above work to be performed in accordance with the drawings and specification submitted for above work and completed in a substantial workmanlike manner for the sum of :

Material and Labor Dollars (\$24,257.00)

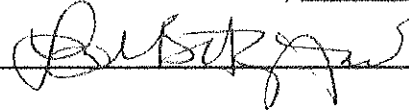
with payments to be made as follows:

WARRANTY WILL NOT BE ISSUED UNTIL ACCOUNT IS PAID IN FULL.

PROGRESSIVE PAYMENTS WILL BE SUBMITTED WITH BALANCE DUE UPON COMPLETION.

Any alteration or deviation from above specification involving extra costs, will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Worker's Compensation and Public Liability Insurance on above work to be taken out by Russell's Roofing Company

Respectfully submitted Lisa Bridgeforth, President



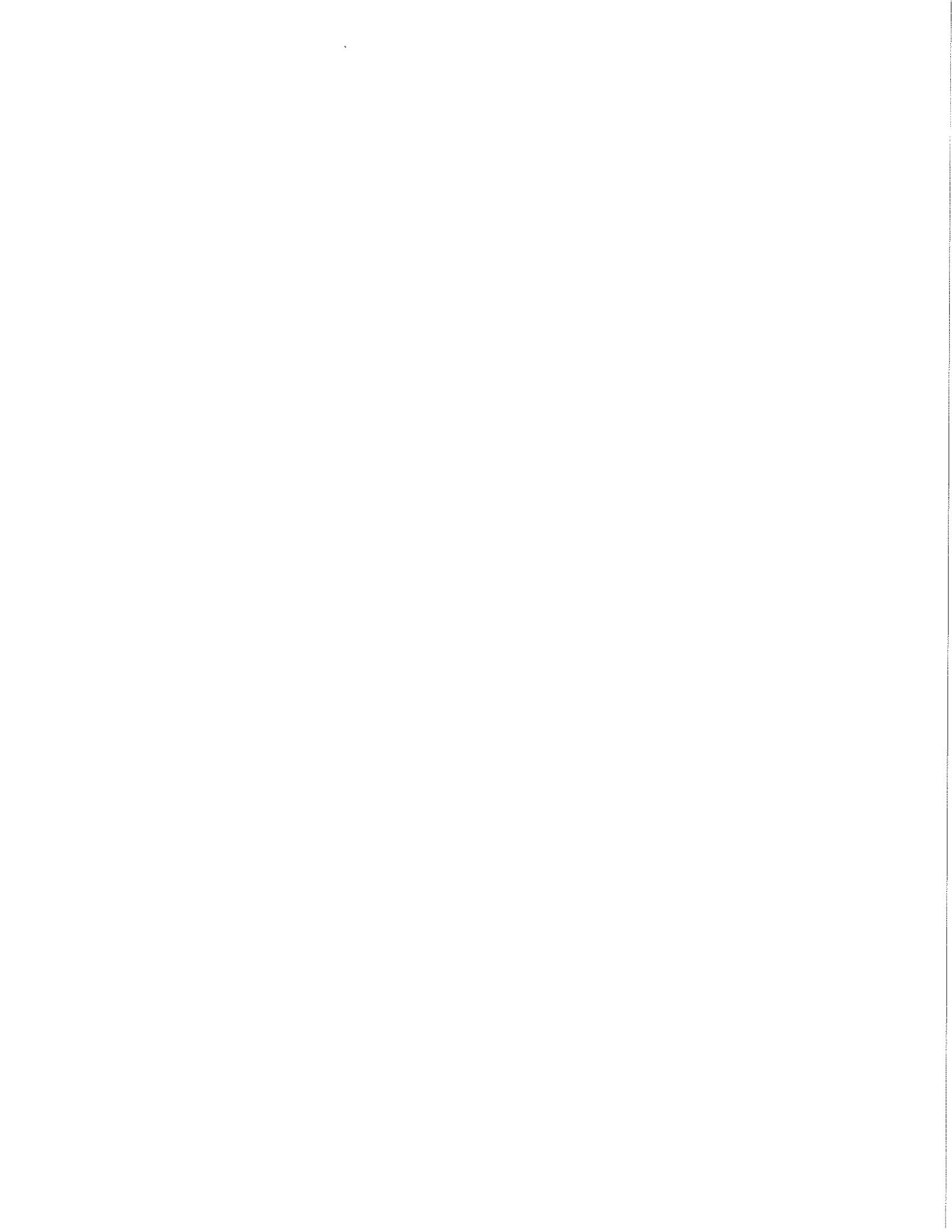
ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

I/We do hereby agree jointly and individually, to pay for all materials supplied. In the event that any account is placed for a third part collection, I/We hereby agree to pay all costs, including reasonable attorney fees, court costs, and finance charge.

Accepted _____ Signature _____

Date _____ Signature _____



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Ronda Eddy, Director

Department or Organization: Jefferson Day Report Center

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: July 30, 2015

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

Date Requested – 2nd Choice: August 20, 2015

Subject (*Wording to be placed on agenda*): Request County Commission appoint Berkeley County Council Nominee to the Jefferson County Criminal Justice Board.

Overview of Jefferson Day Report program
Community Corrections Grant Funding
DHHR JRI Funding

Introduce Recovery Coaches through DHHR JRI Funding
Client and program overview.

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 N
If so, how much? \$N/A

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Motion to appoint Dan Dulyea, Berkeley County Council nominee to the Jefferson County Criminal Justice Board.

Attach supporting documents for request, or request may be denied.
If not attached, explain: See attached request from Berkeley County Council

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

Contact information:
Email address: reddy@jeffersondrc.com Phone Number: 304-728-3527

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS



Berkeley County Council

400 W. STEPHEN STREET, SUITE 201
MARTINSBURG, WV 25401
PHONE: (304) 264-1923



www.berkeleywv.org

THE COUNCIL

DOUGLAS E. COPENHAVER, JR.
JIM WHITACRE
ELAINE C. MAUCK, M.A.
JAMES R. BARNHART
DAN DULYEA

ALAN J. DAVIS
COUNTY ADMINISTRATOR

July 16, 2015

Ms. Ronda Eddy
Jefferson County Criminal Justice Board
121 W. Third Avenue
Ranson, WV, 25438

RE: At-Large Appointment

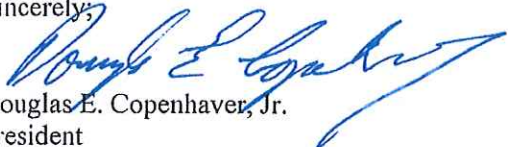
Dear Ms. Eddy:

As follow-up to action taken earlier this month by the Jefferson County Criminal Justice Board (hereinafter referred to as the "Board"), the Berkeley County Council respectfully requests that Council Person Dan Dulyea be appointed to the Board to fill a current at-large member vacancy.

Thank you for your attention to and assistance in this matter.

If there are any questions, please feel free to contact me.

Sincerely,



Douglas E. Copenhaver, Jr.
President

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Ronda Eddy, Director**

Department or Organization: **Jefferson County Day Report Center**

Estimation of amount of time needed for appointment: [Click here to enter text.](#)

Date Requested – 1st Choice: **July 30, 2015**

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

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

Subject (*Wording to be placed on agenda*): **Approval of Resolution and contract – Community Corrections Grant (16-CC-07) - \$150,000 – 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 approval of Resolution and contract – Community Corrections Grant (16-CC-07) in the amount of \$150,000 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.](#)



Department of Military Affairs & Public Safety

July 13, 2015

The Honorable Jane Tabb
President
Jefferson County Commission
124 E. Washington Street
Charles Town, West Virginia 25414



**RE: Grant Number: 16-CC-07
Amount: \$150,000.00**

Dear Commissioner Tabb:

Congratulations on your recently awarded West Virginia Community Corrections grant. To formalize your acceptance of this grant, the attached documents must be signed by the authorized official and the originals returned to my office by **Monday, July 27, 2015**.

Documents required for signature include:

31. Contract Agreement
32. Standard and Special Terms and Conditions
33. Resolution (signed by County Clerk)
34. Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; And Drug-Free Workplace Requirements
35. EEOP Certification – Two (2) forms – one completed form to be mailed to the Office for Civil Rights at the address listed on the form and one completed form returned to the Division of Justice and Community Services

Please be advised you will be required to revise your grant budget (pages 3 through 5) to reflect your new grant award amount and appropriate matching contribution and resubmit those revised budget pages with your signed grant contract agreement via email to Kyle.M.McGee@wv.gov Please note, your revised budget **MUST be typed, and list each individual line item in each category. Furthermore, all positions funded in the Personnel/Contractual Category must list the employee's name (if it is a currently funded position), their individual salary, and a breakdown of all benefits for each funded position. No lump sums in any category will be accepted. Additionally, please note that contract agreements will not be processed at DJCS without the revised budget pages.**

Programs should also be advised the Governor's Community Corrections Subcommittee has agreed the West Virginia Community Corrections grant program will not fund six (6) specific types of positions. **Therefore, if you have requested in your original application one of the following staff positions, please remove those positions from your revised grant budget pages you are resubmitting to DJCS:**



The Honorable Jane Tabb
July 13, 2015
Page 2 of 2

1. Community Service Officer/Supervisor
2. Sex Offender Supervision (or related position)
3. Home Confinement Officer/Supervisor
4. Lab Technician (or related position)
5. Drug Screeners
6. Security Officers

Additionally, be advised that building renovations and improvements are not a priority of funding for the Community Corrections Subcommittee. Therefore, please consider this condition when making revisions to your budget.

Additional information regarding the administrative procedures that govern this grant program will be sent directly to your designated grant Project Director in the near future. In the interim, if you have any questions concerning the contract or other enclosures, please contact me at (304)558-8814, extension 53318 or Kyle.M.McGee@wv.gov. I look forward to working with you on this project and feel confident that our efforts will prove tremendously beneficial to the State of West Virginia.

Sincerely,



Kyle M. McGee
Justice Programs Specialist

KMM/amw

cc: Ronda Eddy
Grant File

Enclosures

GRANT CONTRACT AGREEMENT

BETWEEN THE

DIVISION OF JUSTICE AND COMMUNITY SERVICES

AND

Jefferson County Commission

16-CC-07

This **AGREEMENT**, entered into this **30th day of June, 2015** by the Director of the Division of Justice and Community Services, hereinafter referred to as "DJCS", for and on behalf of the State of West Virginia, and **Jefferson County Commission**, hereinafter referred to as "Grantee."

WHEREAS, DJCS is the recipient of Community Corrections Funds from the State of West Virginia, and

WHEREAS, the Grantee is an eligible applicant who is desirous of receiving funds for: **These funds will be utilized for the continued operation of a community corrections program in Berkeley, Jefferson, and Morgan Counties.**

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. The Grantee agrees to comply with all applicable federal and state laws and rules, regulations and policies promulgated thereunder.
2. DJCS agrees to assist the Grantee to perform such tasks and functions as set forth in the application which is attached hereto and made part hereof, hereinafter referred to as Attachment A.
3. The Grantee shall do, perform, and carry out in a satisfactory and proper manner as determined by DJCS all duties, tasks and functions necessary to implement the application which is hereto attached as Attachment A.

4. The Grantee will commence its duties under the Agreement on July 1, 2015 and shall continue those services/activities until June 30, 2016. The terms of this Agreement may only be extended or modified by the mutual written agreement of the parties hereto.
5. In consideration of the services rendered by the Grantee, the sum of up to \$150,000.00 shall be obligated by DJCS and said amount shall be deemed to be the maximum compensation to be received for this Agreement unless a written modification is entered into between the parties amending this Agreement.
6. It is the understanding of all parties to this Agreement that DJCS by joining in the Agreement does not pledge, or promise to pledge, the credit of the State of West Virginia, nor does it promise to pay all of the compensation hereunder from monies of the Treasury of the State of West Virginia.
7. To be eligible for any and all payments of the grant amount, the Grantee shall submit a Request for Funds no more frequently than once a month to DJCS. Upon receipt of said request, DJCS shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five hereinbefore cited and said compensation will be expended only as outlined in the budget sections of Attachment A, unless written approval of modification of the budget is signed by the parties hereto. Grantee shall submit a fiscal report detailing expenditures to DJCS by the twentieth (20th) day of each month.
8. Grantee hereby represents that it possesses the legal authority to contract for this Agreement and that attached hereto and made a part hereof as Attachment B is a certified copy of the resolution, motion or similar action which was clearly adopted or passed by the Grantee's governing body; and further, that it has directed and authorized an official representative to act in connection with this Agreement. If the Grantee is a State agency, the completed application signed by the agency head is sufficient.
9. Grantee agrees to abide by the grant conditions, terms, assurances and certifications which are a part of Attachment A and such other special terms and conditions that DJCS has set forth in Attachment C which is incorporated herein and made part hereof, if said Special Conditions are appropriate to this Agreement.
10. If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner his obligations under this Agreement, the DJCS may withhold payments to the Grantee upon notice in writing, suspend, or cancel this Agreement and Attachments. The notice of withholding payments, suspension, or cancellation should set forth the DJCS reasons for taking said action.
11. DJCS and Grantee may from time to time require changes in the scope of services performed hereunder. Grantee agrees to submit a written request for modification prior to changing any budget line item. All such changes, including any increase or decrease in the amount of compensation here-under or work to be performed, which are mutually agreed upon between the parties shall be in writing.

12. If for any reason funds received by DJCS are suspended or terminated, in whole or in part, funding for this Agreement shall cease.
13. Grantee shall within the time period prescribed by grant conditions upon the termination of the Agreement, submit to DJCS a final report on forms provided by DJCS. Said reports shall reflect actual costs incurred during the terms of this Agreement.
14. The parties agree that "notice" described in this document may be by personal service, or by certified mail, return receipt requested, and evidence of such certified mail shall be postage prepaid, return receipt requested. Notice shall be given at the following addresses:
 - a. Division of Justice and Community Services
1204 Kanawha Boulevard East
Charleston, West Virginia 25301
 - b. **Grantee Mailing Address:**
Jefferson County Commission
124 E. Washington Street
Charles Town, West Virginia 25414
15. The Grantee shall hold and save DJCS and its officers, agents and employees harmless from liability of any nature, including cost and expense, for or on account of any suits or damages of any character whatsoever resulting from injuries or damages sustained by any persons or property resulting in whole or in part from the negligent performance or omission of any employee, agent or representative of the Grantee.

IN WITNESS WHEREOF, the parties hereto attach their signatures representing that each is acting with full authority.

Jane Tabb, President
Jefferson County Commission

W. Richard Staton, Director
Division of Justice and Community Services

RESOLUTION

The **Commission** of **Jefferson County** met on _____ (date) with a quorum present and passed the following resolution.

Be it resolved that the County Commission hereby authorizes **The Honorable Jane Tabb, President** of the **Jefferson County Commission**, to act on its behalf to enter into a contractual agreement with the Division of Justice and Community Services to receive and administer grant funds pursuant to provisions of the Community Corrections Program.

Signed: _____
County Clerk

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

STANDARD CONDITIONS AND ASSURANCES

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

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

1. LAWS OF WEST VIRGINIA:

This grant application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by DJCS, regardless of the original funding source. This grant is on a "REIMBURSEMENT ONLY" mechanism.

2. LEGAL AUTHORITY:

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

3. RELATIONSHIP:

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

4. COMMENCEMENT WITHIN 60 DAYS:

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

5. OPERATIONAL WITHIN 90 DAYS:

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

6. WRITTEN APPROVAL OF CHANGES:

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

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

STANDARD CONDITIONS AND ASSURANCES

7. CIVIL RIGHTS COMPLIANCE:

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

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

8. PRESS RELEASE:

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

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

9. LOBBYING:

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

10. ACCESS TO RECORDS:

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

11. CONFLICT OF INTEREST:

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

12. POLITICAL ACTIVITY:

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

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

STANDARD CONDITIONS AND ASSURANCES

13. RELEASE OF INFORMATION:

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

DJCS recognizes that some information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement, personnel or juvenile sensitive or otherwise important to national or state security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under state control is subject to requests made pursuant to the Chapter 29B, Article 1 of the West Virginia Code, all determinations concerning the release of information of this nature are made on a case-by-case basis by DJCS, and may fall within one or more of the available exemptions under the Act.

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

14. NATIONAL AND STATE EVALUATION EFFORTS:

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

15. OBLIGATION OF PROJECT FUNDS:

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

16. USE OF FUNDS:

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

17. ALLOWABLE AND UNALLOWABLE COSTS:

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

18. PEER REVIEW SUB GRANTEE EVALUATION PROCESS:

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

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

STANDARD CONDITIONS AND ASSURANCES

19. NON-SUPPLANTING:

Grant funds must be used to supplement existing funds for program activities and may not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from state grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The grantee hereby certifies that funds made available under this grant will not be used to supplant other funding sources.

20. MATCHING CONTRIBUTION:

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

21. PROJECT INCOME:

All income earned by the grantee as a result of the conduct of this project, must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established by DJCS as are established for granted funds. All grantees must maintain records that clearly show the source, the amount and the timing of all project income. There is no waiver provision for the project income requirement.

22. CONSULTANT FEES:

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

23. SUSPENSION OF FUNDING:

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

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

24. SANCTIONS FOR NONCOMPLIANCE:

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

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

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

STANDARD CONDITIONS AND ASSURANCES

25. SUBMISSION/RELEASE OF PUBLICATIONS/PRESS RELEASES:

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

"This document [product] was prepared under a grant from the West Virginia Division of Justice & Community Services (or simply "DJCS"). Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the State of West Virginia or the Division of Justice & Community Services."

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

26. PROPERTY ACCOUNTABILITY:

The grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a grant by DJCS. This obligation continues as long as the property is retained by the grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from DJCS. Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program (if applicable), with copies provided to DJCS. Property must be used for the intended grant purposes, if not being used in accordance with terms of the grant property will revert back to DJCS.

27. CRIMINAL PENALTIES:

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

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

28. REPORTS:

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

29. PURCHASING:

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

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

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

31. INFORMATION SYSTEMS:

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

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

32. INCIDENT BASED REPORTING COMPLIANCY:

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

33. TIME EXTENSIONS:

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

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

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

35. LIMITED ENGLISH PROFICIENCY:

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

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36. COMPUTER EQUIPMENT:

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

Minimum Hardware Requirements:

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

Recommended Hardware Components:

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

Software Requirements:

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

Warranty Requirements:

3 Year on-site warranty

37. PUBLIC SAFETY AND JUSTICE INFORMATION SHARING:

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

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38. PROGRAM ACCOUNTABILITY – FEDERAL AUDIT REQUIREMENTS:

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

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

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

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

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

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

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

39. PROGRAM ACCOUNTABILITY – STATE AUDIT REQUIREMENTS:

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

40. CONFIDENTIALITY OF RESEARCH INFORMATION:

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

41. LEASE AGREEMENTS:

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

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42. EQUAL EMPLOYMENT OPPORTUNITY PLAN:

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

43. VETERANS PREFERENCE:

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

44. IMMIGRATION AND NATURALIZATION VERIFICATION:

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

45. PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:

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

46. PERSONNEL TRAINING:

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

47. ACCOUNTING REQUIREMENTS:

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

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

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

49. TRANSFER OF FUNDS PROHIBITION:

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

50. MARKING OF EQUIPMENT:

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

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STANDARD CONDITIONS AND ASSURANCES

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

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

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

52. CENTRAL CONTRACTOR REGISTRATION:

Grantee agrees to register with the Central Contractor Registration (CCR), www.ccr.gov and provide documentation to DJCS within 30 days of award notification that they have done so.

53. DATA UNIVERSAL NUMBERING SYSTEM:

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

54. JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT:

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

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

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

55. BIDDING PROCEDURES:

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

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STANDARD CONDITIONS AND ASSURANCES

56. COMPLIANCE WITH FEDERAL PROCEDURES:

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

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

57. ADDITIONAL REGULATIONS AND PROCEDURES:

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

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

58. RELIGIOUS ACTIVITIES

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

**WEST VIRGINIA
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**West Virginia Community Corrections Grant
Program**

SPECIAL CONDITIONS AND ASSURANCES

59. Public Availability of information:

The sub grantee agrees to comply with the terms and condition of pertinent federal and state freedom of information acts, and to require its contractors to comply with these requirements

60. CONSULTANTS / CONTRACTS:

No contract or agreement may be entered into by the sub grantee for the execution of project activities or provision of service that is not incorporated in the approved grant, and without prior written approval of DJCS. Grant approval by DJCS does not constitute consultant/contract approval.

61. REPORTING OF IRREGULARITIES:

Sub grantees are responsible for reporting promptly to DJCS the nature and circumstances surrounding any fiscal irregularities discovered. Failure to report known irregularities may result in suspension of the grant or other remedial action.

62. VEHICLE PROCUREMENT:

Applicants purchasing vehicles with West Virginia Community Corrections funds are required to adhere to the established bidding procedures for their respective units of government. To ensure reputable vendors are obtained, applicants may consider utilizing the current applicable state contract.

63. COMMUNICATION EQUIPMENT:

All portable communication equipment purchased utilizing West Virginia Community Corrections funds must be compatible with programmable hand-held units, available through purchase via state contract.

64. ADDITIONAL SPECIAL CONDITIONS AND ASSURANCES:

The Community Corrections Subcommittee may add additional special conditions and assurances after a submitted proposal application has been reviewed by the Subcommittee. Program approval and funding approval may be contingent on the applicant agreeing to comply with the additional special conditions and assurances.

**65. COMMUNITY CORRECTIONS INFORMATION SYSTEM (CCIS)
and the WVSCA OFFENDER CASE MANAGEMENT SYSTEM
(OCMS):**

The applicant shall agree to utilize the Division of Justice and Community Services CCIS database to input all parole, non-criminal justice (DHHR referred, etc.) and Treatment Supervision cases, maintain records and report case and summary information to DJCS upon request. The applicant shall agree to utilize the WVSCA OCMS for all magistrate, circuit and/or probation referred or sentenced cases.

**66. LEVEL OF SERVICE/CASE MANAGEMENT INVENTORY AND
MOTIVATIONAL INTERVIEWING**

The applicant agrees to utilize the online LS/CMI assessment instrument as required by the WV Community Corrections Subcommittee for all LS/CMI's conducted on cases that are not entered into the WVSCA OCMS.

All DRC staff who conduct LS/CMI assessments and/or work directly with offenders will complete both the Effective Practices in Community Supervision (EPICS) and Motivational Interviewing trainings in accordance with all DCJS Office of Research and Strategic Planning (ORSP) requirements.

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**West Virginia Community Corrections Grant
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SPECIAL CONDITIONS AND ASSURANCES

67. QUALITY ASSURANCE:

All DRC staff certified on the LS/CMI will participate in the Quality Assurance for Treatment Intervention Programs and Supervision (QA-TIPS) program through the WV DJCS, ORSP.

All DRC directors and staff will register with the Online Learning Management System (OLMS) and utilize the system for course registration and certification tracking as instructed by the DCJS, ORSP.

68. JUSTICE REINVESTMENT INITIATIVE TRAINING AGENDA:

All DRC Directors, staff, and DRC contractors responsible for the delivery of group interventions will be certified in the Cognitive Behavioral Intervention for Substance Abuse (CBI-SA) and Thinking for Change (T4C) curricula at the earliest opportunity and as seats are available. For information on the trainings offered please contact the WVDJCS ORSP.

69. QUARTERLY MEETINGS:

The applicant shall agree to have in attendance the Project Director and/or Program Director at quarterly meetings. These meetings will be located throughout the State. Each Community Corrections program will host a quarterly meeting; with a listing of the host sites being published by DJCS with each new funding cycle. When hosting a meeting it is the responsibility of the Program Director to make all necessary contacts, set the agenda, and facilitate the meetings.

I certify that I have read all the standard and special conditions and assurances of this grant program and agree to comply with these requirements.

X

Authorized Official Signature (Original)

CERTIFICATION FORM

Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

Please read carefully the Instructions (see below) and then complete Section A or Section B or Section C, not all three.

Recipient's Name:		DUNS Number:
Address:		
Grant Title:	Grant Number:	Award Amount:
Name and Title of Contact Person:		
Telephone Number:	E-Mail Address:	

Section A—Declaration Claiming Complete Exemption from the EEOP Requirement

Please check all the following boxes that apply:

- Recipient has less than fifty employees. Recipient is an Indian tribe. Recipient is a medical institution.
 Recipient is a nonprofit organization. Recipient is an educational institution. Recipient is receiving an award less than \$25,000.

I, _____ [responsible official],
certify that _____ [recipient] is
not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R. § 42.302.
I further certify that _____ [recipient]
will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of
services.

Print or Type Name and Title: _____ Signature _____ Date _____

Section B—Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review

If a recipient agency has fifty or more employees and is receiving a single award or subaward of \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ [responsible official],
certify that _____ [recipient],
which has fifty or more employees and is receiving a single award or subaward for \$25,000 or more, but less than
\$500,000, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E. I further certify that within the last
twenty-four months, the proper authority has formulated and signed into effect the EEOP and, as required by applicable
federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for
Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEOP is on file at the following office:

[organization],

[address].

Print or Type Name and Title _____ Signature _____ Date _____

Section C—Declaration Stating that an EEOP Utilization Report Has Been Submitted to the Office for Civil Rights for Review

If a recipient agency has fifty or more employees and is receiving a single award or subaward of \$500,000 or more, then the recipient agency must send an EEOP Utilization Report to the OCR for review.

I, _____ [responsible official],
certify that _____ [recipient],
which has fifty or more employees and is receiving a single award of \$500,000 or more, has formulated an EEOP in
accordance with 28 CFR pt. 42, subpt. E, and sent it for review on _____ [date] to the
Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

Print or Type Name and Title _____ Signature _____ Date _____

CERTIFICATION FORM

Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

Please read carefully the instructions (see below) and then complete Section A or Section B or Section C, not all three.

Recipient's Name:		DUNS Number:
Address:		
Grant Title:	Grant Number:	Award Amount:
Name and Title of Contact Person:		
Telephone Number:	E-Mail Address:	

Section A—Declaration Claiming Complete Exemption from the EEOP Requirement

Please check all the following boxes that apply:

- Recipient has less than fifty employees. Recipient is an Indian tribe. Recipient is a medical institution.
 Recipient is a nonprofit organization. Recipient is an educational institution. Recipient is receiving an award less than \$25,000.

I, _____ [responsible official],
certify that _____ [recipient] is
not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R. § 42.302.
I further certify that _____ [recipient]
will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of
services.

Print or Type Name and Title: _____ Signature: _____ Date: _____

Section B—Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review

If a recipient agency has fifty or more employees and is receiving a single award or subaward of \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ [responsible official],
certify that _____ [recipient],
which has fifty or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E. I further certify that within the last twenty-four months, the proper authority has formulated and signed into effect the EEOP and, as required by applicable federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEOP is on file at the following office:

[organization],
[address].

Print or Type Name and Title: _____ Signature: _____ Date: _____

Section C—Declaration Stating that an EEOP Utilization Report Has Been Submitted to the Office for Civil Rights for Review

If a recipient agency has fifty or more employees and is receiving a single award or subaward of \$500,000 or more, then the recipient agency must send an EEOP Utilization Report to the OCR for review.

I, _____ [responsible official],
certify that _____ [recipient],
which has fifty or more employees and is receiving a single award of \$500,000 or more, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E, and sent it for review on _____ [date] to the
Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

Print or Type Name and Title: _____ Signature: _____ Date: _____

INSTRUCTIONS

Completing the Certification Form

Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

The federal regulations implementing the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, require some recipients of financial assistance from the U.S. Department of Justice subject to the statute's administrative provisions to create, keep on file, submit to the Office for Civil Rights (OCR) at the Office of Justice Programs (OJP) for review, and implement an Equal Employment Opportunity Plan (EEOP). See 28 C.F.R. pt. 42, subpt. E. All awards from the Office of Community Oriented Policing Services (COPS) are subject to the EEOP requirements; many awards from OJP, including awards from the Bureau of Justice Assistance (BJA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Office for Victims of Crime (OVC) are subject to the EEOP requirements; and many awards from the Office on Violence Against Women (OVW) are also subject to the EEOP requirements. If you have any questions as to whether your award from the U.S. Department of Justice is subject to the Safe Streets Act's EEOP requirements, please consult your grant award document, your program manager, or the OCR.

Recipients should complete *either* Section A *or* Section B *or* Section C, not all three.

Section A

The regulations exempt some recipients from all of the EEOP requirements. Your organization may claim an exemption from all of the EEOP requirements if it meets any of the following criteria: it is a nonprofit organization, an educational institution, a medical institution, or an Indian tribe; *or* it received an award under \$25,000; *or* it has less than fifty employees. To claim the complete exemption from the EEOP requirements, complete Section A.

Section B

Although the regulations require some recipients to create, maintain on file, and implement an EEOP, the regulations allow some recipients to forego submitting the EEOP to the OCR for review. Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business; *and* (2) have fifty or more employees; *and* (3) have received a single grant award of \$25,000 or more, but less than \$500,000, may claim the limited exemption from the submission requirement by completing Section B. In completing Section B, the recipient should note that the EEOP on file has been prepared within twenty-four months of the date of the most recent grant award.

Section C

Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business, *and* (2) have fifty or more employees, *and* (3) have received a single grant award of \$500,000 or more, must prepare, maintain on file, *submit to the OCR for review*, and implement an EEOP. Recipients that have submitted an EEOP Utilization Report (or in the process of submitting one) to the OCR, should complete Section C.

Submission Process

If a recipient receives multiple awards subject to the Safe Streets Act, the recipient should complete a Certification Form for each grant. Recipients should download the online Certification Form, have the appropriate official sign it, electronically scan the signed document, and then send the signed document to the following e-mail address: EEOPForms@usdoj.gov. The document must have the following title: *EEOP Certification*. If you have questions about completing or submitting the Certification Form, please contact the Office for Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, DC 20531 (Telephone: (202) 307-0690 and TTY: (202) 307-2027).

Public Reporting Burden Statement

Paperwork Reduction Act Notice. Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated minimum average time to complete and file this application is 20 minutes per form. If you have any comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office of Justice Programs, 810 7th Street, N.W., Washington, D.C. 20531.



U.S. Department of Justice
Office of Justice Programs
Office of the Comptroller

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

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

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

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

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

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

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510--

A. The applicant certifies that it and its principals:

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

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connec-

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

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

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

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

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

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620--

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

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

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

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

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

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

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

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

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

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

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

(c) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

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

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

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

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

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

Place of Performance (Street address, city, county, state, zip code)

Check ___ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ___ if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620--

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date



Commission Office Use Only

Date on Agenda:

Appt. Time or New Business:

AGENDA REQUEST FORM

Name: Bridget Cohee

Department or Entity: _____

Estimation of amount of time needed for appointment: 30 minutes

Date Requested -- 1st Choice: August 6, 2015 @ 11:30

Date Requested -- 2nd Choice: _____

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

Subject:

Discussion on Litigation (executive session)
3:13-cv-95
3:13-cv-156 > K-9 cases

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

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

Attachments:

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jennifer Myers

Department or Organization: Jefferson County Parks & Recreation Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: July 30, 2015

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

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

Subject (*Wording to be placed on agenda*): Request to over-spend in the park improvement category from the JCPRC impact fee account to complete construction at James Hite Park.

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 Y, from impact fee account.
If so, how much? \$

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Motion to approve JCPRC to over-spend in the park improvement category to complete Phase I construction at James Hite Park.

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 Y

Contact information:
Email address: jmyers@jcprc.org Phone Number: 3047283207

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

[Click here to enter text.](#)



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Roger Goodwin, Chief County Engineer

Department or Organization: Engineering Department

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: July 30, 2015

Date Requested – 2nd Choice: August 20, 2015

Subject (*Wording to be placed on agenda*): Approval to reallocate budgeted compensation for three positions in the Engineering Department.

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

This request involves the reallocation of compensation between three positions in the Engineering Department in order to make the compensation more equitable between all the positions. This does not result in a need for additional funding. The current positions are as follows:

Impact Fees Program Specialist
Building Inspector
Ordinance Compliance Officer

In the case of the first position, the level of responsibility has increased and a job reclassification is justified. The responsibilities of the other two positions have evolved over the past several years to where these positions have taken on additional job duties. The following is the justification for each of the positions:

Impact Fees Program Specialist – when the department of Capital Planning and Impact Fees was dissolved in 2011, the Director's position was eliminated – at a significant cost savings to the county - and the position of Impact Fees Assistant was moved to the Engineering Department. The position was subsequently re-titled as Impact Fees Program Specialist (with no additional compensation provide). Since then, this position has taken on a higher level of responsibilities (i.e., writing annual reports, drafting capital improvement plans, reviewing & approving capital improvement plan submissions from each entity, etc.), and exercising a higher level of judgement and decision making. The Impact Fees Assistant position is a Class III position under the Job Position Classification Manual process. However, the result of my recent appraisal is that the position of Impact Fees Program Specialist should now be classified as a Class IV position.

Therefore, I am requesting that the position of Impact Fees Program Specialist be re-classified as a Class IV position and the position be compensated at the Step D pay grade.

Lead Building Inspector – This position has more responsibility and job duties which are beyond the current building inspector job description, which mainly includes reviewing building plans and performing inspections, plus the requirement of maintaining International Code Council (ICC) building inspector certification, which is required under West Virginia State Code.

This position of Lead Building Inspector is also responsible for overseeing the training, testing, certification and continuing education of the other building inspector and plan reviewer positions, in order to meet the requirements of West Virginia State Code, Title 87-7, "Standards for the Certification and Continuing Education of Municipal, County, and other Public Sector Building Code Officials, Building Code Inspectors and Plans Examiners." This includes coordinating training, maintaining the certification and continuing education records and submitting the bi-annual continuing education report to the WV State Fire Marshal.

The position also acts as the liaison with the West Virginia Code Officials Association (WVCOA) and the WV State Fire Marshal's office with regard to ongoing building code and legislative rule changes. The position is responsible for keeping us informed of any proposed building code legislative changes that could have an adverse effect on Jefferson County.

In addition, this position is responsible for keeping updated all information on the Engineering Department section of the county's web page. This includes maintaining current and up to date building permit applications and fee schedules; plus the impact fee information, ordinances, and contact information. This requires information technology skills beyond that of the building inspector position.

Therefore, I am requesting that the position of Lead Building Inspector be recognized and that it be compensated at the current Grade IV position classification and at a Step N pay grade.

Ordinance Compliance Officer – this position has a higher level of responsibility and additional job duties beyond that of the Ordinance Compliance Officer. This position is also the FEMA floodplain manager for the county and is responsible for community outreach and maintaining all records related to the floodplain management program. This includes the FEMA floodplain maps, performing floodplain delineations, making base flood elevation determinations, processing LOMA & LOMR applications for review, participating in FEMA's audits of our program and coordinating all floodplain management efforts with the State of West Virginia Flood Insurance Program Coordinator and FEMA. The position is also responsible for providing information needed to maintain the FEMA Community Rating System (CRS) certification.

This position also is now responsible for verifying the location of the FEMA mapped floodplain for every building permit application and checking for proper building setbacks under the zoning regulations, then issuing the permit numbers.

Therefore, I am requesting that the position of Ordinance Compliance Officer be compensated at the current Grade III position classification and at a Step H pay grade.

Summary

In summary, I was able to recently hire a building inspector and a permits technician for less compensation than was previously being paid. The amount of wages and benefits savings for those positions amounts to \$8,406.40 annually. I am asking for \$5,393.90 of that amount to pay three other positions for the additional duties and responsibilities they have had added to their positions over the past several years. Approving this request still results in a wages and benefits cost savings of \$3,012.50 annually to the county.

Is this a funding request? **No, funding already exists within the current wages and benefits line items of the department budget to satisfy this request. The net result after the reallocation of compensation is still an overall annual \$3,012 reduction in the wages and benefits costs in the Engineering Department.**

If so, how much?

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

Approve the compensation adjustments in the Engineering Department as presented, effective September 1, 2015.

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

If not attached, explain:

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

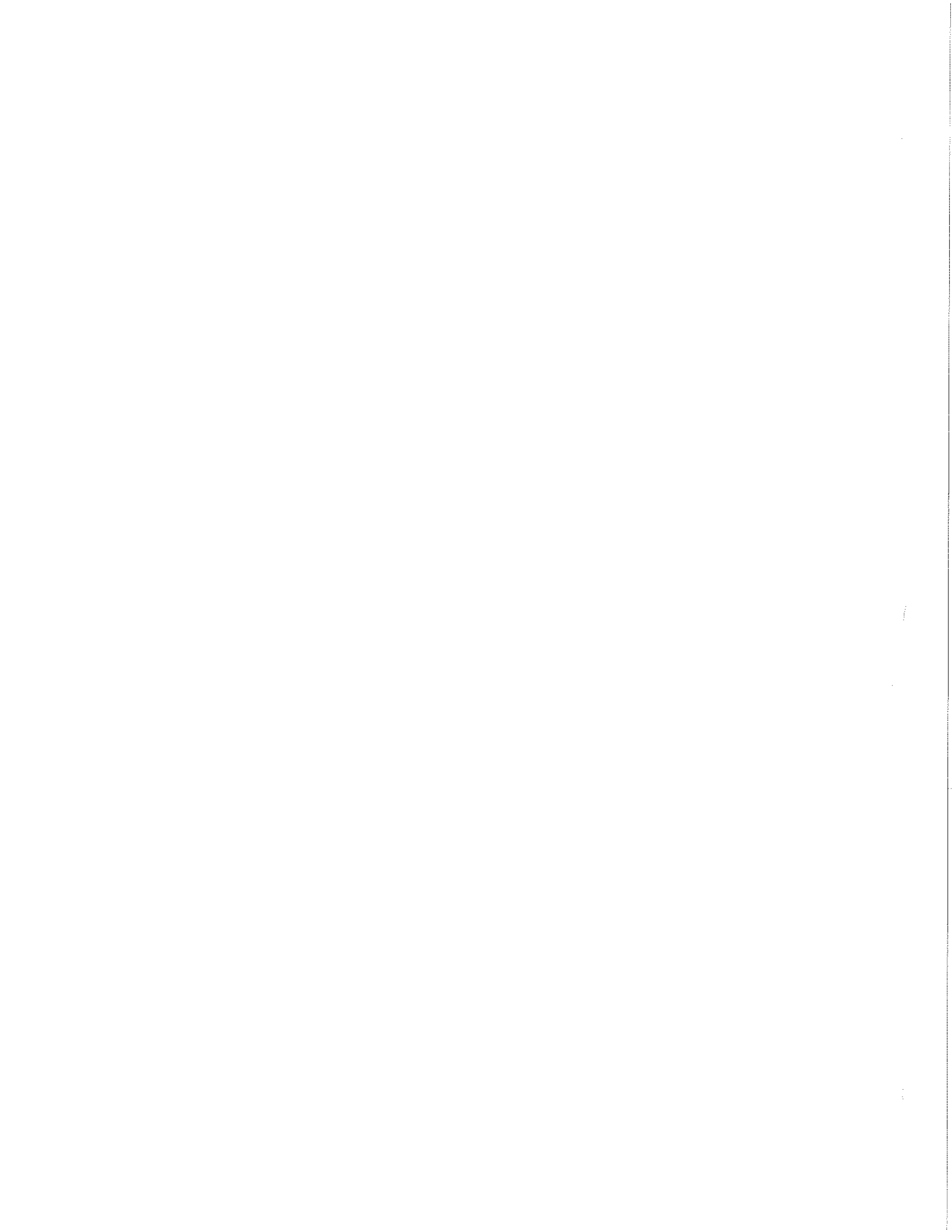
Contact information:

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

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Above information was reviewed during a meeting with ROSE GOODWIN. His requested action will result in perpetual salary savings within his department.

T. STANTON



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jennifer Brockman

Department or Organization: Department of Planning and Zoning

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: July 30, 2015.

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

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

Subject (*Wording to be placed on agenda*): Recommendation from Planning Commission regarding proposed text amendment to Appendix C, Principal Permitted Uses Table of the Jefferson County Zoning and Land Development Ordinance, regarding Cultural Facilities (ZTA 15-01)

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

On June 18, 2015 the Shepherdstown Library Board petitioned the County Commission for a Zoning Ordinance text amendment to change Cultural Facilities from “Not Permitted” to “Permitted” within the Residential Growth District. In accordance with Section 12.4 of the Jefferson County Zoning and Land Development Ordinance, the County Commission voted to initiate the requested text amendment to the Ordinance and referred it to the Planning Commission so that they could provide advice on the consistency with the Comprehensive Plan. As a result of the County Commission’s action, the Planning Commission scheduled and held a Public Hearing on July 14, 2015.

The staff report prepared for the Planning Commission found that the *Envision Jefferson 2035 Comprehensive Plan* clearly states the importance of locating new libraries near residential neighborhoods and that having an Ordinance which does not permit libraries in the Residential Growth (RG) is contrary to the recommendations and goals of the Plan (staff report attached). At the conclusion of the Public Hearing on July 14, 2015, the Planning Commission voted to recommend to the County Commission that the requested text amendment is consistent with the *2035 Plan*. This recommendation from the Planning Commission is being referred back to the County Commission at this time for your consideration and action.

Section 12.4 of the Jefferson County Zoning Ordinance requires that, subsequent to the recommendation received from the Planning Commission, all text amendments require a Public Hearing before the County Commission prior to a final determination.

Is this a funding request? Y/N NO.
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 schedule a Public Hearing on the Proposed Zoning Text Amendment which would change Cultural Facilities from “Not Permitted” to “Permitted” within the Residential Growth District within Appendix C, Principal Permitted Uses Table of the Jefferson County Zoning and Land Development Ordinance, on _____, 2015 at _____ p.m.

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

Attachments:

- July 14, 2015 Planning Commission Staff report "Proposed amendment to Appendix C, Principal Permitted Uses Table of the Jefferson County Zoning and Land Development Ordinance, regarding Cultural Facilities (ZTA 15-01)"
- Excerpt from Appendix C

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

Contact information: Jennie Brockman

Email address: planningdepartment@jeffersoncountywv.org Phone Number: 304-728-3288

<u>FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS</u>
Click here to enter text.



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor

P.O. Box 338

Charles Town, WV 25414

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Fax: (304) 728-8126

MEMO

To: Jefferson County Planning Commission

From: Jennifer M. Brockman, AICP
Director of Planning and Zoning

Date: July 14, 2015

RE: Proposed amendment to Appendix C, Principal Permitted Uses Table of the Jefferson County Zoning and Land Development Ordinance, regarding Cultural Facilities (ZTA 15-01)

On June 18, 2015 the Shepherdstown Library Board petitioned the County Commission for a Zoning Ordinance text amendment to change Cultural Facilities from “Not Permitted” to “Permitted” within the Residential Growth District. The County Commission voted unanimously to initiate the requested text amendment to the Ordinance. As a result of the County Commission’s action, a Public Hearing was scheduled for the July 14, 2015 Planning Commission meeting.

Overview

Currently, Appendix C of the Jefferson County Zoning Ordinance lists Cultural Facilities as “Not Permitted” in the Residential Growth District (see Appendix C, Principal Permitted Uses [attached]). The Zoning Ordinance defines a Principal Permitted Use as “Any use which is or may be lawfully established in a particular district, approved by the Departments of Planning and Zoning without requirement of Development Review System review or approval by a board or commission, provided the use conforms with all applicable requirements of this Ordinance.”

A Cultural Facility is defined in the Zoning Ordinance as “A library, museum, or similar public or quasi-public use displaying, preserving, and exhibiting objects of community and cultural interest.”

It should be noted that according to Section 5.4 of the Zoning Ordinance, “The Residential Growth District is intended to provide for a variety of residential uses and densities which can be supported by central or public water and sewer and adequate roadways and services. This District encourages commercial growth provided that such growth is deemed to be appropriate and compatible by the Development Review System.”

Planning Commission Role

In accordance with Section 12.4 of the Jefferson County Land Development and Zoning Ordinance, a text amendment proposed by a board other than the Planning Commission may be made by written request to the County Commission, who can choose to initiate the text amendment. If the County

Commission agrees to initiate the amendment, it is required to refer the proposed amendment to the Planning Commission in accordance with §8A-7-8(b) et seq of the West Virginia State Code, as amended, in order for the Planning Commission to provide advice to the County Commission on the consistency of the proposed text amendment with the Comprehensive Plan. The Planning Commission may hold a hearing regarding the request in order to make an informed recommendation to the County Commission.

Relevant Sections of the Envision Jefferson 2035 Comprehensive Plan

One of the five primary Elements of the Envision Jefferson 2035 Comprehensive Plan is the “Education and Public Libraries” Element. This element discusses the role and importance of libraries in the development of a well-balanced community. The Plan discusses how the role of libraries has changed from being a depository of books and electronic media to community centers of information serving a wide range of community needs, including acting as localized centers for employment and job training activities. The following goal and recommendation relate to the need to locate libraries in areas that serve the residential populations:

Goal #23: Ensure that a High Quality Library and Information Technology Service is Available to Residents of Jefferson County.

Objective #3: Encourage the construction of new library facilities in areas within municipalities, UGBs, PGAs, or Villages, preferably in walkable proximity to residential neighborhoods, retail areas, services, and recreational areas.

Public Library Recommendations (Goal 23)

- | | |
|-----------|---|
| 3. | Collaborate with applicable municipal or County agencies to identify potential library sites, prioritizing locations in close proximity to schools, neighborhoods, and village or town centers. |
|-----------|---|

Conclusion

The Envision Jefferson 2035 Comprehensive Plan clearly states the importance of locating new libraries near residential neighborhoods. Having an Ordinance which does not permit libraries in the Residential Growth (RG) is contrary to the recommendations and goals of the Plan. The recommended text amendment is consistent with the 2035 Plan.

Attachments

- ❖ June 18, 2015 CC Agenda Item #14, Shepherdstown Library Submission (5 pages)

APPENDIX C: PRINCIPAL PERMITTED USES TABLE²³

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Residential Uses													
Dwelling, Single Family	P	NP	NP	NP	NP	P	NP	P	P	P	NP	P	
Dwelling, Single Family, Small Lot	P	NP	NP	NP	NP	P	NP	NP	P	P	NP	NP	
Dwelling, Two Family	NP	NP	NP	NP	NP	P	NP	P	P	P	NP	P	
Dwelling, Duplex	NP	NP	NP	NP	NP	P	NP	NP	P	P	NP	P	
Dwelling, Townhouse	NP	NP	NP	NP	NP	P	P	NP	P	P	NP	NP	
Dwelling, Multi-Family	NP	NP	NP	NP	NP	P	P	NP	P	P	NP	NP	
Day Care Center, Small	P	NP	NP	NP	NP	P	NP	P	P	P	P	P	
Mobile Home	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	
Mobile Home Park	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	
Model Homes/Sales Office	P	PC	NP	NP	NP	P	NP	P	P	P	NP	NP	Sec. 8.10
Home Uses													
Home Occupation, Level 1	P	NP	NP	NP	NP	P	P	P	P	P	P	P	Art. 4A
Home Occupation, Level 2	P	NP	NP	NP	NP	P	P	P	P	P	P	P	Art. 4A
Cottage Industry	P	NP	NP	NP	NP	P	NP	P	P	P	P	P	Art. 4A
Institutional Uses													
Airport	NP	NP	NP	P	P	NP	NP	NP	NP	NP	PC	NP	
Church	P	P	P	P	PC	P	P	P	P	P	NP	P	
Convention Center	NP	P	P	P	PC	P	P	NP	NP	P	PC	NP	
Cultural Facility	P	P	P	P	PC	P	P	P	NP	P	P	P	
Day Care Center, Large	P	P	P	P	PC	P	P	NP	P	P	P	PC	
Electric Vehicle Charging Station	P	P	P	P	P	P	P	NP	NP	P	P	PC	
Elementary or Secondary School	P	P	PC	PC	NP	P	P	P	P	P	NP	NP	
Essential Utility Equipment	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 4.7
Group Residential Facility	P	P	P	NP	NP	P	PC	P	P	P	NP	P	
Group Residential Home	P	P	P	NP	NP	P	PC	P	P	P	NP	P	
Heliport	NP	PC	PC	P	P	PC	PC	NP	NP	PC	PC	NP	
Hospital	NP	P	P	P	PC	P	P	P	P	P	NP	NP	
Nursing or Retirement Home	PC	P	P	P	NP	P	P	NP	P	P	NP	NP	
Park	P	P	P	P	NP	P	P	P	P	P	NP	P	
Performing Arts Theater	P	P	P	P	P	P	P	NP	NP	P	P	PC	
Preschool	P	P	PC	PC	PC	P	P	P	P	P	NP	NP	
Public Safety Facility	P	P	P	P	P	P	P	P	P	P	P	P	
Publicly Owned Facility	P	P	P	P	P	P	P	P	P	P	P	PC	
Industrial													
Recycling Drop-Off Center	PC	P	P	P	P	P	P	NP	NP	P	P	NP	
Residential Care Home	P	P	P	NP	NP	P	PC	P	P	P	NP	P	
School, College or University	NP	P	P	P	NP	P	P	NP	NP	P	NP	NP	
School, Vocational or Professional	NP	P	P	P	NP	P	P	NP	NP	P	P	NP	
Vocational and Training Facility for Adults	P	P	P	P	P	P	P	P	P	P	NP	NP	
Heavy Equipment Repair	NP	NP	PC	PC	P	NP	NP	NP	NP	NP	P	NP	
Heavy Industrial Uses	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	P	NP	Sec. 8.9



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Jennifer Brockman**

Department or Organization: **Department of Planning and Zoning**

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

Date Requested – 1st Choice: **July 30, 2015.**

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

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

Subject (*Wording to be placed on agenda*): **Bolivar Urban Growth Boundary recommendation from Planning Commission.**

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

On April 2, 2015, the Corporation of Bolivar presented a request to the County Commission for a Discussion and Vote to establish an Urban Growth Boundary for the Corporation of Bolivar. At that time, the County Commission determined to refer the request to the Jefferson County Planning Commission for their review and recommendation as to whether the request is in conformance with the recently adopted *Envision Jefferson 2035 Comprehensive Plan*. The Planning Commission held a Public Hearing on this request on May 12, 2015. The staff report prepared for the Planning Commission found that that a potential UGB for Bolivar was anticipated and supported by the 2035 Plan (staff report attached). At their June 9, 2015 Meeting, the Planning Commission voted that the request was not in conformance with the *2035 Plan* (Findings of Fact attached). This recommendation from the Planning Commission is being referred back to the County Commission at this time for your information.

Is this a funding request? Y/N NO.

If so, how much? \$

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

No motion required at this time. Staff understands that the Corporation of Bolivar is requesting a meeting with the County Commission in September for County Commission action.

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

If not attached, explain:

Attachments:

- Planning Commission Findings of Fact and Conclusions of Law re: Bolivar UGB request; signed 7/15/15
- May 12, 2015 Planning Commission Staff report "Public Hearing regarding the proposed Urban Growth Boundary for the Corporation of Bolivar . . ."

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

Contact information: Jennie Brockman

Email address: planningdepartment@jeffersoncountywv.org Phone Number: 304-728-3288

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

IN THE PLANNING COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: Bolivar Urban Growth Boundary

FINDINGS OF FACT AND CONCLUSIONS OF LAW

On the 9th day of June, 2015, the Planning Commission met to address the proposed Urban Growth Boundary proposed by the Town of Bolivar, at a regularly scheduled meeting.

Upon review of the statements presented at the Public Hearing prior to this date, the prior proceedings, the statements and discussions held before the Planning Commission on this date, the applicable law and ordinances, and the whole record, the Planning Commission makes the following **FINDINGS OF FACT and CONCLUSIONS OF LAW**:

FINDINGS OF FACT:

1. The Town of Bolivar appeared before the Jefferson County Commission on or about April 2, 2015 and requested the establishment of a new Urban Growth Boundary.
2. The Jefferson County Commission heard the presentation of the Town of Bolivar and the statements of some concerned citizens, and thereupon sent the matter to the Planning Commission for the Planning Commission's advice as to whether the proposed Urban Growth Boundary was consistent with the County's Comprehensive Plan.
3. The Planning Commission held a public hearing on or about May 12, 2015, in which several concerned citizens and representatives of the Town of Bolivar commented, which statements and testimony are incorporated herein by reference.

4. Mr. Peter Fricke made a motion to advise the County Commission that the request is consistent with the Envision Jefferson 2035 Comprehensive Plan.

5. The Planning Commission, on the Motion of Mr. Manuel, postponed action on the Fricke Motion pending a legal analysis by counsel as to certain issues.

6. WHEREUPON, the planning Commission reconvened on this date and considered the Motion of Mr. Fricke from the prior meeting. Upon consideration, and vote by the Commission, the Motion of Mr. Fricke failed to pass.

7. Whereupon, the planning Commission considered a Motion of Mr. Manuel that the Urban Growth Boundary is not in conformance with the Envision Jefferson 2035 Comprehensive Plan. Upon consideration, the Motion of Mr. Manuel passed by a majority vote.

CONCLUSIONS OF LAW:

1. The Planning Commission FINDS the proposed Bolivar Urban Growth Boundary to be inconsistent with the Jefferson County Comprehensive Plan, and so advises the Jefferson County Commission, for the following reasons:

- a. Pursuant to WV Code §8A-7-8 and §8A-7-9, “there have been major changes of an economic, physical or social nature with the area involved which were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristics of the area.”
- b. The proposed Urban Growth Boundary should have been discussed during the drafting of the comprehensive plan and therefore was not fully contemplated in the comprehensive plan.

IT IS SO ORDERED by MAJORITY VOTE on June 9, 2015 in regular session at a duly called and constituted meeting wherein a quorum of the Planning Commission was present.

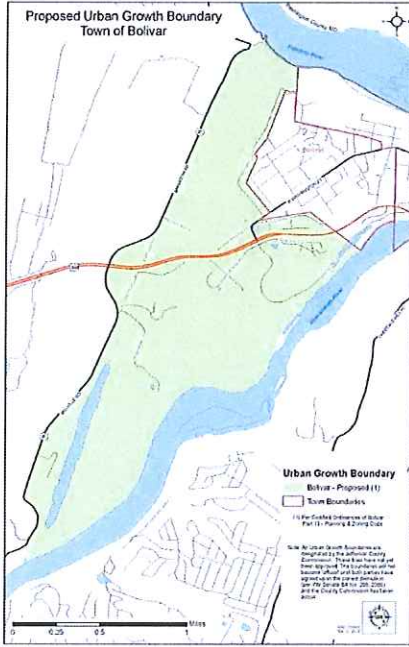

Jefferson County Planning Commission,
By Steve Stolipher, its President

Date: 7/15/15

STAFF REPORT

Jefferson County Planning Commission Meeting
May 12, 2015

Item # 3 Public Hearing regarding the proposed Urban Growth Boundary for the Corporation of Bolivar which shall be placed on the adopted County Zoning Map, once approved by the County Commission. Bolivar’s requested boundary is based on the Bolivar Growth Boundary delineated in Part 13, Article 1324 of the Town’s Planning and Zoning Code, enacted December 18, 2003. Approval of this Boundary by the County Commission does not change the zoning classification of any property.

APPLICANT:	Corporation of Bolivar
LOCATION:	Excerpt from Bolivar Planning and Zoning code Article 1324: “. . .The Bolivar Growth boundary at the Western edge shall be considered to be the East side of Route 27 (Bakerton/Bloomery Road) to the Potomac River on the North, the Shenandoah River on the East (including, but not limited to, Cavalier Heights, Harpers Ferry National Park visitor center, Murphy’s Landing, KOA) and to the Millville unincorporated boundary on the South. . . .”
LEGAL DESCRIPTION:	
PROPOSED REQUEST	To establish an Urban Growth Boundary in accordance with the requirements of WV State Code 8-6-4a which requires that the boundary be established by the County Commission in agreement with the municipality
PLANNING COMMISSION RESPONSIBILITY:	To advise the County Commission as to whether the proposed Bolivar Urban Growth Boundary is consistent with the <i>Envision Jefferson 2035 Comprehensive Plan</i> .
STAFF FINDING:	In this report, Staff presents relevant sections of the <i>Envision Jefferson 2035 Comprehensive Plan</i> and finds that a potential UGB for Bolivar was anticipated and supported by the <i>2035 Plan</i> .

STAFF REPORT

Jefferson County Planning Commission Meeting

May 12, 2015

Applicant's Request

The Corporation of Bolivar has made a request to the Jefferson County Commission to adopt and approve a proposed Urban Growth Boundary in accordance with WV Code 8-6-4a, which establishes the authority under which a municipality may request such a boundary and requires that the boundary be established by the County Commission in agreement with the municipality. It further states that such Boundary shall be placed on the adopted County Zoning Map once approved by the County Commission. Bolivar's requested boundary is based on the Bolivar Growth boundary delineated in Part 13, Article 1324 of the Town's Planning and Zoning Code, enacted December 18, 2003. Approval of this Boundary by the County Commission does not change the zoning classification of any property.

Because the delineation of the UGB on the County Zoning Map in effect amends the County Zoning Map, the County Commission has sent this request to the Planning Commission for the purpose of holding a Public Hearing to receive public input and determine whether the request is consistent with the newly adopted *Envision Jefferson 2035 Comprehensive Plan*.

Envision Jefferson 2035 Comprehensive Plan

The Urban Growth Boundary (UGB) concept is an important component of the *Envision Jefferson 2035 Comprehensive Plan's* recommendations. This *Plan* is the County's first to have a Future Land Use Guide to assist in providing direction for where urban level growth should occur in the unincorporated areas of the County. One of the key concepts that a Comprehensive Plan addresses through its future land use recommendations is the location of new development within a community. One reason for this is that as the cost of maintaining and providing services and utilities increases, there is a need to target infrastructure and community service investments in these areas that will support new growth. In Jefferson County, there are four broad types of land use activity which are identified and discussed in the *Plan*, one of which is Urban Growth Boundaries. The UGBs identified on the *Envision Jefferson 2035 Future Land Use Guide* indicate locations within Jefferson County where urban scale development is anticipated over the planning horizon of *Envision Jefferson 2035*. In the *2035 Plan*, Charles Town and Ranson UGBs are the focus of future urban scale growth. The *Plan* also includes Shepherdstown's adopted Growth Management Boundary (GMB); however, this area is not anticipated to have urban scale development if it remains in the unincorporated area. Therefore, the use of the term UGB throughout the *Envision Jefferson 2035 Plan* refers to the Charles Town and Ranson UGBs only.

The *Plan* does not preclude Harpers Ferry and Bolivar from pursuing their own UGBs in the future. The following excerpt from the *Plan* details the fact that the *Plan* anticipates that additional urban growth boundaries may be designated in the future.

Page 18: "While all municipalities have the ability to create UGBs with the approval of the County Commission, at present, only three of the five municipalities in Jefferson County have planning boundaries that meet the definition of §8-6-4a of the West Virginia Code. In 2009, Charles Town and Ranson had their UGBs formally approved by the County Commission. In 2014, Shepherdstown created a boundary called the Growth Management Boundary (GMB) which falls under the state definition of a UGB

STAFF REPORT

Jefferson County Planning Commission Meeting

May 12, 2015

and was formally approved by the County Commission. Shepherdstown's adopted GMB allows the Corporation to plan for future growth and annexations, but is not anticipated to have urban scale development if it remains in the unincorporated area.

If Bolivar or Harpers Ferry chooses to create a UGB in the future that is different than the Preferred Growth Areas (PGAs) depicted, the recommendations in this Plan related to UGBs may be extended to the newly created UGBs based on the town's planning goals. The use of the term UGB throughout this document refers to the Charles Town and Ranson UGBs only."

The following excerpt from the Future Land Use Guide for Jefferson County includes recommended future land uses in the vicinity of Bolivar (Exhibit 1), as well as outlining the portion of the US 340 East Preferred Growth Area (PGA) located near the Town of Bolivar (red dashed line). The solid black line also outlines the growth area denoted in the *2004 Comprehensive Plan*. A portion of the area requested to be included in the Bolivar UGB (Exhibit 2) overlaps with the PGA. Areas within Bolivar's proposed UGB that are greater than the identified PGA include National Park Service land along Bakerton Road; existing residential areas along Boxer Way and Prospect Avenue; Cavalier Heights and Cavalier Estates; National Park Service land along Shoreline Drive; and the majority of the Old Standard Quarry property recently rezoned by the County Commission to Residential-Light Industrial-Commercial. The section of the *2035 Plan* that discusses the US 340 PGA acknowledges that this easternmost node of the 340 East PGA could eventually be included in a potential Bolivar UGB:

Page 21: "b. US 340 East PGA

(select nodes between Charles Town/Ranson and Harpers Ferry/Bolivar)

Much of this area is already zoned for a wide range of commercial and residential uses. In addition, water and sewer facilities exist along several segments of this corridor, particularly within the nodes where development is proposed to take place (Old Country Club/Marlow Roads, Shepherdstown Pike (WV 230), Bakerton/Millville Roads, and Campground Road off of Shoreline Drive across US 340 from Washington Street in Bolivar). **The easternmost segment of the PGA could eventually be included as part of a Bolivar UGB."**

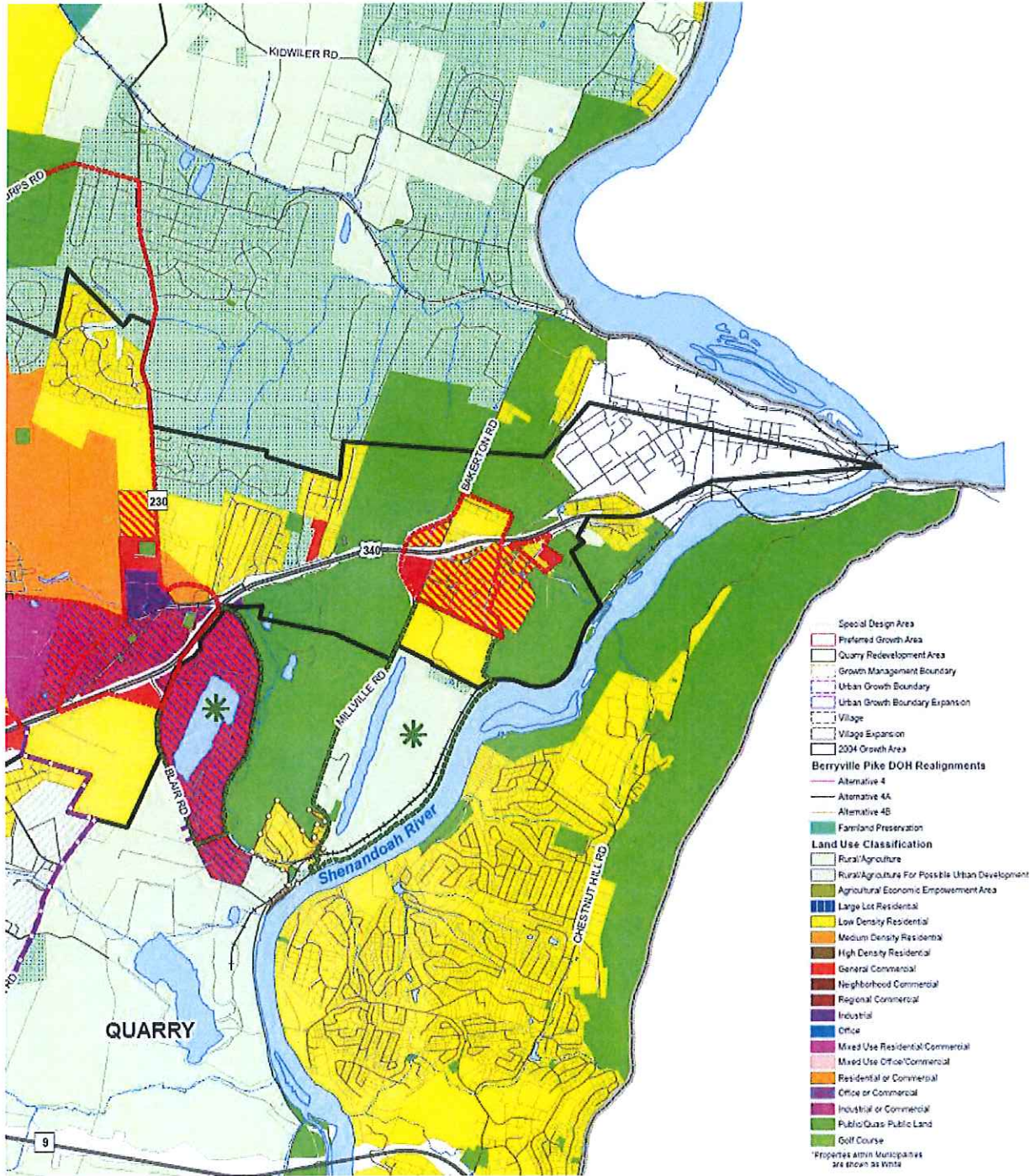
This section also provides an overview of designated Quarry Redevelopment Areas (QRA) within the US 340 Corridor, noting particularly that Old Standard Quarry, which is within the proposed Bolivar UGB, would be appropriate for tourist friendly recreational or commercial redevelopment under the QRA provided that such redevelopment occurs in a manner that protects the hillside, steep slopes, topography and other natural features, while allowing recreational development near the quarry.

Clearly, while the exact proposed boundary for a potential UGB for Bolivar was not delineated in the *2035 Plan*, the *Plan* did recognize that a UGB for Bolivar was a reasonable planning tool to anticipate in the future. It further states that if such a boundary is established, the recommendations in the *2035 Plan* related to UGBs may be extended to the newly created UGBs based on the Town's planning goals.

STAFF REPORT

Jefferson County Planning Commission Meeting
 May 12, 2015

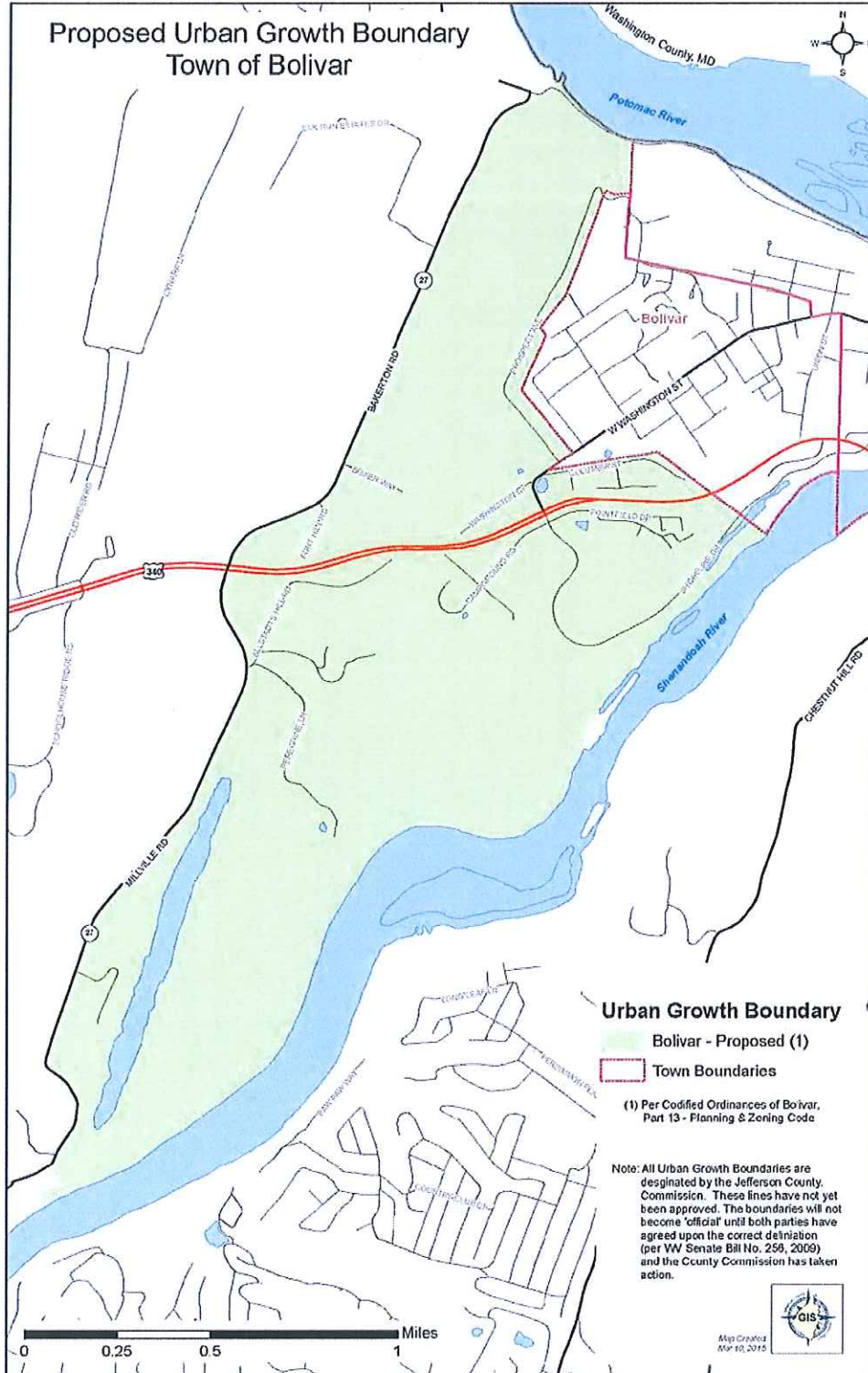
EXHIBIT 1



STAFF REPORT

Jefferson County Planning Commission Meeting
May 12, 2015

EXHIBIT 2



STAFF REPORT

Jefferson County Planning Commission Meeting

May 12, 2015

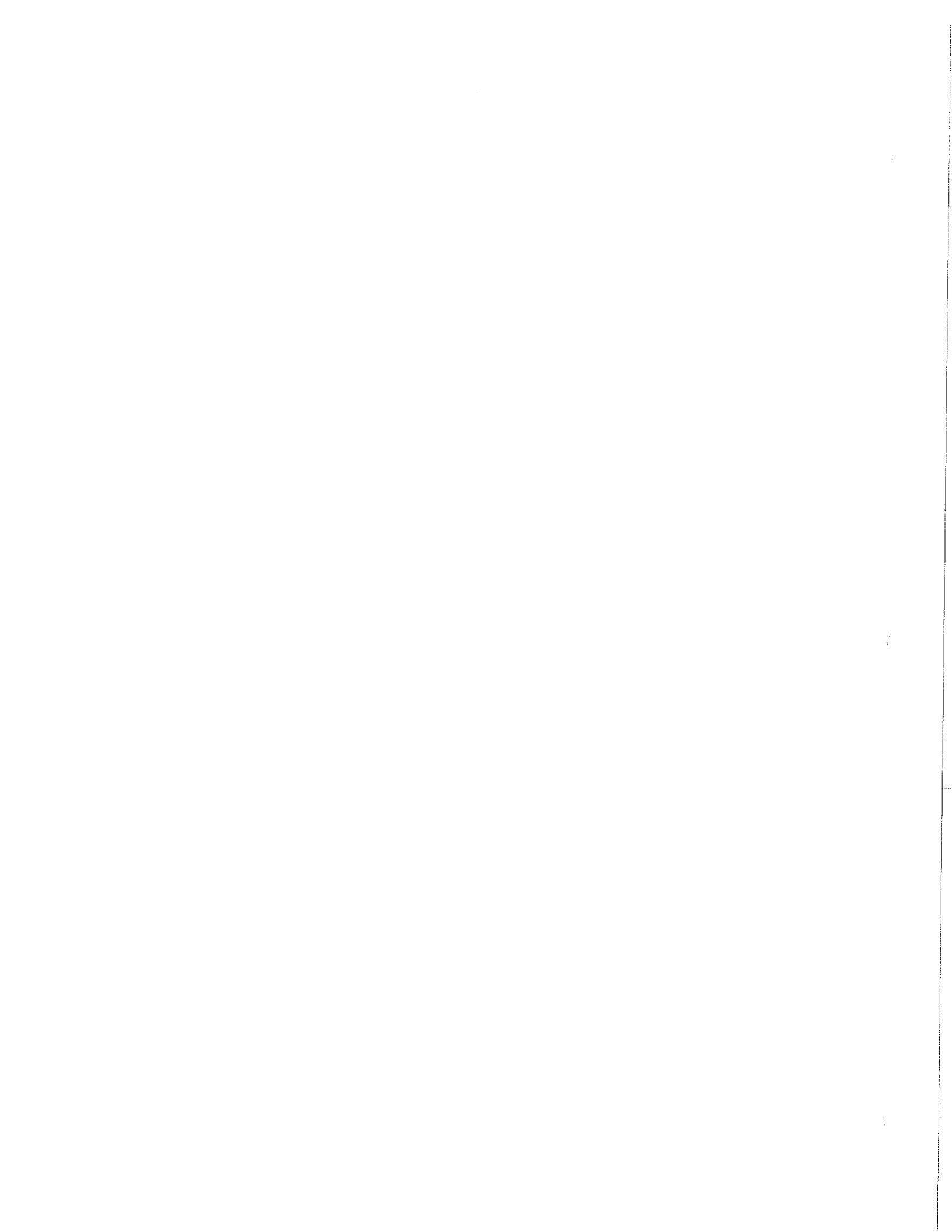
Statutory Authority and Requirements

The West Virginia State Code, Section 8-6-4a defines an "Urban Growth Boundary" as follows (emphasis added):

"A site-specific line, delineated on a zoning map or a written description in a zoning ordinance identifying an area around and outside the corporate limits of a municipality within which there is a sufficient supply of developable land within the boundary for at least a prospective twenty-year period of municipal growth based on demographic forecasts and the time reasonably required to effectively provide municipal services to the identified area. The urban growth boundary may be called by any name chosen by the county commission, but the word "boundary" shall be used in the name of the boundary. The boundary shall be established by the county commission in agreement with each individual municipality regarding that municipality's boundary. If the county commission and municipality cannot agree upon the location or size of the boundary, either party may file for declaratory judgement relief in the circuit court which shall submit the dispute to mediation or arbitration prior to final resolution by the circuit court. Once a county has adopted an urban growth boundary by its designation on an adopted county zoning map, the gross area inside the boundary may not be reduced without written consent of the municipality. The county commission shall review each urban growth boundary at a period not to exceed ten years or upon request of the individual municipality."

<http://www.legis.state.wv.us/WVCODE/ChapterEntire.cfm?chap=08&art=6§ion=4A#06>

The role of the Planning Commission in considering the proposed Bolivar Urban Growth Boundary on behalf of the County Commission is to review the relevant portions of the current Comprehensive Plan and receive public testimony related to the request to enable the Planning Commission to advise the County Commission as to whether the requested Zoning Map Amendment is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. It is important for the Planning Commission and County Commission to be aware that approval of this Boundary by the County Commission does not change the zoning classification of any property; it merely establishes a different mechanism for the processing of potential future annexation requests by the Town of Bolivar.



GASB 45 Recap

In accordance with GASB 45 employers are to record the liability of post-retirement health care benefits not as you pay the monthly invoices, known as pay as you go, but the liability is to be recorded when the benefit is earned as it is at this time that the employer has incurred a liability and future cost.

The rule for mandatory subsidized post-retirement healthcare benefits paid by the employer are:

Employees need 10 years of service prior to July 2008, which means they would need to have a hire date of prior to July 1, 1998 and they must have been on PEIA insurance for five years. Since the County terminated the PEIA insurance on July 1, 1988 the employee would need to have a hire date prior to July 1, 1983.

The amount that is required by GASB 45 to be recorded as of June 30, 2015 is \$777,015. This amount will not increase in the future as there are no additional employees who are currently working that meet the above criteria.

In addition to the above there are provisions where it is optional for the employer to provide subsidized post-retirement healthcare benefits to additional employees.

The rule for optional subsidized post-retirement healthcare benefits paid by the employer are:

The employee would need to have a hire date prior to July 1, 1998 and not have the required five years of PEIA insurance.

The liability for the County for this class of employees is an additional \$700,015 (represents 21 employees) of which \$381,651 are currently at the retirement age.

The course of action is as followed:

- 1) The County is required to record the \$777,015 as a liability
- 2) In order to record the correct liability the Commissioners need to determine what the post-retirement healthcare policy is. Is it available to employees with 10 years of service without the requirement for 5 years of PEIA insurance and if so is it available to all employees or just employees that are currently at retirement age.

Jefferson County
FY 2015 GASB 45 Results
PRELIMINARY

	Actuarial Accrued <u>Liability</u>
Actives Not Yet Eligible	318,364
Actives Fully Eligible	<u>381,651</u>
Active Subtotal	700,015
Retirees	777,015
GRAND TOTAL	1,477,030

Notes

- Average Retirement Age for actives: Age 62
- Discount Rate: 3.5%
- Mortality: RP-2000 Table
- Withdrawal: Table in Paragraph 35b, Table 1 of GASB 45
- 100% of actives are assumed to elect PEIA coverage
- 50% of actives are assumed to elect spousal coverage

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Richard E. Romig

Department or Organization: West Virginia Department of Transportation – Division of Highways

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: July 30, 2015

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

Date Requested – 2nd Choice:

Subject (Wording to be placed on agenda): Approval/Signature of Resolution conveying Deed from the West Virginia Department of Transportation, Division of Highways to the Jefferson County Commission for the Jefferson County Convention and Visitor Bureau

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I move to approve the Resolution conveying the Deed to the Jefferson County Commission and authorize the President of the Commission to sign the appropriate documents.

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

Received

JUL 20 2015

Jefferson County Commission



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

Office of the District Engineer/Manager
District Five

Earl Ray Tomblin
Governor

P. O. Box 99 · Burlington, West Virginia 26710-0099 · (304) 289-3521

Paul A. Mattox, Jr., P. E.
Secretary of Transportation/
Commissioner of Highways

July 14, 2015

Jefferson County Commission
Attn: Jane Tabb, President
P. O. Box 250
Charles Town, WV 25414

PM14-5-JEFF-1, Deed
Jefferson County Visitor Bureau

Dear Ms. Tabb:

Enclosed please find a copy of a deed from the West Virginia Department of Transportation, Division of Highways to the Jefferson County Commission for the Visitors Bureau. Also enclosed is an original resolution which needs to be completed and signed. I will also need a signed copy of the minutes from the meeting approving the transaction. These documents are required by the Board of Public Works for their approval. Please return these documents in the enclosed return envelope.

Should you have any questions, please contact me at (304) 289-2207.

Very truly yours,

A handwritten signature in blue ink that reads "Richard E. Romig, Jr.".

Richard E. Romig, Jr.
Transportation Realty Manager

RER:pah

Enclosures

RESOLUTION

BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION, AS FOLLOWS:

1. That the Jefferson County Commission has determined that it, as a public body, has need for certain real property owned by the West Virginia Department of Transportation, Division of Highways, located in Jefferson County, West Virginia, and has made a formal request for acquisition of the property as reflected in the attached deed.

2. That, in accordance with the West Virginia Code § 1-5-3, the West Virginia Department of Transportation, Division of Highways, has determined that the parcel of land to be conveyed is not necessary or desirable for present or foreseeable State road purposes, has no significant value to the State as a hiking or biking trail, does not serve as a link between two or more State owned properties, and did authorize the sale of same as excess property; and both parties have determined the public will benefit from acquisition of this property by the Jefferson County Commission.

3. That the Jefferson County Commission accepts conveyance of the property by Deed from the West Virginia Department of Transportation, Division of Highways, in the form hereinabove set forth.

4. That the _____ of the Jefferson County Commission, be, and is hereby authorized and directed to take any further action necessary to complete a transfer of the subject property.

5. On a motion by _____, and a second by _____ the Jefferson County Commission, approved and authorized the adoption of the above resolution.

STATE OF WEST VIRGINIA

COUNTY OF _____, to wit:

I, _____, the _____ of the said Jefferson County Commission does hereby certify that the foregoing are true copies from the records order made and entered by the Jefferson County Commission, of said County on the _____ day of _____, 2015.

(SEAL)

THIS DEED, Made this ____ day of _____, 2015, by and between the **WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS**, hereinafter called Grantor, and the **JEFFERSON COUNTY COMMISSION**, hereinafter called Grantee.

THAT, WHEREAS, in accordance with the West Virginia Code § 1-5-3, the Grantor has determined that the parcel of land hereinafter described and conveyed is not necessary or desirable for present or foreseeable State road purposes, has no significant value to the State as a hiking or biking trail, does not serve as a link between two or more State owned properties, and did authorize the sale of same as excess property; and the Grantee has determined that it, as a public body, has need for such property, and both parties have determined the public will benefit from acquisition of this property by the Grantee.

NOW THEREFORE, THIS DEED WITNESSETH: That for and in consideration of the premises and of the sum of **ONE DOLLAR (\$1.00)**, cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, the Grantor does hereby **GRANT** and **CONVEY** unto the Grantee, without warranty, all of its right, title and interest in and to the surface only of that certain tract of land, shown on the plat attached hereto and make a part hereof, situate in Harpers Ferry District, Jefferson County, West Virginia, and more particularly described as follows:

The certain property or interest therein designated as **EXCESS LAND** and being a part of Project E. R. H. 1-(1), F278(1); 64, Jefferson County, West Virginia, and more particularly bounded and described as follows, to wit:

EXCESS LAND

BEGINNING at a point in the northern edge of a proposed concrete curb, said point being in the southern revised noncontrolled access right of way line of Jefferson County Route 340/16 and 16.6 feet right of and at right angle to said route centerline at Station 53+88, as shown on plat of Projects E. R. H. 1-(1), F 278(1); 64, Jefferson County, West Virginia;

thence, northeasterly, with said revised noncontrolled access right of way line N63°30'E, 387 feet, more or less, to a point 17 feet right of and at right angle to centerline at Station 57+75;

thence, southeasterly, continuing with said revised right of way line, 30 feet, more or less, to a point in the northern revised noncontrolled access right of way line of Alt. US Route 340 (formerly Conn. E), said point being 32 feet radially right of Alt. US Route 340 (formerly Conn. E) relocated centerline at Station 32+35;

thence, southerly, with said revised right of way line of Alt. US Route 340 (formerly Conn. E), with a curve to the left having a radius of 195.57 feet, holding 32 feet concentric to centerline 71.90 feet, to a point in the northern revised noncontrolled access right of way line of Jefferson County Route 340/15 (formerly Conn. F), said point being 32 feet radially right of centerline at Station 32+95;

thence, southwesterly, with said County Route 340/15 (formerly Conn. F) revised right of way line 36 feet, more or less, to a point 32 feet left of and at right angle to Jefferson County Route 340/15 (formerly Conn. F) relocated centerline at Station 12+37;

thence, southwesterly, continuing with said revised right of way line 39 feet, more or less, to a point 33 feet radially left of centerline at Station 11+96;

thence, southerly, with said revised right of way line 14 feet, more or less, to a point 19 feet, radially left of centerline at Station 11+96;

thence, westerly, with said revised right of way line 59 feet, more or less, to a point 15 feet radially left of centerline at Station 11+37;

thence, westerly, with said revised right of way line 51 feet, more or less, to a point 15 feet left of and at right angle to centerline at PRC Station 10+83.02;

thence southwesterly, with said revised right of way line, with a curve to the left having a radius of 1,188.24 feet, holding 15 feet concentric to centerline 185.12 feet, to a point in the southern edge of a proposed concrete curb, said point being 15 feet radially left of centerline at Station 9+00;

thence, westerly, with said revised right of way line and proposed concrete curb 17 feet, more or less, to a point 17 feet radially right of centerline at Station 8+84;

thence, northerly, continuing with said revised right of way line and said edge of proposed concrete curb, with a curve to the right having a radius of 8 feet, a distance of 22 feet, more or less, to the place of beginning and containing 28,025 square feet (0.64 acre), more or less.

The tract of land hereinabove described is a portion of that same real estate conveyed unto The State of West Virginia by The State Road Commission of West Virginia, a Corporation, now known as the West Virginia Department of Transportation, Division of Highways by Final Order dated May 3, 1946 from Kenneth K. Cavalier and Charlotte E. Cavalier, his wife, The Prudential Insurance Company of America, a corporation; Jeff Hanna, substitute Trustee; and James F. Cassell, recorded December 5, 1946 in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Deed Book 166, at Page 454 and a portion of the same real estate acquired by Acts of the Legislature, 1933, C.40, Extraordinary Session, as a Class A Road.

This conveyance is made subject to the condition that the property conveyed herein be utilized for public purposes. If, at any time, this property ceases to be used for public purposes, then all property conveyed herein shall revert to the Grantor and Grantee

agrees to immediately, upon its own initiative, execute a deed to the Grantor.

This conveyance is made subject to existing utility rights of way, easements and lines whether or not visible upon the ground.

Grantor expressly excepts from this conveyance and reserves unto Grantor, and to Grantor's assigns, all of Grantor's right, title and interest in and to all of the coal, oil, gas and other minerals in, on and under the property to be conveyed, including any and all royalties, bonus amounts, delay rentals and other payments due and payable under any existing or future coal, oil, gas or mineral lease.

This transfer is exempt from West Virginia excise taxes on property transfers under Chapter II, Article 22, Sections 1 and 2 of the Official Code of West Virginia of 1931, as amended.

(The rest of this page left blank intentionally.)

IN WITNESS WHEREOF, the West Virginia Department of Transportation,
Division of Highways, has caused its name to be signed by its duly authorized officer.

**WEST VIRGINIA DEPARTMENT OF
TRANSPORTATION, DIVISION OF HIGHWAYS**

Secretary/Commissioner

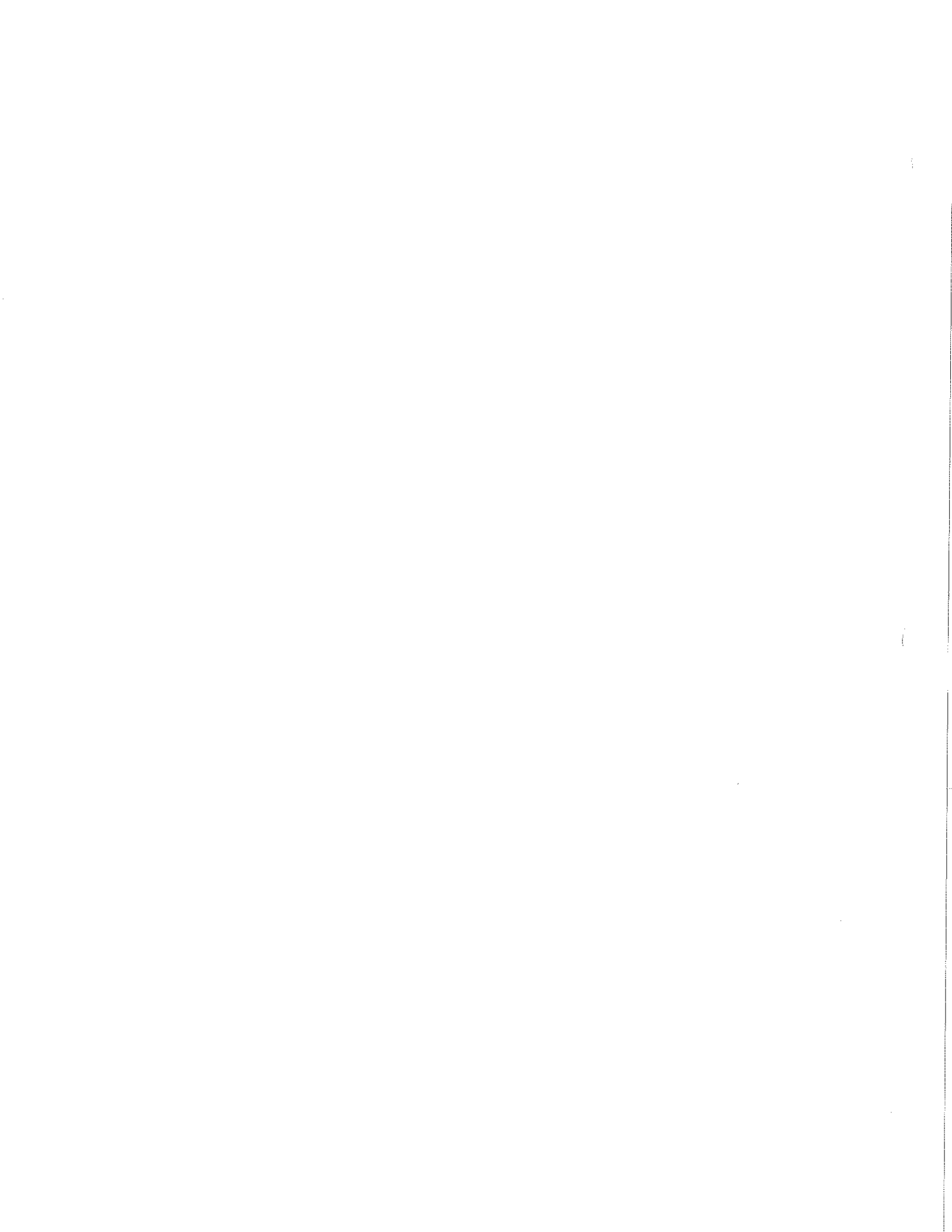
STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The foregoing instrument acknowledged before me this _____ day of
_____, 2015, by Paul A. Mattox, Jr., P. E., Secretary/ Commissioner.

My commission expires _____.

Notary Public

This instrument was prepared by:
Eric Hudnall, Director
Right of Way Division
West Virginia Division of Highways
Building 5, Room A-631
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0430.



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Patricia Rucker

Department or Organization: We the People of Jefferson County

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: **July 30, 2015**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): Request to use County Commission meeting room on Saturday, September 12, 2015 from 9:00 a.m. – 12:00 p.m. to hold a "Running for Office" workshop.

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: 304-724-6161

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

COUNTY COMMISSION MEETING ROOM

REQUEST FORM

Date Requested: Sept. 12, 2015
Meeting Time: 9 am to noon
Organization Name: We The People of Jefferson Cty-WV
Purpose of Meeting: Running for Office Workshop

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

www.wtpwv.com

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

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

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

Person Making Request: (printed): Patricia Rucker
Signature of Person Making Request: Patricia Rucker Date: 7/14/15
Contact Person: Kevin Tester
Representative's Address: (If other than the representative signing above) 2432 Chestnut Hill Rd. Harpers Ferry, WV 25425
Telephone: 304-724-6161 Fax:

E-mail:

perucker@yahoo.com

COUNTY COMMISSION MEETING ROOM

INDEMNIFICATION FORM

As the individual or the authorized representative of the organization making the reservation, I agree to indemnify and hold harmless the Jefferson County Commission, its agents and representatives, from any and all lawsuits, action, claims or demands of any character or nature arising out of or brought on account of injuries or damages sustained by any person(s) as a consequence or result of using the meeting room, its furnishings or its equipment.

Person Making Request: (printed): Patricia Rucker

Signature of Person Making Request: Patricia Rucker Date: 7/14/15

Contact Person: Kevin Tester
(If other than the representative signing above)

Representative's Address: 2432 Chestnut Hill Rd.
Harpers Ferry, WV 25425

Telephone: 304-724-6161 Fax: _____

E-mail: perucker@yahoo.com

*Please run this ad 1 time on
07-15-2015*

JEFFERSON COUNTY PLANNING COMMISSION
PUBLIC HEARING NOTICE

The County Commission and the Jefferson County Planning Commission have scheduled a joint Public Hearing on **Tuesday, August 11, 2015 at 7:00 PM** for a Zoning Map Amendment (Rezoning) with the Commissioners of Jefferson County for a request by property owners Twin Oaks Subdivision, LLC, Peter S. Corum and J. Edward Slonaker for Morgan Grove Market to determine if this rezoning is in compliance with the Envision Jefferson 2035 Comprehensive Plan. This property is located at 3988 Kearneysville Pike (Rt. 480) Shepherdstown, WV. Tax District (09); Map 13 Parcels: 26.1, 26.2, 26.3 and 26.4. This property is currently zoned "Rural" (R). The applicant is requesting "Neighborhood Commercial" (NC).

You may provide oral or written comments at the hearing, **Tuesday, August 11, 2015 at 7:00 PM, in the Charles Town Library meeting room at 200 East Washington Street**, accessed at the side entrance on Samuel Street. In addition, you may provide written comments to planningdepartment@jeffersoncountywv.org or mail to PO Box 338, Charles Town, WV 25414.

By Order of the Jefferson County Commission,

Jane Tabb and the Jefferson County Planning
Commission

Steve Stolipher, President

NOTICE OF INTENT TO APPOINT

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, August 6, 2015 or as soon thereafter as the Commission may decide:

Jefferson County Property Safety Enforcement Agency - one unexpired term ending February 8, 2017

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

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

SPIRIT OF JEFFERSON:

PLEASE ADVERTISE ON:

July 22 and 29

THANKS - JEFFERSON COUNTY COMMISSION



United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

Received

JUL 14 2015

Jefferson County Commission

Dear Interested Party:

The National Park Service (NPS) has released a Finding of No Significant Impact (FONSI) for the Shepherdstown Battlefield Special Resource Study, Boundary study, and Environmental Assessment. The purpose of the Congressionally-authorized study was to evaluate the national significance of Shepherdstown Battlefield and its suitability for inclusion in the national park system, either as a new stand-alone unit or as a potential addition to Antietam National Battlefield or Harpers Ferry National Historical Park.

The FONSI includes the findings that the Shepherdstown Battlefield does not to meet the NPS criteria for a new stand-alone national park unit, but that a 510-acre area in the center of the battlefield would be a suitable addition to Antietam due to close historical and geographical connections between the two battles. For additional details on this finding please reference the final study documents located on the project website at <http://parkplanning.nps.gov/shbafonsi>.

The Department of the Interior has submitted the study's findings and a summary of public comments to Congress. Congress will determine whether the boundary of Antietam National Battlefield should be adjusted to include Shepherdstown Battlefield. If Congress passes legislation, it would authorize the NPS to work with willing sellers or donors to acquire land or conservation easements within the legislated boundary, however funding would need to be appropriated or available through other means before any land acquisition could occur.

With questions or concerns about the findings of this study please contact Tammy Stidham, National Park Service, Regional Chief of Planning at tammy_stidham@nps.gov or (302) 619-7474

Sincerely,

Robert A. Vogel
Regional Director



July 14, 2015

Jefferson County Commission
PO Box 250
Charles Town, WV 25414

Received
JUL 20 2015

Jefferson County Commission

To Whom It May Concern,

The by-laws of the Jefferson County Historic Landmarks Commission require that the Jefferson County Commission and West Virginia State Historic Preservation Office be notified when the Landmarks Commission designates additional structures, sites, or objects as historic landmarks. At its May 20, 2015 meeting, the Landmarks Commission added a historic object to the list of Jefferson County Historic Landmarks.

Beeler's Mill Water Wheel (Criteria C)

Enclosed is the Landmarks Commission nomination report on this object, including photographs. These are provided for your review, though no action is required by the County Commission. A duplicate report has been sent to the WV State Historic Preservation Office in Charleston.

If you have any questions regarding this report, please do not hesitate to contact me at (304) 876-3883.

Respectfully,

A handwritten signature in blue ink that reads 'Martin Burke'.

Martin Burke
Chair, JCHLC



12/25/2008



Jefferson County Landmark Nomination Report
Jefferson County Historic Landmarks Commission
May 2015

Beeler's Mill Water Wheel

6517 Kabletown Rd.
Charles Town, WV 25404

Physical Description:

The Beeler's Mill Water Wheel is a Fitz Overshot I-X-L steel water wheel, 22 feet in diameter with a 4-foot face (width of the buckets). The property on which the wheel is located, 6517 Kabletown Rd. is at a point about a mile above the Shenandoah River where Evitts Run crosses WV State Route 25 (Kabletown Rd).

Historic Description

The Beeler's Mill property was formed from two tracts of land granted by royal patent (490 acres granted to Daniel Burnett on October 3, 1734, and 473 acres granted to Samuel Walker on January 1, 1751). Portions of both tracts were conveyed by Walker to Christopher Beeler on August 31, 1752 (DB 13/453). Christopher Beeler was the first to occupy the property and, by 1761, had built the first mill at the site. We do not know the type of mill – only that it was built.

In 1769, the property was transferred to Christopher Beeler's son, Benjamin. Between 1769 and 1827, Benjamin Beeler operated at least two types of water driven mills at the site: carding and grist mills. The Varle map of 1809 shows a mill and in 1813 Beeler was taxed for a grist mill (along with two "whites," twelve slaves, and 17 horses). When Benjamin Beeler wrote his will and died in 1827, he directed that his "carding Machine Mills" on the site were to be repaired and left as a portion of the dower of 80 $\frac{3}{4}$ acres to his widow, Sarah. When his children reached majority and his will was probated in 1834, Sarah had already remarried, so the mill property then became part of the estate of her new husband, Abraham Isler. The schematic recorded in the deed book of the division of Benjamin Beeler's estate clearly shows two mills on this four-acre parcel that went to Sarah (JC DB 36/158).

Architectural evidence indicates that the house that sits on the property today had its origins as early as the years during which the Beelers owned the site. The core of the lapboard-covered home is a log structure that was constructed originally as a mill building. The post support design visible in the structure was only employed in erecting mill buildings – never in residential construction. Regardless of whether its original use was as a mill or as a mill support building, by the early Twentieth Century, it had been converted to residential use and has since been expanded and updated.

From 1834 through the 1860s, the value of the Isler properties fluctuated wildly, but definitely trended downwards. By 1869, Sarah (Beeler) Isler was deceased and the mill site with 4 acres was sold to J. B. McElroy for \$2,800 (JC DB 4/301). By 1878, the property was in severe

disrepair & was sold following a Chancery suit to prominent Charles Town businessmen William F. Weirick and John Weller for \$600 (JC DB F/326).

In 1878, Weirick & Weller built the largest mill ever constructed on the property. The Fitz I-X-L water wheel manufactured in Martinsburg and constructed on site for the new mill. The building was four stories high with three operating burrs and continued to serve the community well into the next century. By 1883, Weirick & Weller (so identified on the Howard map) had also added a sawmill on the property. In 1888, Weirick took full control of the property (JC DB S/117) and continued to operate the mills until the grain mill was destroyed by fire in 1907 and the property again fell into disrepair.

In 1920, T. Wilmer Clipp purchased the property from the Weirick estate (DB 119/218) and built a smaller, two story grain mill on the site – using the same Fitz water wheel previously installed in the Weirick & Weller mill in 1878. The property is still referred to as Clipp’s Mill by many Jefferson County residents. Clipp operated the mill until 1946 when the property (but not the mill) was sold to D. Edgar Stultz (JC DB 165/344). In 1947, Clipp dismantled the mill and used the lumber to help build Children’s Haven, the orphanage run by Mom & Pop Wheeler located on the banks of the Shenandoah River. Clipp left the mill wheel intact, still operable, in its present location.

Of the nine families that have owned the property since the dismantling of the mill (Stultz, 1946 - 1948; McMillan, 1948 1951; Dawson, 1951 - 1964; Howard, 1964 -1971; Brown, 1971 - 1997; Shotts, 1997 - 2000; Birnbach, 2000 - 2007; and Ingersoll, 2007 - Present), some were less than conscientious stewards of the wheel. At the start of the 21st Century, the wheel stood motionless, with a broken axle and overgrows with weeds. Since 2000, significant restoration and repairs have been made, such that the wheel is again operable.

Historic Resource:

The water wheel located on this site is a Fitz Overshot I-X-L steel water wheel, 22 feet in diameter with a 4-foot face (width of the buckets). It was manufactured at the Fitz Foundry (later the Tuscorora Iron Works) in Martinsburg, WV by Samuel Fitz, after 1852 but prior to 1896 when he moved the operation to Hanover, PA. The Fitz waterwheel was an incredible engineering improvement over the wooden wheels previously in use. The efficiency of a Fitz wheel exceeds 95% -- i.e., the wheel captures most of the power of the falling water. By comparison, the old wooden wheels had an efficiency rating of no more than 50%. Even hydro-powered turbines were rated 70%, at best. This disparity in efficiency ratings so rankled turbine manufacturer James Leffel that he purchased the Fitz Water Wheel Company in 1996 and destroyed all the machinery, inventory, patterns and engineering drawings. Given its high efficiency rating, this Fitz water wheel at the Beeler’s Mill site is capable of generating more than 17,000 foot-pounds of torque.

Nomination Criteria:

The JCHLC nominates this object under Criteria C for inclusion on the list of registered county landmarks. Criteria C states that an object may be nominated if, in the opinion of the JCHLC, it embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that retains a high degree of integrity. The property owners,

Thomas G. & Barbara D. Ingersoll, agreed to have the water wheel listed as Jefferson County Historic Landmark.

Nomination Action:

The JCHLC voted unanimously to add the Beeler's Mill Water Wheel, under Criteria C, to the rolls of registered Jefferson County Historic Landmarks on May 20, 2015.

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

Week Ending Date	FY16 July 11, 2015
To be Deposited on:	July 17, 2015
Amount Played	60,575,760.76
Amount Won	54,077,305.71
Amount Promo	291,101.00
MWAP Contribution	<u>2,527.63</u>
 Adjusted Gross Terminal Revenue	 <u>6,204,826.42</u>
Administrative Costs @ 4%	248,193.06
Excess Lottery Fund @ 4%	<u>0.00</u>
Net Terminal Revenue	<u>5,956,633.36</u>
Surcharge @ 10%	0.00
State Share Excess @ 58% & 10% of 42%	0.00
Track Share of Capital Reinvestment @ 90% of 42%	<u>0.00</u>
<i>Track Share of Capital Reinvestment @ 96%</i>	<i>0.00</i>
<i>Track Share of Capital Reinvestment @ 4%</i>	<i>0.00</i>
Adjusted Net Terminal Revenue	<u>5,956,633.36</u>
Racetrack @ 46.50% / 42%	2,769,834.51
Lottery Fund @ 30% / 0%	1,786,989.96
Excess Lottery Fund @ 0% / 41%	0.00
Excess Lottery Fund @ 12.85% / 9.55%	765,427.41
Race Track Purses @ 90% of 7% / 4%	375,267.90
Employee Pension Fund @ 1% / .5%	59,566.34
Greyhound Development @ 90% of .75%	40,207.28
Thoroughbred Development @ 90% of .75%	40,207.28
County/Municipality @ 2%	<u>119,132.68</u>
	<u>5,956,633.36</u>

WEST VIRGINIA LOTTERY
 First Benchmark
 Charles Town
 County / City Split
 Fiscal Year 2016

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%
4 days ending: 07/04/15	\$ 89,446.56	\$ 89,446.56	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending: 07/11/15	\$ 119,132.68	\$ 119,132.68	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Subtotal	\$ 208,579.24	\$ 208,579.24	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Benchmark Goal @ 2% \$ 912,063.48
 Remainder until 1% / 1% Split \$ 703,484.24

VIDEO LOTTERY REPORT

FY 2012		FY 2013		FY 2014		FY 2015		FY 2016	
Date	Amount	Date	Amount	Date	Amount	Date	Amount	Date	Amount
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	7/4/2015	89,446.56
7/9/2011	171,717.28	7/14/2012	129,458.04	7/13/2013	128,060.40	7/12/2014	111,792.16	7/11/2015	119,132.68
7/16/2011	143,019.52	7/21/2012	130,037.00	7/20/2013	115,128.84	7/19/2014	116,320.32		
7/23/2011	146,508.00	7/28/2012	137,164.44	7/27/2013	123,049.56	7/26/2014	112,502.48		
7/30/2011	144,510.28	8/4/2012	132,931.16	8/3/2013	116,180.80	8/2/2014	117,145.12		
8/6/2011	151,495.28	8/11/2012	134,212.88	8/10/2013	120,078.64	8/9/2014	114,374.60		
8/13/2011	117,350.38	8/18/2012	110,241.90	8/17/2013	124,888.56	8/16/2014	114,105.32		
8/20/2011	71,614.12	8/25/2012	66,209.90	8/24/2013	89,882.12	8/23/2014	116,097.04		
8/27/2011	63,432.14	9/1/2012	67,133.42	8/31/2013	58,913.18	8/30/2014	60,280.02		
9/3/2011	80,837.76	9/8/2012	74,029.40	9/7/2013	67,758.74	9/6/2014	61,420.28		
9/10/2011	84,845.80	9/15/2012	61,838.04	9/14/2013	53,374.22	9/13/2014	51,364.96		
9/17/2011	66,748.62	9/22/2012	56,996.90	9/21/2013	54,277.94	9/20/2014	50,664.54		
9/24/2011	68,929.80	9/29/2012	61,611.40	9/28/2013	54,881.50	9/27/2014	50,127.22		
10/1/2011	68,871.64	10/6/2012	62,715.20	10/5/2013	55,950.74	10/4/2014	53,531.28		
10/8/2011	70,866.90	10/13/2012	60,710.18	10/12/2013	55,837.92	10/11/2014	51,127.00		
10/15/2011	75,262.66	10/20/2012	62,333.08	10/19/2013	61,327.20	10/18/2014	56,414.64		
10/22/2011	68,757.72	10/27/2012	58,073.54	10/26/2013	52,854.06	10/25/2014	49,890.20		
10/29/2011	60,507.98	11/3/2012	56,545.30	11/2/2013	57,543.54	11/1/2014	52,242.34		
11/5/2011	70,673.88	11/10/2012	56,110.96	11/9/2013	54,666.76	11/8/2014	52,819.26		
11/12/2011	67,627.10	11/17/2012	57,432.36	11/16/2013	56,495.96	11/15/2014	51,810.32		
11/19/2011	60,690.60	11/24/2012	65,888.86	11/23/2013	48,628.62	11/22/2014	46,228.62		
11/26/2011	74,140.54	12/1/2012	50,243.34	11/30/2013	59,645.66	11/29/2014	55,593.44		
12/3/2011	59,429.94	12/8/2012	50,770.96	12/7/2013	47,306.24	12/6/2014	46,792.50		
12/10/2011	51,395.44	12/15/2012	47,022.38	12/14/2013	29,229.02	12/13/2014	40,904.98		
12/17/2011	55,981.32	12/22/2012	46,838.96	12/21/2013	44,581.02	12/20/2014	41,600.84		
12/24/2011	54,248.62	12/29/2012	59,697.22	12/28/2013	62,117.14	12/27/2014	58,114.68		
12/31/2011	94,661.00	1/5/2013	71,673.52	1/4/2014	62,963.88	1/3/2015	68,277.28		
1/7/2012	74,863.40	1/12/2013	50,416.30	1/11/2014	37,935.94	1/10/2015	37,099.34		
1/14/2012	58,901.92	1/19/2013	51,211.88	1/18/2014	49,418.64	1/17/2015	43,217.36		
1/21/2012	61,819.92	1/26/2013	46,966.26	1/25/2014	42,720.80	1/24/2015	41,212.80		
1/28/2012	62,898.78	2/2/2013	52,067.92	2/1/2014	47,681.60	1/31/2015	42,783.32		
2/4/2012	72,154.66	2/9/2013	52,222.20	2/8/2014	45,434.52	2/7/2015	47,859.18		
2/11/2012	66,429.04	2/16/2013	64,243.52	2/15/2014	41,076.08	2/14/2015	48,131.08		
2/18/2012	77,455.88	2/23/2013	64,115.70	2/22/2014	61,523.98	2/21/2015	37,610.66		
2/25/2012	77,611.78	3/2/2013	62,602.74	3/1/2014	57,744.78	2/28/2015	56,982.14		
3/3/2012	75,963.86	3/9/2013	59,213.26	3/8/2014	50,439.94	3/7/2015	43,750.42		
3/10/2012	76,808.62	3/16/2013	62,366.36	3/15/2014	54,414.66	3/14/2015	55,096.66		
3/17/2012	76,883.92	3/23/2013	59,841.02	3/22/2014	50,734.62	3/21/2015	53,081.08		
3/24/2012	72,108.36	3/30/2013	57,567.98	3/29/2014	51,174.60	3/28/2015	50,548.88		
3/31/2012	74,244.22	4/6/2013	63,108.84	4/5/2014	55,229.90	4/4/2015	51,713.78		
4/7/2012	75,382.98	4/13/2013	56,849.30	4/12/2014	48,653.18	4/11/2015	51,024.54		
4/14/2012	71,065.34	4/20/2013	55,432.12	4/19/2014	54,469.22	4/18/2015	49,338.10		
4/21/2012	68,055.08	4/27/2013	58,612.74	4/26/2014	51,637.18	4/25/2015	49,656.62		

4/28/2012	72,880.66	5/4/2013	61,102.92	5/3/2014	54,757.72	5/2/2015	54,079.66
5/5/2012	71,582.30	5/11/2013	57,428.70	5/10/2014	51,011.76	5/9/2015	50,062.82
5/12/2012	63,357.92	5/18/2013	61,172.80	5/17/2014	51,148.34	5/16/2015	48,308.08
5/19/2012	78,984.36	5/25/2013	57,131.24	5/24/2014	53,082.60	5/23/2015	47,705.92
5/26/2012	67,396.24	6/1/2013	65,920.66	5/31/2014	62,642.98	5/30/2015	58,258.10
6/2/2012	76,959.44	6/8/2013	55,233.74	6/7/2014	49,517.18	6/6/2015	53,927.82
6/9/2012	63,584.86	6/15/2013	54,067.52	6/14/2014	50,266.50	6/13/2015	50,110.84
6/16/2012	59,436.12	6/22/2013	54,690.28	6/21/2014	48,768.14	6/20/2015	47,109.22
6/23/2012	55,921.30	6/29/2013	55,991.38	6/28/2014	49,250.32	6/27/2015	55,325.14
6/30/2012	58,207.40	6/30/2013	11,509.54	6/30/2014	12,010.70	6/30/2015	16,018.68

4,124,906.80

3,580,645.18

3,261,565.02

3,148,372.80

208,579.24

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	March, 2015	221,243.10
April, 2012	383,586.78	April, 2013	316,635.69	April, 2014	217,142.18	April, 2015	229,031.04
May, 2012	413,715.39	May, 2013	329,242.14	May, 2014	279,575.67	May, 2015	235,272.69
June, 2012	387,706.12	June, 2013	314,410.11	June, 2014	217,052.10		
Total 2011-2012	4,808,702.50	Total 2012-2013	4,608,334.13	Total 2013-2014	2,995,460.18	Total 2014-2015	2,452,677.18

<u>Date</u>	<u>Amount</u>
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Total 2015-2016	0.00
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Table Game Revenue

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

Date	Amount	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		
March, 2015	73,747.70		
April, 2015	76,343.68		
May, 2015	78,424.23		
Total 2014-2015	817,559.06	Total 2015-2016	0.00

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

Week Ending Date	FY16 July 18, 2015
To be Deposited on:	July 24, 2015
Amount Played	58,865,749.97
Amount Won	52,704,308.59
Amount Promo	289,048.00
MWAP Contribution	<u>2,276.58</u>
Adjusted Gross Terminal Revenue	<u>5,870,116.80</u>
Administrative Costs @ 4%	234,804.67
Excess Lottery Fund @ 4%	<u>0.00</u>
Net Terminal Revenue	<u>5,635,312.13</u>
Surcharge @ 10%	0.00
State Share Excess @ 58% & 10% of 42%	0.00
Track Share of Capital Reinvestment @ 90% of 42%	<u>0.00</u>
<i>Track Share of Capital Reinvestment @ 96%</i>	<i>0.00</i>
<i>Track Share of Capital Reinvestment @ 4%</i>	<i>0.00</i>
Adjusted Net Terminal Revenue	<u>5,635,312.13</u>
Racetrack @ 46.50% / 42%	2,620,420.14
Lottery Fund @ 30% / 0%	1,690,593.65
Excess Lottery Fund @ 0% / 41%	0.00
Excess Lottery Fund @ 12.85% / 9.55%	724,137.60
Race Track Purses @ 90% of 7% / 4%	355,024.66
Employee Pension Fund @ 1% / .5%	56,353.12
Greyhound Development @ 90% of .75%	38,038.36
Thoroughbred Development @ 90% of .75%	38,038.36
County/Municipality @ 2%	<u>112,706.24</u>
	<u>5,635,312.13</u>

WEST VIRGINIA LOTTERY
First Benchmark
Charles Town
County / City Split
Fiscal Year 2016

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%
4 days ending: 07/04/15	\$ 89,446.56	\$ 89,446.56	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending: 07/11/15	\$ 119,132.68	\$ 119,132.68	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/18/15	\$ 112,706.24	\$ 112,706.24	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Subtotal	\$ 321,285.48	\$ 321,285.48	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ 590,778.00

VIDEO LOTTERY REPORT

FY 2012		FY 2013		FY 2014		FY 2015		FY 2016	
Date	Amount	Date	Amount	Date	Amount	Date	Amount	Date	Amount
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	7/4/2015	89,446.56
7/9/2011	171,717.28	7/14/2012	129,458.04	7/13/2013	128,060.40	7/12/2014	111,792.16	7/11/2015	119,132.68
7/16/2011	143,019.52	7/21/2012	130,037.00	7/20/2013	115,128.84	7/19/2014	116,320.32	7/18/2015	112,706.24
7/23/2011	146,508.00	7/28/2012	137,164.44	7/27/2013	123,049.56	7/26/2014	112,502.48		
7/30/2011	144,510.28	8/4/2012	132,931.16	8/3/2013	116,180.80	8/2/2014	117,145.12		
8/6/2011	151,495.28	8/11/2012	134,212.88	8/10/2013	120,078.64	8/9/2014	114,374.60		
8/13/2011	117,350.38	8/18/2012	110,241.90	8/17/2013	124,888.56	8/16/2014	114,105.32		
8/20/2011	71,614.12	8/25/2012	66,209.90	8/24/2013	89,882.12	8/23/2014	116,097.04		
8/27/2011	63,432.14	9/1/2012	67,133.42	8/31/2013	58,913.18	8/30/2014	60,280.02		
9/3/2011	80,837.76	9/8/2012	74,029.40	9/7/2013	67,758.74	9/6/2014	61,420.28		
9/10/2011	84,845.80	9/15/2012	61,838.04	9/14/2013	53,374.22	9/13/2014	51,364.96		
9/17/2011	66,748.62	9/22/2012	56,996.90	9/21/2013	54,277.94	9/20/2014	50,664.54		
9/24/2011	68,929.80	9/29/2012	61,611.40	9/28/2013	54,881.50	9/27/2014	50,127.22		
10/1/2011	68,871.64	10/6/2012	62,715.20	10/5/2013	55,950.74	10/4/2014	53,531.28		
10/8/2011	70,866.90	10/13/2012	60,710.18	10/12/2013	55,837.92	10/11/2014	51,127.00		
10/15/2011	75,262.66	10/20/2012	62,333.08	10/19/2013	61,327.20	10/18/2014	56,414.64		
10/22/2011	68,757.72	10/27/2012	58,073.54	10/26/2013	52,854.06	10/25/2014	49,890.20		
10/29/2011	60,507.98	11/3/2012	56,545.30	11/2/2013	57,543.54	11/1/2014	52,242.34		
11/5/2011	70,673.88	11/10/2012	56,110.96	11/9/2013	54,666.76	11/8/2014	52,819.26		
11/12/2011	67,627.10	11/17/2012	57,432.36	11/16/2013	56,495.96	11/15/2014	51,810.32		
11/19/2011	60,690.60	11/24/2012	65,888.86	11/23/2013	48,628.62	11/22/2014	46,228.62		
11/26/2011	74,140.54	12/1/2012	50,243.34	11/30/2013	59,645.66	11/29/2014	55,593.44		
12/3/2011	59,429.94	12/8/2012	50,770.96	12/7/2013	47,306.24	12/6/2014	46,792.50		
12/10/2011	51,395.44	12/15/2012	47,022.38	12/14/2013	29,229.02	12/13/2014	40,904.98		
12/17/2011	55,981.32	12/22/2012	46,838.96	12/21/2013	44,581.02	12/20/2014	41,600.84		
12/24/2011	54,248.62	12/29/2012	59,697.22	12/28/2013	62,117.14	12/27/2014	58,114.68		
12/31/2011	94,661.00	1/5/2013	71,673.52	1/4/2014	62,963.88	1/3/2015	68,277.28		
1/7/2012	74,863.40	1/12/2013	50,416.30	1/11/2014	37,935.94	1/10/2015	37,099.34		
1/14/2012	58,901.92	1/19/2013	51,211.88	1/18/2014	49,418.64	1/17/2015	43,217.36		
1/21/2012	61,819.92	1/26/2013	46,966.26	1/25/2014	42,720.80	1/24/2015	41,212.80		
1/28/2012	62,898.78	2/2/2013	52,067.92	2/1/2014	47,681.60	1/31/2015	42,783.32		
2/4/2012	72,154.66	2/9/2013	52,222.20	2/8/2014	45,434.52	2/7/2015	47,859.18		
2/11/2012	66,429.04	2/16/2013	64,243.52	2/15/2014	41,076.08	2/14/2015	48,131.08		
2/18/2012	77,455.88	2/23/2013	64,115.70	2/22/2014	61,523.98	2/21/2015	37,610.66		
2/25/2012	77,611.78	3/2/2013	62,602.74	3/1/2014	57,744.78	2/28/2015	56,982.14		
3/3/2012	75,963.86	3/9/2013	59,213.26	3/8/2014	50,439.94	3/7/2015	43,750.42		
3/10/2012	76,808.62	3/16/2013	62,366.36	3/15/2014	54,414.66	3/14/2015	55,096.66		
3/17/2012	76,883.92	3/23/2013	59,841.02	3/22/2014	50,734.62	3/21/2015	53,081.08		
3/24/2012	72,108.36	3/30/2013	57,567.98	3/29/2014	51,174.60	3/28/2015	50,548.88		
3/31/2012	74,244.22	4/6/2013	63,108.84	4/5/2014	55,229.90	4/4/2015	51,713.78		
4/7/2012	75,382.98	4/13/2013	56,849.30	4/12/2014	48,653.18	4/11/2015	51,024.54		
4/14/2012	71,065.34	4/20/2013	55,432.12	4/19/2014	54,469.22	4/18/2015	49,338.10		
4/21/2012	68,055.08	4/27/2013	58,612.74	4/26/2014	51,637.18	4/25/2015	49,656.62		

4/28/2012	72,880.66	5/4/2013	61,102.92	5/3/2014	54,757.72	5/2/2015	54,079.66
5/5/2012	71,582.30	5/11/2013	57,428.70	5/10/2014	51,011.76	5/9/2015	50,062.82
5/12/2012	63,357.92	5/18/2013	61,172.80	5/17/2014	51,148.34	5/16/2015	48,308.08
5/19/2012	78,984.36	5/25/2013	57,131.24	5/24/2014	53,082.60	5/23/2015	47,705.92
5/26/2012	67,396.24	6/1/2013	65,920.66	5/31/2014	62,642.98	5/30/2015	58,258.10
6/2/2012	76,959.44	6/8/2013	55,233.74	6/7/2014	49,517.18	6/6/2015	53,927.82
6/9/2012	63,584.86	6/15/2013	54,067.52	6/14/2014	50,266.50	6/13/2015	50,110.84
6/16/2012	59,436.12	6/22/2013	54,690.28	6/21/2014	48,768.14	6/20/2015	47,109.22
6/23/2012	55,921.30	6/29/2013	55,991.38	6/28/2014	49,250.32	6/27/2015	55,325.14
6/30/2012	58,207.40	6/30/2013	11,509.54	6/30/2014	12,010.70	6/30/2015	16,018.68

4,124,906.80

3,580,645.18

3,261,565.02

3,148,372.80

321,285.48

Table Game Revenue

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

Date	Amount	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		
March, 2015	73,747.70		
April, 2015	76,343.68		
May, 2015	78,424.23		
June, 2015	81,569.83		
Total 2014-2015	899,128.89	Total 2015-2016	0.00

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	March, 2015	221,243.10
April, 2012	383,586.78	April, 2013	316,635.69	April, 2014	217,142.18	April, 2015	229,031.04
May, 2012	413,715.39	May, 2013	329,242.14	May, 2014	279,575.67	May, 2015	235,272.69
June, 2012	387,706.12	June, 2013	314,410.11	June, 2014	217,052.10	June, 2015	244,709.49
Total 2011-2012	4,808,702.50	Total 2012-2013	4,608,334.13	Total 2013-2014	2,995,460.18	Total 2014-2015	2,697,386.67

<u>Date</u>	<u>Amount</u>
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Total 2015-2016	0.00
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*West Virginia State
Treasurer's Office*

John D. Perdue
State Treasurer

<u>Political Subdivision</u>	<u>Amount</u>
Huntington	1,213.35
Hurricane	1,213.35
Huttonsville	1,213.35
laeger	1,213.35
Jackson County	4,829.59
Jane Lew	1,213.35
Jefferson County	81,569.83
Jefferson County School Board	244,709.49
Junior	1,213.35
Kanawha County	23,248.95
Kenova	1,213.35
Kermit	1,213.35
Keyser	1,213.35
Keystone	1,213.35
Kimball	1,213.35
Kingwood	1,213.35
Leon	1,213.35
Lester	1,213.35
Lewis County	4,829.59