

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

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

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**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

- October 29, 2015 Regular Meeting
- November 5, 2015 Special Session - Legislative Summit

**APPROVAL OF ACCOUNTS PAYABLE**

- November 12, 2015
- November 19, 2015

**APPROVAL OF MANUAL CHECKS**

- November 12, 2015
- November 19, 2015

**PAYROLL APPROVAL**

- November 5, 2015

**ANNOUNCEMENTS**

- Report if there are changes in the agenda if applicable

**PUBLIC COMMENT**

**PRESENTATIONS**

1. 9:45 a.m. Pete Dougherty, Sheriff
  - Approval - Deputy Hire - Discussion/Action
  - Approval of Bailiffs/Trip Guards - Discussion/Action
  
2. 10:00 a.m. Nancy Strine, Community Development Administrator
  - Approval of the three year Eastern Panhandle HOME Consortium Agreement and Resolution - Discussion/Action

3. 10:15 a.m. Danny Lutz, FFA of Washington and Jefferson High Schools  
- Request endorsement of FFA extracurricular programs which support education - Discussion/Action
4. 10:30 a.m. Todd Fagan, Jefferson County GIS/Addressing  
- Collaborative purchase of Spring 2016 Aerial Photography - Discussion/Action
5. 10:45 a.m. **BREAK**
6. 11:00 a.m. Lynn Fields, Probate Office  
- Petition of Pamela Dibabo re: Estate of Joann Hicks, deceased - Discussion/Action  
- Special Session to Approve and Close Estates - Discussion/Action
7. 11:15 a.m. Barbara Miller, Director of Jefferson County Homeland Security and Emergency Management  
- MOU's with Jefferson County Schools - Discussion/Action
8. 11:30 a.m. Bill Polk, Maintenance Department  
- Request approval to advertise and hire two Custodial Positions - Discussion/Action  
- Request approval to internally promote two employees in the Maintenance Department - Discussion/Action
9. 11:45 a.m. Carol Swiger, Administrative Assistant/Ambulance Fee Collector  
- Request for the late fees for the fiscal year 2014-2015 be removed for Persis Bates - Discussion/Action
10. 12:00 p.m. Roger Goodwin, Chief County Engineer  
- Complete Bond Release Verizon Wireless Leetown Site - Discussion/Action  
- Complete Bond Release Asbury United Methodist Church - Discussion/Action
11. 12:30 p.m. **BREAK FOR LUNCH**

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

12. 1:30 p.m. Public Hearing - Proposed redlined edits to the Jefferson County Subdivision Regulations (File #STA15-05)
13. 1:45 p.m. Nathan Cochran, Assistant Prosecuting Attorney  
- Legal Update on case No. 15-C-282, 13-C-432, 15-0323/14-1792-T-C, 14-0324/14-1793-T-C - Possible Executive Session - Discussion/Action

**UNFINISHED BUSINESS**

14. Decision on the Resolution to support live, year-round horse racing in Jefferson County - Discussion/Action

**NEW BUSINESS**

15. Approval of Resolution and Contract - Victims of Crime Act (VOCA) Grant - Discussion/Action
16. Approval of the "Assessor Additional Duties" - Discussion/Action

**FINANCIAL DIRECTOR REPORTS**

- Review of Budget to Actual as of October 31, 2015 - Discussion/Action
- Approval of Budget Revisions - Discussion/Action

**COUNTY ADMINISTRATOR REPORTS**

- Date Selection for Employee Holiday Celebration

**COUNTY COMMISSION REPORTS**

17. ADJOURN

**CORRESPONDENCE/INFORMATION**

Notice of County Office Closure for Thanksgiving Holiday.

Notice of Intent to Appoint to the Jefferson County Public Service District.

Call for Nominees to the C&O Canal National Historic Park Commission.

Impact Fee Status Report for October 2015.

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

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

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

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

Letter from WV Mountain AIRS re: WV211.

Letter from the United States Department of the Interior, Office of the Secretary re: PILT payments for Jefferson County.

E-mail from Frances Morgan, resident, regarding the Shepherdstown Battlefield site inclusion into Antietam.

Jefferson County Public Service District Meeting Minutes from the September 8, 2015 Regular Meeting.

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

WV Lottery Weekly Settlement for Charles Town - week ending October 24, 2015.

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

WV Lottery Weekly Settlement for Charles Town - week ending November 7, 2015.

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

## Minutes

### Jefferson County Commission

Thursday, October 29, 2015

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A meeting of the Jefferson County Commission was held on Thursday, October 29, 2015 in the County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Eric Bell, Dale Manuel, Patsy Noland, Walter Pellish, and Jane Tabb. Also present were Stephanie Grove, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jim Eddy, Bailiff. (An audio tape of the Thursday, October 29, 2015 meeting is available through the Jefferson County Commission Office.)

#### PLEDGE OF ALLEGIANCE

Commissioner Noland led the Pledge of Allegiance.

#### APPROVAL OF MINUTES

**Motion by Mr. Manuel to approve the October 15, 2015 Regular Meeting Minutes. Motion seconded and unanimously approved (Commissioner Tabb recused herself from voting on these minutes as she was not present for the October 15, 2015 meeting.)**

**Motion by Ms. Noland to approve the October 15, 2015 Board of Assessment Appeals Minutes. Motion seconded and unanimously approved (Commissioner Tabb recused herself from voting on these minutes as she was not present for the October 15, 2015 meeting.)**

#### APPROVAL OF ACCOUNTS PAYABLE

| CHCKNO | DEPT    | VENDOR                   | PONUM | POAMT | NOAMT       | CHECK AMOUNT |
|--------|---------|--------------------------|-------|-------|-------------|--------------|
| 075215 | PAYROLL | AMERICAN FAMILY LIFE ICU |       | \$ -  | \$ 3,874.78 | \$ 3,874.78  |
| 075216 | 412     | COMCAST                  |       | \$ -  | \$ 103.63   | \$ 103.63    |
| 075216 | 425     | COMCAST                  |       | \$ -  | \$ 615.18   | \$ 615.18    |
| 075217 | 424     | AT&T/IL                  |       | \$ -  | \$ 2.65     | \$ 2.65      |

|        |         |                          |       |              |              |              |
|--------|---------|--------------------------|-------|--------------|--------------|--------------|
| 075218 | 413     | APPLE VALLEY OFF.PRODUCT |       | \$ -         | \$ 239.42    | \$ 239.42    |
| 075219 | 402     | ALPHA IMAGING SUPPLS INC |       | \$ -         | \$ 537.00    | \$ 537.00    |
| 075220 | 425     | B-K OFFICE SUPPLY INC    |       | \$ -         | \$ 417.98    | \$ 417.98    |
| 075221 | PAYROLL | BUREAU F/CHILD SUPPORT   |       | \$ -         | \$ 49.85     | \$ 49.85     |
| 075222 | PAYROLL | BUREAU F/CHILD SPprt ENF |       | \$ -         | \$ 212.31    | \$ 212.31    |
| 075223 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -         | \$ 461.54    | \$ 461.54    |
| 075224 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -         | \$ 119.54    | \$ 119.54    |
| 075225 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -         | \$ 530.77    | \$ 530.77    |
| 075226 | PAYROLL | COLONIAL LIFE            |       | \$ -         | \$ 385.42    | \$ 385.42    |
| 075227 | 402     | COMPILED TECHNOLOGIES LL | 52482 | \$ 16,800.00 | \$ -         | \$ 16,800.00 |
| 075228 | 425     | DAYCON                   |       | \$ -         | \$ 1,886.93  | \$ 1,886.93  |
| 075229 | 700     | FEDEX                    |       | \$ -         | \$ 34.32     | \$ 34.32     |
| 075230 | 425     | FIRE SAFETY EQUIP        |       | \$ -         | \$ 846.00    | \$ 846.00    |
| 075231 | 401     | COURTNEY FUNK,ERO        |       | \$ -         | \$ 98.50     | \$ 98.50     |
| 075232 | 415     | GENERAL COUNTY FUND-J FE |       | \$ -         | \$ 18,844.20 | \$ 18,844.20 |
| 075233 | PAYROLL | ROGER GOODWIN            |       | \$ -         | \$ 258.44    | \$ 258.44    |
| 075234 | 433     | JESSICA GORMONT          |       | \$ -         | \$ 86.00     | \$ 86.00     |
| 075235 | 717     | GUTTMAN OIL CO           |       | \$ -         | \$ 9,969.63  | \$ 9,969.63  |
| 075236 | 405     | HR DIRECT                |       | \$ -         | \$ 47.25     | \$ 47.25     |
| 075237 | 700     | INTERNATIONAL POLYGRAPH  |       | \$ -         | \$ 600.00    | \$ 600.00    |
| 075238 | PAYROLL | VOYA FINANCIAL           |       | \$ -         | \$ 3,035.00  | \$ 3,035.00  |
| 075239 | 402     | JEFFERSON PUBLISH CO INC |       | \$ -         | \$ 125.58    | \$ 125.58    |
| 075240 | 413     | THE JOURNAL              |       | \$ -         | \$ 35.19     | \$ 35.19     |
| 075241 | PAYROLL | JEFFERSON SECURITY BANK  |       | \$ -         | \$ 5,510.00  | \$ 5,510.00  |
| 075242 | 424     | KONE INC.                |       | \$ -         | \$ 370.50    | \$ 370.50    |
| 075242 | 425     | KONE INC.                |       | \$ -         | \$ 1,111.50  | \$ 1,111.50  |
| 075243 | 424     | TYLER KEMP               |       | \$ -         | \$ 48.13     | \$ 48.13     |
| 075244 | 401     | LEWIS CO CIRCUIT CLERK   |       | \$ -         | \$ 49.19     | \$ 49.19     |
| 075245 | 712     | LANGUAGE LINE SERVICES   |       | \$ -         | \$ 259.35    | \$ 259.35    |
| 075246 | 711     | BARBARA J. MILLER        |       | \$ -         | \$ 141.00    | \$ 141.00    |
| 075247 | PAYROLL | HELEN M. MORRIS, TRUSTEE |       | \$ -         | \$ 150.00    | \$ 150.00    |
| 075248 | PAYROLL | NATIONWIDE RETIREMENT    |       | \$ -         | \$ 749.00    | \$ 749.00    |
| 075249 | 424     | NEOPOST USA INC.         |       | \$ -         | \$ 381.14    | \$ 381.14    |
| 075250 | 425     | OFFICEMAX                |       | \$ -         | \$ 58.29     | \$ 58.29     |
| 075251 | 404     | PIFER OFFICE SUPPLY, INC |       | \$ -         | \$ 21.80     | \$ 21.80     |
| 075252 | 425     | POTOMAC EDISON/OH        |       | \$ -         | \$ 17.78     | \$ 17.78     |
| 075252 | 425     | POTOMAC EDISON/OH        |       | \$ -         | \$ 2,038.10  | \$ 2,038.10  |
| 075253 | 401     | RONALD PEARSE EdD        |       | \$ -         | \$ 150.00    | \$ 150.00    |
| 075254 | 401     | RICOH USA, INC./GA       |       | \$ -         | \$ 252.73    | \$ 252.73    |
| 075254 | 403     | RICOH USA, INC./GA       |       | \$ -         | \$ 287.58    | \$ 287.58    |

|              |         |                          |  |                     |                      |                      |
|--------------|---------|--------------------------|--|---------------------|----------------------|----------------------|
| 075254       | 404     | RICOH USA, INC./GA       |  | \$ -                | \$ 123.90            | \$ 123.90            |
| 075254       | 405     | RICOH USA, INC./GA       |  | \$ -                | \$ 423.90            | \$ 423.90            |
| 075254       | 406     | RICOH USA, INC./GA       |  | \$ -                | \$ 123.90            | \$ 123.90            |
| 075254       | 425     | RICOH USA, INC./GA       |  | \$ -                | \$ 48.10             | \$ 48.10             |
| 075254       | 433     | RICOH USA, INC./GA       |  | \$ -                | \$ 197.41            | \$ 197.41            |
| 075254       | 440     | RICOH USA, INC./GA       |  | \$ -                | \$ 197.41            | \$ 197.41            |
| 075254       | 700     | RICOH USA, INC./GA       |  | \$ -                | \$ 295.90            | \$ 295.90            |
| 075254       | 712     | RICOH USA, INC./GA       |  | \$ -                | \$ 267.08            | \$ 267.08            |
| 075255       | 405     | SPECIALTY BUS SUPPLIES   |  | \$ -                | \$ 932.89            | \$ 932.89            |
| 075256       | 704     | WV REGIONAL JAIL &       |  | \$ -                | \$ 110,396.00        | \$ 110,396.00        |
| 075257       | PAYROLL | SHERIFF OF JEFFERSON CO  |  | \$ -                | \$ 10,006.92         | \$ 10,006.92         |
| 075257       | PAYROLL | SHERIFF OF JEFFERSON CO  |  | \$ -                | \$ 57.48             | \$ 57.48             |
| 075257       | PAYROLL | SHERIFF OF JEFFERSON CO  |  | \$ -                | \$ 13.44             | \$ 13.44             |
| 075257       | PAYROLL | SHERIFF OF JEFFERSON CO  |  | \$ -                | \$ 42,787.72         | \$ 42,787.72         |
| 075257       | PAYROLL | SHERIFF OF JEFFERSON CO  |  | \$ -                | \$ 43.41             | \$ 43.41             |
| 075257       | PAYROLL | SHERIFF OF JEFFERSON CO  |  | \$ -                | \$ 40,460.60         | \$ 40,460.60         |
| 075258       | PAYROLL | SHERIFF OF JEFFERSON CO  |  | \$ -                | \$ 22.16             | \$ 22.16             |
| 075258       | PAYROLL | SHERIFF OF JEFFERSON CO  |  | \$ -                | \$ 30,653.03         | \$ 30,653.03         |
| 075259       | PAYROLL | WV DEPUTY SHRF RETIREMEN |  | \$ -                | \$ 14,159.98         | \$ 14,159.98         |
| 075259       | PAYROLL | WV DEPUTY SHRF RETIREMEN |  | \$ -                | \$ 10,029.99         | \$ 10,029.99         |
| 075260       | 700     | STAPLES - CONTRACT       |  | \$ -                | \$ 204.20            | \$ 204.20            |
| 075261       | 717     | S & S MOTOR PARTS        |  | \$ -                | \$ 1,758.24          | \$ 1,758.24          |
| 075262       | 700     | TOC/TACTICAL OPERATIONS  |  | \$ -                | \$ 100.00            | \$ 100.00            |
| 075263       | 405     | THOMSON REUTER - WEST    |  | \$ -                | \$ 2,241.66          | \$ 2,241.66          |
| 075264       | 401     | WV ASSOCIATION/COUNTIES  |  | \$ -                | \$ 80.00             | \$ 80.00             |
| 075265       | PAYROLL | WV PUB EMP RETIRE SYS    |  | \$ -                | \$ 24,764.29         | \$ 24,764.29         |
| 075265       | PAYROLL | WV PUB EMP RETIRE SYS    |  | \$ -                | \$ 67.01             | \$ 67.01             |
| 075265       | PAYROLL | WV PUB EMP RETIRE SYS    |  | \$ -                | \$ 22.34             | \$ 22.34             |
| 075265       | PAYROLL | WV PUB EMP RETIRE SYS    |  | \$ -                | \$ 74,292.81         | \$ 74,292.81         |
| 075266       | PAYROLL | WV BUREAU OF EMPLOYMENT  |  | \$ -                | \$ 953.97            | \$ 953.97            |
| 075267       | 440     | WV STATE FIRE COMMISSION |  | \$ -                | \$ 150.00            | \$ 150.00            |
| 075268       | PAYROLL | WV PUB EMP RETIRE SYS    |  | \$ -                | \$ 1,296.39          | \$ 1,296.39          |
| 075268       | PAYROLL | WV PUB EMP RETIRE SYS    |  | \$ -                | \$ 2,916.88          | \$ 2,916.88          |
| 075269       | 402     | XEROX BUSINESS SRVCS LLC |  | \$ -                | \$ 1,080.00          | \$ 1,080.00          |
|              |         |                          |  |                     |                      |                      |
| <b>TOTAL</b> |         |                          |  |                     |                      | <b>\$ 442,982.21</b> |
| <b>TOTAL</b> |         |                          |  | <b>\$ 16,800.00</b> | <b>\$ 426,182.21</b> | <b>\$ 442,982.21</b> |

**Motion by Ms. Noland to approve the Accounts Payable for October 22, 2015 in the amount of \$442,982.21. Motion seconded and unanimously approved.**

| CHCKNO       | DEPT | VENDOR                     | PONUM | POAMT | NOAMT         | CHECK AMOUNT  |
|--------------|------|----------------------------|-------|-------|---------------|---------------|
| 075271       | 428  | ACCURATE SYSTEMS           |       |       | \$ 4,200.00   | \$ 4,200.00   |
| 075272       | 717  | ALL STAR AUTO GLASS        |       |       | \$ 265.00     | \$ 265.00     |
| 075273       | 425  | BLUE RIDGE GARAGE DOORS    |       |       | \$ 250.00     | \$ 250.00     |
| 075274       | 424  | BOLAND SERVICES            |       |       | \$ 270.00     | \$ 270.00     |
| 075274       | 425  | BOLAND SERVICES            |       |       | \$ 1,325.00   | \$ 1,325.00   |
| 075275       | 401  | 201 N GEORGE ST LLC        |       |       | \$ 9,638.92   | \$ 9,638.92   |
| 075276       | 712  | FRONTIER WV INC            |       |       | \$ 380.00     | \$ 380.00     |
| 075277       | 425  | DAYCON                     |       |       | \$ 176.04     | \$ 176.04     |
| 075278       | 711  | GUEST SERVICES             |       |       | \$ 125.20     | \$ 125.20     |
| 072579       | 715  | JEFFERSON CO EMERG SERV    |       |       | \$ 650,000.00 | \$ 650,000.00 |
| 075280       | 413  | JEFFERSON PUBLISH CO       |       |       | \$ 35.38      | \$ 35.38      |
| 075281       | 712  | ROBERT E JONES III         |       |       | \$ 1,000.00   | \$ 1,000.00   |
| 075282       | 405  | MATTHEW BENDER & CO        |       |       | \$ 985.36     | \$ 985.36     |
| 075283       | 424  | NEOPOST MIDATLANTIC        |       |       | \$ 438.94     | \$ 438.94     |
| 075284       | 425  | OFFICEMAX                  |       |       | \$ 4,024.79   | \$ 4,024.79   |
| 075285       | 425  | RCS SECURITY               |       |       | \$ 1,398.40   | \$ 1,398.40   |
| 075286       | 717  | RICE TIRES CO              |       |       | \$ 1,990.80   | \$ 1,990.80   |
| 075287       | 428  | SOFTWARE SYSTEMS INC       |       |       | \$ 392.00     | \$ 392.00     |
| 075288       | 704  | WV REGIONAL JAIL & CORR    |       |       | \$ 7,092.75   | \$ 7,092.75   |
| 075289       | 425  | SHERWIN WILLIAMS           |       |       | \$ 44.65      | \$ 44.65      |
| 075290       | 712  | TELTRONIC                  |       |       | \$ 916.00     | \$ 916.00     |
| 075291       | 405  | THOMSON REUTER - WEST      |       |       | \$ 1,707.25   | \$ 1,707.25   |
| 075292       | 716  | WV BOARD OF VETERINARY MED |       |       | \$ 50.00      | \$ 50.00      |
|              |      |                            |       |       |               |               |
| <b>TOTAL</b> |      |                            |       |       |               | \$ 686,706.48 |
| <b>TOTAL</b> |      |                            |       | \$ -  | \$ 686,706.48 | \$ 686,706.48 |

**Motion by Ms. Noland to approve the Accounts Payable for October 29, 2015 in the amount of \$686,706.48. Motion seconded and unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

|                  |         |        |        |
|------------------|---------|--------|--------|
| MAGISTRATE COURT |         |        |        |
| OO5              |         |        |        |
| Date             | Check # | VENDOR | Amount |

|                           |                |                         |                    |
|---------------------------|----------------|-------------------------|--------------------|
| 10/23/2015                | 323            | SHERIFF OF JEFFERSON CO | \$ 3,750.00        |
|                           |                |                         |                    |
|                           |                |                         |                    |
|                           |                |                         |                    |
| <b>DOG &amp; KENNEL</b>   |                |                         |                    |
| <b>008</b>                |                |                         |                    |
| <b>Date</b>               | <b>Check #</b> | <b>VENDOR</b>           | <b>Amount</b>      |
| 10/23/2015                | 229            | VALLEY EQUINE ASSOC.    | \$ 61.00           |
|                           |                |                         |                    |
|                           |                |                         |                    |
|                           |                |                         |                    |
| <b>DRUG FORFEITURE</b>    |                |                         |                    |
| <b>074</b>                |                |                         |                    |
| <b>Date</b>               | <b>Check #</b> | <b>VENDOR</b>           | <b>Amount</b>      |
| 10/23/2015                | 344            | DEBORAH JARVIS          | \$ 105.00          |
|                           |                |                         |                    |
|                           |                |                         |                    |
|                           |                |                         |                    |
| <b>ASSESSOR VALUATION</b> |                |                         |                    |
| <b>056</b>                |                |                         |                    |
| <b>Date</b>               | <b>Check #</b> | <b>VENDOR</b>           | <b>Amount</b>      |
| 10/23/2015                | 561            | PANDA CONSULTING        | \$ 1,250.00        |
|                           |                |                         |                    |
|                           |                |                         |                    |
| <b>TOTAL</b>              |                |                         | <b>\$ 5,166.00</b> |

**Motion by Mr. Bell to approve the Manual Checks for October 22, 2015 in the amount of \$5,166.00. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:**

Meghan Flynn, resident and employee at the National Humane Education Society – spoke in favor of the dog tethering ordinance and thanked all of the employees involved in drafting the ordinance.

Daniel Lutz, resident – spoke against House Resolution 1599, stating that the Commissioners should not support the bill because it would be disastrous for local farmers and markets.

David Tabb, resident – voiced his frustrations with the Commission concerning the flag display issue, among other things.

Paul Rosa, resident – spoke in support of the Resolution for the December 12<sup>th</sup> school levy, urging citizens to inform themselves about the levy and also provide their support.

**PRESENTATIONS**

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

| NAME           | TYPE | DISTRICT | TICKET # | AMOUNT  |
|----------------|------|----------|----------|---------|
| Jason Kowalski | RE   | CTC      | 8620     | \$79.91 |

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

| NAME                  | TYPE | DISTRICT  | TICKET # | AMOUNT  |
|-----------------------|------|-----------|----------|---------|
| Lawrence W. Ring, III | RE   | Middleway | 22616    | \$89.51 |

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

| NAME             | TYPE | DISTRICT  | TICKET # | AMOUNT   |
|------------------|------|-----------|----------|----------|
| Lawrence W. Ring | RE   | Middleway | 22615    | \$103.65 |

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

2. Pete Dougherty, Sheriff - requested the following:

- a. Transfer of \$16,000 in Capital Expenses that has been previously identified for vests and allow it to be used for vehicle purchases;

- b. Allow the Sheriff to either sell or trade in a 2010 Jeep currently used as an undercover vehicle and use the proceeds to either reduce costs or use the money for vehicles;
  - c. Allow the Sheriff to have the proceeds of the settlement for the total loss of Sgt. Boyce's vehicle that was totaled as a result of an accident on October 16, 2015;
  - **Motion by Mr. Bell to approve the transfer of \$16,000 in Capital Expenses that had been previously marked for vests and allow it to be used for vehicle purchases; allow the Sheriff to sell or trade the 2010 Jeep currently used as an undercover vehicle and use the proceeds towards the purchase of new vehicles; and allow the Sheriff to retain the proceeds of the settlement for the total loss of Sgt. Boyce's vehicle which was totaled as a result of an accident on October 16, 2015. Motion seconded and unanimously approved.**
  - d. Provide an additional \$16,000 into the Sheriff's Capital Expenses to be used for vehicle purchases.
    - It was the consensus of the Commission to postpone action on this request until the Commission was made aware of the amount of the settlement for the loss of Sgt. Boyce's vehicle.
3. Chris Brosan, The Humane Society of the United States, and Denise Lambiotte, Jefferson County Animal Control Supervisor – requested the Commission establish Commercial Breeder License Fees in Jefferson County.
- **Motion by Mr. Pellish to task the County Administrator with researching whether an ordinance needs to be developed to set the fees for Commercial Breeding Licenses. Motion seconded and unanimously approved.**
4. Decision for a Resolution supporting an adequate Purse Fund sufficient to sustain year-round, live thoroughbred horse racing at the Hollywood Casino at Charles Town Races.
- **Motion by Mr. Bell to remove "adequate" from the last paragraph of the Resolution. Motion seconded.**
  - **Motion by Mr. Pellish to reaffirm the Resolution passed in January of 2015. Motion seconded.**
  - **Motion by Ms. Noland to postpone action on this item until Thursday, November 19, 2015 and to direct the County Administrator to work with the HBPA to craft a Resolution the Commission can support. Motion seconded and unanimously approved.**

5. The Commission recessed for break at 10:50 am.  
The Commission reconvened at 11:00 am.
6. Nathan Cochran, Assistant Prosecuting Attorney
  - a. Decision on the Jefferson County Dog Tethering and Confinement Ordinance
    - **Motion by Mr. Manuel to approve the Jefferson County Dog Tethering and Confinement Ordinance as presented, effective December 1, 2015. Motion seconded and unanimously approved.**
  - b. Legal Update on Jefferson County Civil Action 13-C-432
    - **Motion by Ms. Noland to enter into Executive Session to discuss pending litigation. Motion seconded and unanimously approved.**
    - **Motion by Ms. Tabb to come out of Executive Session. Motion seconded and unanimously approved.**
7. Roger Goodwin, Chief County Engineer – requested the Commission rescind the Notice-of-Award to Remac America, Inc. in the Property Safety Enforcement Agency Case 12-002 (Williams)
  - **Motion by Mr. Bell to find the contractor (Remac America, Inc.) in default of the requirements of the Notice-of-Award and to therefore annul the Notice-of-Award to Remac America, Inc., for Property Safety Case 12-002, and find their Bid null and void. Motion seconded and unanimously approved.**
  - **Motion by Mr. Bell to issue a Notice-of-Award to Pittsnogle, LLC, in the amount of \$5,782 and to authorize staff to move forward with contracting with Pittsnogle, LLC to carrying out the work required for Property Safety Case 12-002 (Williams). Motion seconded and unanimously approved.**
  - **Motion by Mr. Bell to authorize additional funding for this project in the amount of \$560.00, contingent upon the Finance Director demonstrating that the additional funding is available. Motion seconded and unanimously approved.**
8. Jennifer Brockman, Director of Planning and Zoning – provided a recommendation from the Planning Commission to the County Commission to amend various sections of the Subdivision and Land Development Regulation pertaining to the Major/Minor Site Plan and Subdivision Processes.

- It was the consensus of the Commission to schedule a public hearing to receive input on the proposed redlined edits to the Jefferson County Subdivision Regulations (File #STA15-05) on Thursday, November 19, 2015 at 1:30 pm.
9. Resolution to support the December 12, 2015 Special Election for the Excess Levy.
- **Motion by Mr. Manuel to approve the Resolution to support the December 12, 2015 Special Election for the Excess Levy. Motion seconded.**
  - **Motion by Ms. Tabb to amend Mr. Manuel’s motion to include alternate wording in the final paragraph of the Resolution to state, “*And having the school levy in place positions the Jefferson County Schools advantageously to apply...*” Motion seconded.**
  - **Motion by Mr. Manuel to postpone this item until the Special Session on Thursday, November 5, 2015. Motion seconded and unanimously approved.**
10. Proclamation for Keryn Newman
- **Motion by Mr. Manuel to support the Proclamation for Keryn Newman. Motion seconded and unanimously approved.**
11. Discuss making a recommendation to Governor Earl Tomblin for the Chesapeake and Ohio Canal National Historical Park Commission.
- **Motion by Ms. Noland to advertise for nominees for a position with the Chesapeake and Ohio Canal National Historical Park Commission. Motion seconded and unanimously approved.**
12. Reappointment of Pete Kelley to the NEREMS, Inc. Board for one two-year term ending October 31, 2017.
- **Motion by Ms. Tabb to reappoint Pete Kelley to the NEREMS, Inc. Board for one two-year term ending October 31, 2017. Motion seconded and unanimously approved.**
13. Orion Strategies/Coalition for Safe, Affordable Food – Request to Endorse Statement of Support for National Food Labeling Standards.
- **Motion by Mr. Manuel to postpone this item indefinitely. Motion seconded and unanimously approved.**

## **COUNTY ADMINISTRATOR REPORTS**

- Agenda for the November 5, 2015 Legislative Summit – Ms. Grove presented to the Commission the agenda for the November 5, 2015 legislative summit for their review and approval. Aside from a change in wording for one of the items, the Commission provided their approval of the agenda as presented.
- Options for the Annual Employee Holiday Celebration – Ms. Grove inquired as to whether the Commission would like to continue having an employee holiday breakfast or explore alternatives. It was the consensus of the Commission to hold an employee holiday luncheon at the County Commission meeting room in December at a date yet to be determined.
- End of Summer Employee Cookout – Ms. Grove stated the IT Department would like to sponsor and end-of-summer employee cookout on Thursday, November 5, 2015. The Commission provided their consent for this event.

## **COUNTY COMMISSION REPORTS**

### Patsy Noland

- Attended multiple meetings with PSD staff and board members.
- Attended a CVB meeting.
- Participated in a WVACO conference call.

### Jane Tabb

- Attended the Public Services banquet.
- Attended the JCESA Promotion Ceremony.
- Attended the HSEM Quarterly Partnership luncheon.
- Attended a JCESA meeting.
- Hosted an Ag Module.

### Dale Manuel

- Attended a retirement celebration for Mickey Johnson from the Charles Town Kiwanis Club.
- Attended a work session with the WVDOH at North Middle School.
- Attended a Jefferson Center meeting.
- Attended a Jefferson County Council on Aging meeting.
- Attended a Water Advisory Committee meeting.
- Attended a Parks and Recreation meeting.
- Attended the Paws and Claws banquet for the Jefferson County Animal Welfare Society.
- Attended the Voices Against Domestic Violence Art Show at Middleway.
- Attended a Planning Commission meeting.

### Eric Bell

- Attended a Workforce Region 7 meeting.

- Attended multiple functions for the Juvenile Drug Court.
- Attended a Board of Health Special Session.

Walt Pellish

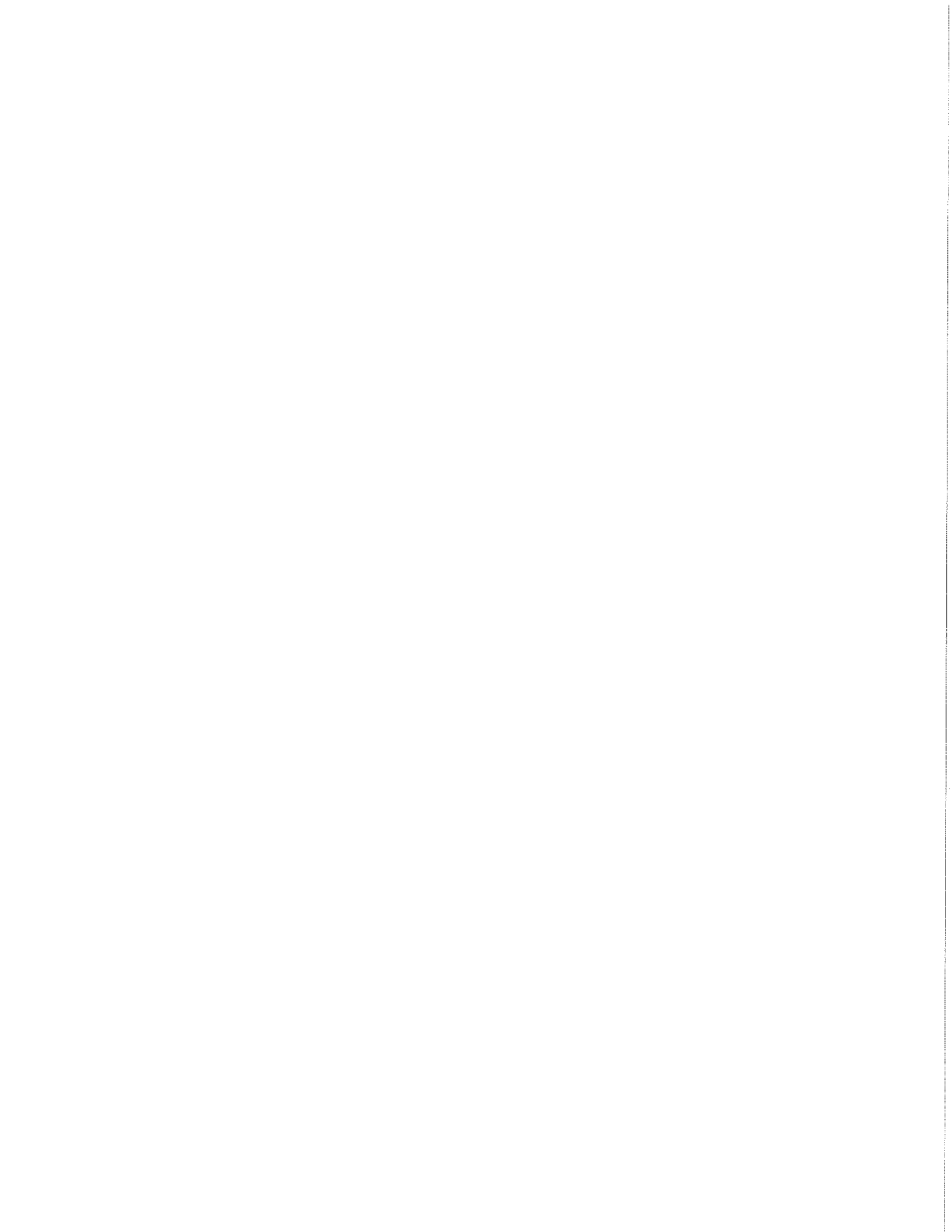
- Attended a Development Authority meeting.
- Spoke in support of the School Board excess levy.

14. The Commission meeting adjourned at 12:10 pm on a motion by Ms. Tabb. Motion was seconded and unanimously approved.

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JANE M. TABB, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant



**SPECIAL SESSION:**

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

At a Special Session of the County Commission of said County and State continued and held at County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414 on November 5, 2015 at 9:30 am (An audio file of the November 5, 2015 meeting is available through the Jefferson County Commission Office.)

**PRESENT:** Jane Tabb, President  
Patsy Noland, Vice President  
Eric Bell, Commissioner  
Dale Manuel, Commissioner  
Walt Pellish, Commissioner  
Senator Herb Snyder  
Senator John Unger  
Stephen Skinner, Delegate for the 67<sup>th</sup> District  
Paul Espinosa, Delegate for the 66<sup>th</sup> District  
Stephanie Grove, County Administrator  
Jessica Carroll, Executive Administrative Assistant

**RE: 2015 Jefferson County Legislative Summit**

Commissioner Tabb called the meeting to order at 9:32 am, and Commissioner Pellish led the Pledge of Allegiance.

The Commission, senators, and delegates gathered to discuss the Jefferson County legislative priorities for 2016. The Commission stated the following as their top priorities, in no particular order:

- Cost Sharing for Regional Jail fees
- Consolidation of Fire and Emergency Medical Service Fees.
- Protection and Preservation of the County's horse racing industry
- Legislation requiring all county elected officials to adhere to County Commission personnel policies.
- Legislation regarding the transport and storage of unclaimed, deceased bodies.
- Legislation regarding the issue of puppy mills.
- Legislation for infrastructure and the consolidation of facilities for sustainable water and sewer services.
- Possible amendment to WV State Code Chapter 7, Article 1, Section 3ff allowing a county fire chief to designate another member of a county fire company to serve as a member of the Property Safety Enforcement Agency when a county fire chief is unable or unwilling to serve.
- Opposition to the potential reductions of concealed weapons permit fees.
- Donation of land to non-profit organizations (Animal Welfare Society)

2. Approval of Contract for Fiscal Year 2015 Audit

- **Motion by Ms. Noland to approve the contract with Perry & Associates, CPAs, A.C. for the FY15 Audit as presented by Ms. Grove. Motion seconded and unanimously approved.**

3. Resolution in Support of the December 12, 2015 School Levy

- **Motion by Mr. Manuel to move the revised Resolution before the body. Motion seconded and unanimously approved.**
- **Motion by Mr. Manuel to approve the revised Resolution as presented. Motion seconded and unanimously approved.**

The Commission thanked the participating legislators for their time and attention and directed staff to compose a brief summary letter to send to all members of the Jefferson County legislature to restate their priorities for the coming session.

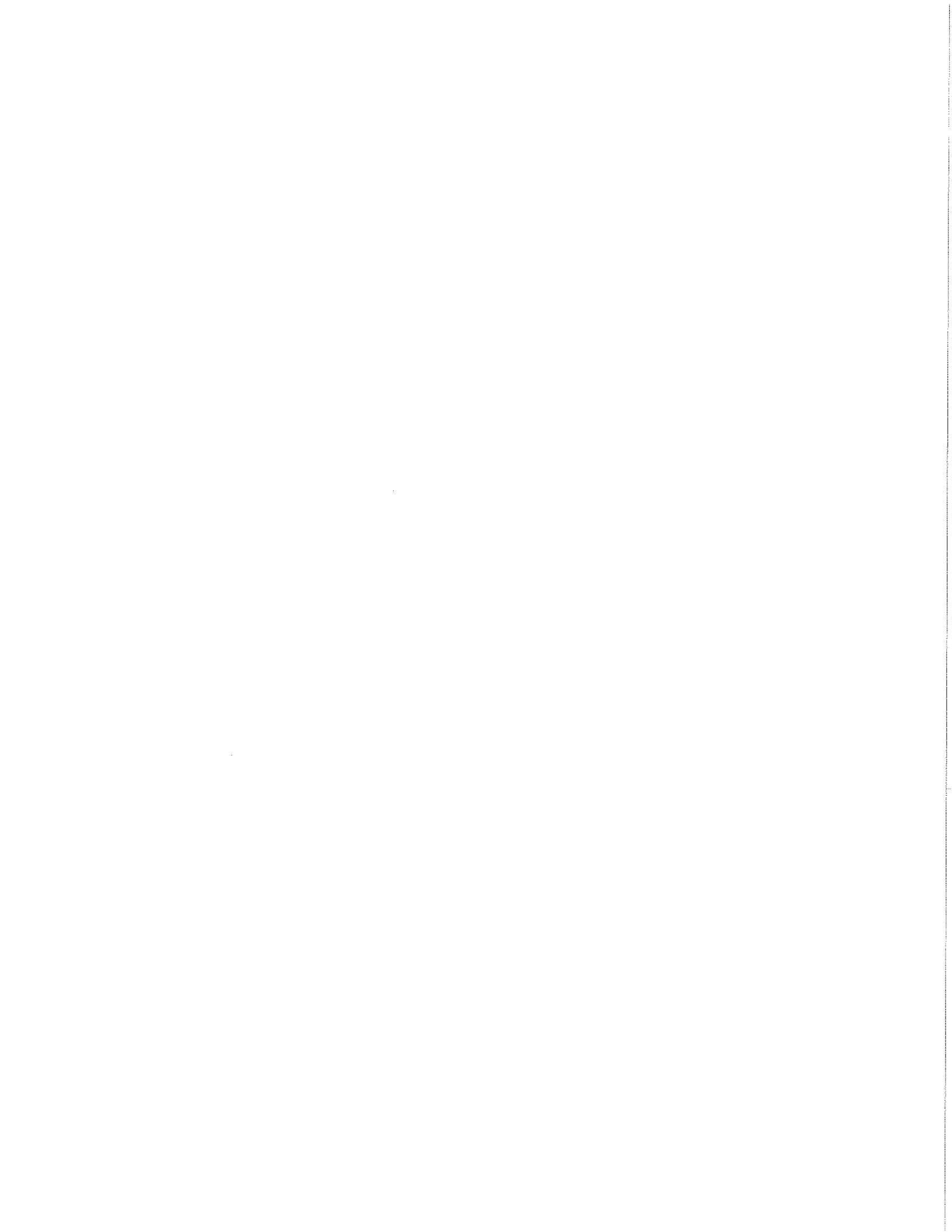
The meeting was adjourned at 12:45 pm on a motion by Mr. Manuel. Motion was seconded and unanimously approved.

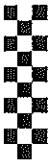
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JANE M. TABB, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant

| DESCRIPTION                 | Fund 001 CO.         | Fund 003 Dog | Total                |
|-----------------------------|----------------------|--------------|----------------------|
| Gross Wages                 | \$ 360,586.48        |              | \$ 360,586.48        |
| 6.2% Tax Payable OASDI      | \$ 21,492.26         |              | \$ 21,492.26         |
| 1.45% Tax Payable HI        | \$ 5,026.43          |              | \$ 5,026.43          |
| Fed Withholding             | \$ 40,349.00         |              | \$ 40,349.00         |
| WV State Withholding        | \$ 15,142.54         |              | \$ 15,142.54         |
| PERS Retirement Deduct      | \$ 12,818.79         |              | \$ 12,818.79         |
| Hosp. Pre-Tax               | \$ 11,360.00         |              | \$ 11,360.00         |
| Cancer/ICU Pre-Taxed        | \$ 1,084.59          |              | \$ 1,084.59          |
| Cancer/ICU Not Pre-Taxed    | \$ 839.15            |              | \$ 839.15            |
| Optional Life Not Pre-Taxed | \$ 2,153.50          |              | \$ 2,153.50          |
| Christmas Club              | \$ 5,510.00          |              | \$ 5,510.00          |
| Wage Attach #1              | \$ 1,311.70          |              | \$ 1,311.70          |
| Wage Attach #2              |                      |              | \$ -                 |
| Wage Attach #3              | \$ 212.31            |              | \$ 212.31            |
| Wage Attach #4              |                      |              | \$ -                 |
| DSRS Retirement Deduct 8.5% | \$ 5,067.66          |              | \$ 5,067.66          |
| 457 - Nationwide            | \$ 749.00            |              | \$ 749.00            |
| 457I - ING                  | \$ 3,035.00          |              | \$ 3,035.00          |
| MD State Tax                | \$ 582.30            |              | \$ 582.30            |
| D/VF                        | \$ 1,493.82          |              | \$ 1,493.82          |
| VA. State Tax               | \$ 69.19             |              | \$ 69.19             |
| COLONIAL(PLUS)              | \$ 192.71            |              | \$ 192.71            |
| <b>Total Deductions</b>     | <b>\$ 128,489.95</b> | <b>\$ -</b>  | <b>\$ 128,489.95</b> |
| <b>Net Wages Total</b>      | <b>\$ 232,096.53</b> | <b>\$ -</b>  | <b>\$ 232,096.53</b> |
| Payroll Date                | 5-Nov-2015           |              |                      |





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



Name: Peter Dougherty

Department or Organization: JCSO

Estimation of amount of time needed for appointment: .5 min

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

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

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

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

Please provide the County Commission with a description of your request or presentation, including any background information:  
**Lt. Hansen's retirement created a vacancy within the department. We have chosen Bryan McCusker from the list of eligible applicants to fill the vacancy. Mr. McCusker has completed the necessary pre-requisites, signed a conditional offer letter, and has been deemed eligible for hire by the Civil Service Commission.**

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

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): **I move to approve the hire of Bryan McCusker for the position of Deputy.**

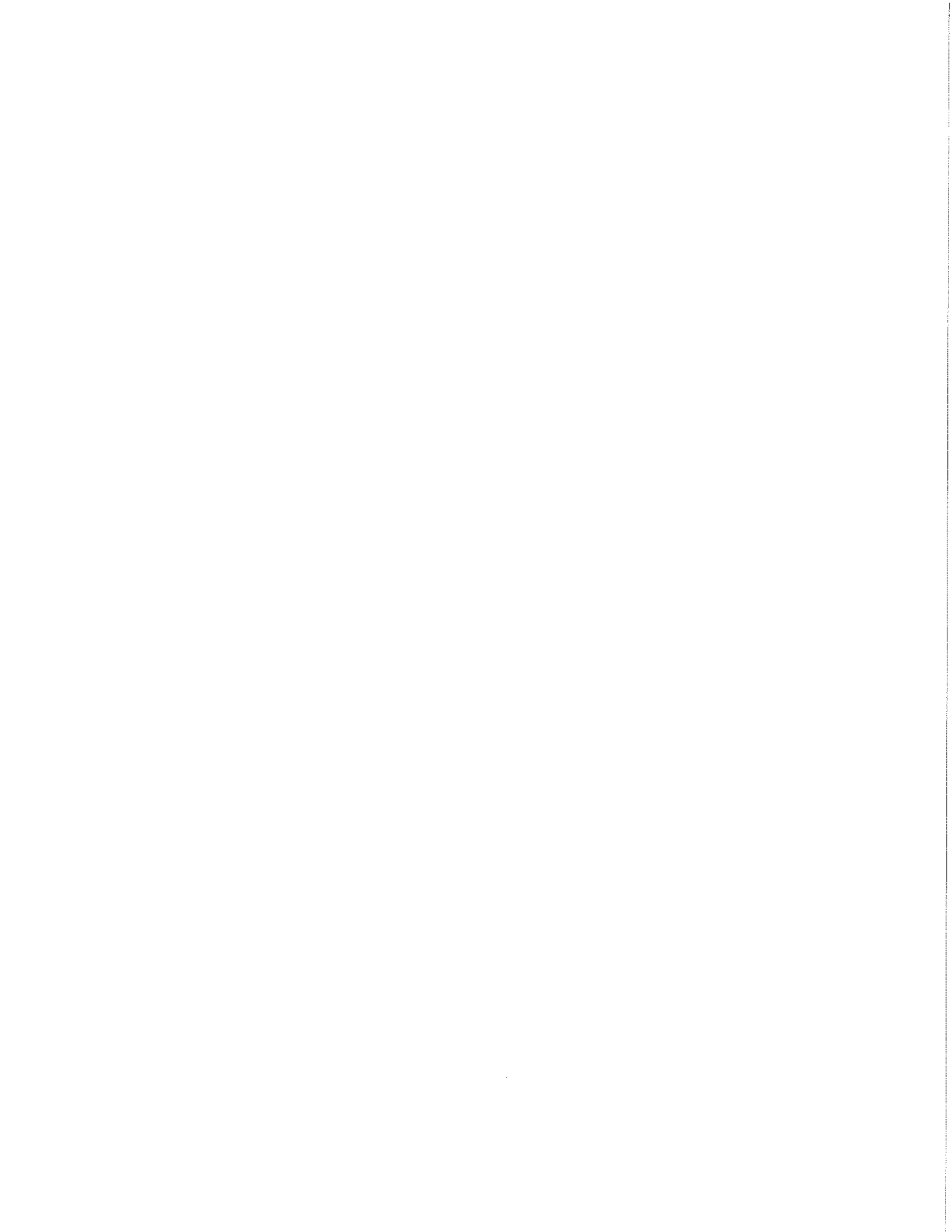
Attach supporting documents for request, or request may be denied.  
If not attached, explain:

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

Contact information:  
Email address: pdougherty@jcsdww.com    Phone Number: 304-728-3205

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

Click here to enter text.



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



Name: Peter Dougherty

Department or Organization: JCSO

Estimation of amount of time needed for appointment: 5 min

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

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

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

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

Please provide the County Commission with a description of your request or presentation, including any background information:  
I have received some bailiff resignations, therefore I would like to add Matthew Harper and Larry Thompson to the eligible list of individuals available to serve as Bailiffs/Trip Guards.

Is this a funding request? Y/N

If so, how much? \$

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): I move to approve the hire of Matthew Harper and Larry Thompson to the position of Bailiff/Trip Guard.

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

If not attached, explain:

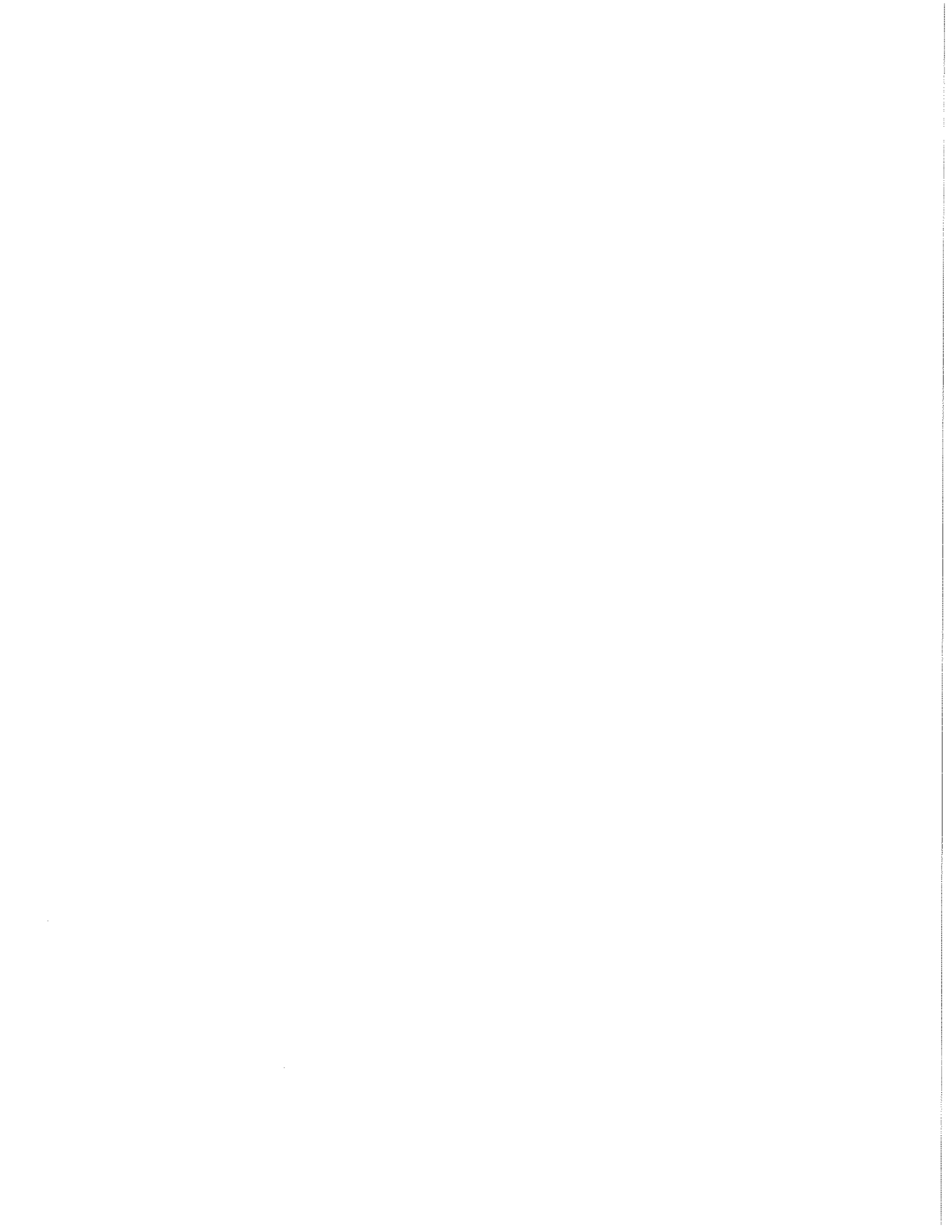
Is equipment needed? Projector Y/N Internet/Wi Fi Y/N Telephone for conference call Y/N

Contact information:

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

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

Click here to enter text.





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

Name: **Nancy Strine**

Department or Organization: **Community Development Administrator**

Estimation of amount of time needed for appointment:

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

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

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

Subject (*Wording to be placed on agenda*): **Approval of the 3 year Eastern Panhandle HOME Consortium Agreement and Resolution**

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

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

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

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

**Motion to approve the 3 year Eastern Panhandle HOME Consortium Agreement and Resolution**

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.

## Jessica Carroll

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**From:** Nancy Strine [NStrine@cityofmartinsburg.org]  
**Sent:** Wednesday, October 14, 2015 4:23 PM  
**To:** Jessica Carroll; sandy@jeffersoncountywv.org  
**Subject:** Eastern Panhandle HOME Consortium Board

Dear Jessica and Sandy,

I have been meaning to touch base with you. Jefferson County has 3 members on the Consortium from Jefferson County. Annette Van Hilst, Marie Galazzi, and Commissioner Dale Manual. Commissioner Manual has never attended a meeting since I have been here. I am just curious if Commissioner Manual would like to continue to serve on the HOME Consortium Board. I was hoping he would attend periodically.

Here's the HOME consortium by-laws concerning attendance:

### **VIII. ATTENDANCE:**

Attendance is required of all representatives at the meetings. If a member misses more than one consecutive meeting without notifying the HOME Administrator for an excused absence, the HOME Administrator will notify the member jurisdiction of the respective representative's unexcused absences and request a new appointee to replace that representative.

Thank you!

Sincerely,  
Nancy

### ***Nancy Strine***

Community Development Administrator  
City of Martinsburg  
232 North Queen Street  
Martinsburg, WV 25401  
Tel 304-264-2131 x 278  
Fax 304-264-2136  
[nstrine@cityofmartinsburg.org](mailto:nstrine@cityofmartinsburg.org)

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**From:** Nancy Strine  
**Sent:** Wednesday, October 14, 2015 3:59 PM  
**To:** 'Jessica Carroll'  
**Cc:** 'sandy@jeffersoncountywv.org'  
**Subject:** Renew HOME HAP 3 year agreement and resolution

Good afternoon Jessica,

Hope this finds you well.

It is time to renew our 3 year Eastern Panhandle HOME Consortium Agreement. I have included the resolution for Jefferson County to participate for the next 3 years and the actual 3 year agreement for you to add to a Commission meeting.

If you need me to attend, I will be happy to do so. I had to go into November now as I have other meetings to attend in October that conflict with your schedule.

I am attending Bolivar's meeting; City of Shepherdstown; and Town of Bolivar. Harpers Ferry had it on their agenda this week and Ranson has it on theirs for next week.

I am going to be on vacation next week so thought I should get this in sooner than later.

If you need anything else, please do hesitate to let me know.

Sincerely,  
Nancy

***Nancy Strine***

Community Development Administrator  
City of Martinsburg  
232 North Queen Street  
Martinsburg, WV 25401  
Tel 304-264-2131 x 278  
Fax 304-264-2136  
[nstrine@cityofmartinsburg.org](mailto:nstrine@cityofmartinsburg.org)

## RESOLUTION

**A RESOLUTION OF THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA AUTHORIZING PARTICIPATION IN THE EASTERN PANHANDLE HOME CONSORTIUM OF WEST VIRGINIA FOR THE PERIOD OF JULY 1, 2016 TO JUNE 30, 2018.**

**WHEREAS**, TITLE II of the National Affordable Housing Act of 1990 provides for the creation of the HOME Investment Partnership Program (hereinafter referred to as "HOME"); and

**WHEREAS**, the HOME regulations promulgated by the U.S. Department of Housing and Urban Development (HUD) under 24 CFR Part 92 authorizes units of general local government to enter into Housing Consortium Cooperation Agreements; and

**WHEREAS**, there is a need throughout the Eastern Panhandle of West Virginia to provide affordable housing for the low and moderate income residents; and

**WHEREAS**, the City of Martinsburg, County of Berkeley, Town of Hedgesville, County of Jefferson, Town of Bolivar, City of Charles Town, Town of Harpers Ferry, City of Ranson, City of Shepherdstown, County of Morgan, Town of Bath, Town of Paw Paw, West Virginia, have formed a Consortium that has been designated as a Participating Jurisdiction under the HOME Program, thereby entitling the Consortium to seek annual funding; and

**WHEREAS**, the Eastern Panhandle HOME Consortium is required to seek designation as a HOME Consortium Agreement for the period FY 2016, FY 2017, and FY 2018 in order to seek annual funding; and

**WHEREAS**, the County Commission of Jefferson County entered into a three (3) year Housing Consortium Cooperation Agreement; and

**WHEREAS**, the County Commission of Jefferson County recognizes the need to obtain funding for affordable housing and has identified the HOME Program as a source of funds to meet this need.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF JEFFERSON, WEST VIRGINIA THAT:**

1. The County Commission of Jefferson County will cooperate with the City of Martinsburg, County of Berkeley, Town of Hedgesville, County of Jefferson, Town of Bolivar, City of Charles Town, Town of Harpers Ferry, City of Ranson,

City of Shepherdstown, County of Morgan, Town of Bath, Town of Paw Paw, West Virginia, in a Consortium for participation in the HOME Program; and

2. The **President** of the **County Commission of Jefferson County** is hereby authorized to enter into a Cooperation Agreement for the period of July 1, 2016 to June 30, 2018 with the other members which form the Eastern Panhandle HOME Consortium of West Virginia; and
3. A copy of this resolution is to be submitted in the request to US. Department of Housing and Urban Development to approve funding of the Eastern Panhandle HOME Consortium of West Virginia for the above Fiscal Year 2016 HOME Investment Partnership Program.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**BY:**

\_\_\_\_\_  
Jane M. Tabb, Commission President

**ATTEST:**

\_\_\_\_\_  
Jennifer S., Maghan, County Clerk

**HOUSING CONSORTIUM COOPERATION AGREEMENT  
BY AND BETWEEN  
THE CITY OF MARTINSBURG  
AND  
THE COUNTIES OF BERKELEY, JEFFERSON AND MORGAN  
WEST VIRGINIA**

This **three-year AGREEMENT** is entered into between the City of Martinsburg (hereinafter referred to as "City"); and the Berkeley County Commission for and on behalf of Berkeley County, a political subdivision of the State of West Virginia; the Jefferson County Commission for and on behalf of Jefferson County, a political subdivision of the State of West Virginia; and the Morgan County Commission for and on behalf of Morgan County, a political subdivision of the State of West Virginia (hereinafter referred to as "Counties"), and the incorporated communities contained in each of the above said Counties.

**WHEREAS**, Title II of the National Affordable Housing Act of 1990 provides for the creation of the HOME Investment Partnerships Program (hereinafter referred to as "HOME"); and

**WHEREAS**, the HOME regulations established by the U.S. Department of Housing and Urban Development (HUD) at 24 CFR Part 92 authorizes units of general local government to enter into Housing Consortium Cooperation Agreements for three year periods and allows for annual recertification of Consortiums; and

**WHEREAS**, the City and Counties have determined that obtaining funding under the HOME Program as part of a Consortium Participating Jurisdiction will increase their ability to provide affordable housing for their low income constituencies.

**NOW THEREFORE**, the parties to this **AGREEMENT** do hereby agree as follows:

**SECTION I – DEFINITIONS:**

The definitions contained in 24 CFR Part 92, Subpart A., paragraph 92.2 are incorporated herein by reference and made a part hereof, and the terms defined in this section have the meanings given them:

- A. "Act" means Title II, of the Cranston-Gonzalez National Affordable Housing Act of 1990 (Pub. Law 101-625), (42 U.S.C. 12721)
- B. "Consolidated Plan" means the comprehensive planning and application document as set forth in 24 CFR Part 91 and encompasses a local government's housing needs, with a focus on affordable housing for low income families.

- C. "HOME Program" means a procedure established for the use of funds made available from HUD through the Act to carry out multi-year housing strategies through acquisition, rehabilitation and new construction of housing, tenant-based rental assistance, and homebuyer assistance.
- D. "HUD" means the United States Department of Housing and Urban Development.
- E. "Regulations" means 24 CFR Part 92 HOME Investment in Affordable Housing implementing regulations as issued by HUD.
- F. "Member" means a unit of local government which is a signatory to this Agreement and therefore a member of the Consortium for the purpose of carrying out eligible activities under 24 CFR Part 92, (which is the City of Martinsburg, Berkeley County, Jefferson County, and Morgan County).
- G. "Representative Member" means the unit of local government designated hereafter as the one member to act in a representative capacity for all members for the purposes of this agreement. The Representative Member, which is the City of Martinsburg, will be delegated the overall responsibility for ensuring that the Consortium's HOME Program is carried out in compliance with the requirements of 24 CFR Part 92 and will be responsible for the requirements concerning the Consolidated Plan (CP).
- H. "IDIS" means the Integrated Disbursement and Information System (IDIS), HUD's on-line system for draws and reporting for the HOME Program, or any other system that HUD may implement in its place.

**SECTION II – PURPOSE:**

This Agreement is to form a **CONSORTIUM** of four (4) units of general local government geographically located for designation as a **PARTICIPATING JURISDICTION** under the **ACT**, said **PARTICIPATING JURISDICTION** to be known and hereinafter may be referred to as the Eastern Panhandle HOME Consortium of West Virginia.

The signatory parties agree to cooperate in undertaking, or assisting in undertaking housing assistance activities under the HOME Investment Partnerships Program in compliance with HUD regulations and the local Consolidated Plan of the member jurisdictions.

**SECTION III- GENERAL PROVISIONS**

- A. The members agree to cooperate in undertaking or to assist in undertaking housing assistance activities in compliance with the applicable Consolidated Plan and the HOME Program.

- B. The members agree to undertake the development of a Consolidated Plan for each year covered by this Agreement.
- C. The members agree to take affirmative action to further fair housing in their jurisdictions. Such actions may include planning, education and outreach, and enforcement.

**SECTION IV – ADMINISTRATION:**

- A. The City and the Counties, including the incorporated communities in each County, mutually agree that the City of Martinsburg shall act as the Representative Member for all participants in the Eastern Panhandle HOME Consortium for the purposes of the Act.
- B. The City and the Counties, including the incorporated communities in each County, mutually agree that the City of Martinsburg, in its role as Representative Member, is granted the overall responsibility for ensuring that the Eastern Panhandle HOME Consortium's Program is carried out in compliance with the requirements of the HOME Program.
- C. The City and the Counties, including the incorporated communities in each County, shall participate jointly in the development of the Eastern Panhandle HOME Consortium's HOME Program. The Consortium will form a council known as the Eastern Panhandle HOME Consortium Council. Each Member of the Consortium will appoint three (3) representatives to the Council. The City and the Counties will mutually agree and appoint a Chairperson of the Council, who will be in addition to the number of representatives appointed by the Member Jurisdictions.
- E. The HOME Consortium Council will define a strategy and programs in sufficient detail to accommodate the collective and individual needs and priorities of any and all of the Members constituting the Eastern Panhandle HOME Consortium. The Members shall review and approve the strategy and programs for the annual use of HOME funds, as well as, have the opportunity to review and approve any program changes or amendments prior to action being taken by the Representative Member's governing body.
- F. The City and Counties, including the incorporated communities in each County, shall be entitled to the amount of HOME Program funding based on its percentage of the low/moderate income population of the entire Consortium Area, as established by U.S. Census data of the total allocation to the Eastern Panhandle HOME Consortium. Members of the Consortium may elect to combine their allocations to carry out collaborative HOME activities. Any funds allocated to Members but remaining unobligated fifteen (15) months after the initial allocation date will be recaptured and redistributed by the HOME Consortium Council. Any funds recaptured will be offered to the other Members

for reprogramming for eligible activities in accordance with the HOME Program Regulations. The final decision for distribution of these funds will be made by the HOME Consortium Council. If any party terminates this agreement in whole or in part, all work completed and uncompleted on this project will become the property of the remaining parties to this agreement, and the disposition or completion of uncompleted work on the project will become the responsibility of the remaining parties, pursuant to the conditions of this paragraph. Ownership of all personal property acquired by virtue of the execution of or performance under this agreement is vested in the parties, pursuant to the pro-rata share of funds allocated to them, but the parties shall not take legal title to any real property, including, but not limited to, easements.

- G. Nothing in this Agreement will preclude the ability of the City or Counties, including the incorporated communities in each County, either individually or jointly in applying for financial assistance under the State of West Virginia HOME Program. Furthermore, it is expressly agreed and understood that any specific projects eligible for HOME funding may be submitted to the HOME Consortium Council by any Consortium Member, any participating municipality located in Member Counties, any authority, and/or nonprofit housing agency for funding under the Consortium's annual HOME entitlement funds.
- I. Each Member is responsible for submitting in a timely manner to the Representative Member all information necessary for participation in the Eastern Panhandle HOME Consortium as defined in the Regulations. This includes all information necessary for the Consolidated Plan, the Program Description, Certifications, written agreements with sub-recipients and performance reports. The Counties of Berkeley, Jefferson and Morgan will submit this documentation to the City of Martinsburg in order to insure a coordinated effort.
- J. Each Member shall be responsible for any required matching funds for specific eligible projects as determined by HUD submitted by that particular member. However, this does not limit the use of excessive local match from one HOME Member to another, if agreed to by the HOME Consortium Council and the Member which has the excess local match.
- K. Each Member shall be responsible for the following:
  - 1. Appoint three (3) representatives to the Eastern Panhandle HOME Consortium Council.
  - 2. Fill vacancies on the Consortium Council in a timely manner and ensure the attendance of their appointments at meetings.
  - 3. Provide information required for the preparation of revisions to the existing Five Year Consolidated Plan.
  - 4. Conduct an annual housing needs public hearing for the use of HOME funds.

5. Adopt by resolution and renew annually the participation in the Eastern Panhandle HOME Consortium.
  6. Be responsible for determining local housing needs and the use of HOME funds to address those needs.
  7. Provide an annual description of proposed project activities in accordance with the annual budget and distribution of funds.
  8. Provide documentation for matching funds or donations to the HOME Program.
  9. Maintain files and documentation for compliance with Federal regulations and make these files available for review and monitoring by HUD and/or the Representative Member.
  10. Prepare, process and forward requisitions of funds to the Representative Member.
  11. Review and approve any amendment to the Cooperation Agreement.
- L. The Representative Member shall be responsible for the overall administration of the HOME Program and meeting the Federal guidelines. In particular the following are the duties and responsibilities:
1. Provide staff to manage the program.
  2. Revise the existing Five Year Consolidated Plan to include the HOME Program and statistical information on the other consortium members.
  3. Prepare and submit all required notices, plans, performance reports, and documentation as required by HUD.
  4. Ensure that the program and activities are in compliance with the Federal regulations.
  5. Provide the other members with guidelines and policies of the program.
  6. Hold a public hearing on the annual HOME Program and adopt the budgets and activities outlines by the HOME Consortium Council.
  7. Assist the other Consortium members in meeting the Citizen Participation requirements of HUD.
  8. Review and approve all project funding agreements for each activity.
  9. Monitor the other members for compliance with the Federal regulations.
  10. Prepare an environmental review record for the HOME Program and secure the release of funds from HUD for program activities.
  11. Provide guidance and assistance to the other members to ensure compliance with the Federal labor standards.
  12. Prepare and execute all written agreement with sub-recipients and contractors to receive HOME funds.
  13. Maintain files on each project activity for monitoring by HUD.
  14. Prepare and maintain the HOME match log as required by HUD.
  15. Prepare the annual Consolidated Annual Performance Evaluation Report (CAPER) for annual submission to HUD.
  16. Establish and maintain a local HOME fund account including Federal drawdowns and program income.

17. Process Federal drawdowns of funds from the U.S. Treasury for project activities through the IDIS system.
18. Process payment requisitions and requests for funds from the other consortium members for project activities.
19. Prepare an annual budget showing the distribution of HOME funds to each Consortium member.
20. Prepare quarterly reports on expenditures, commitment of funds, and remaining balances for each consortium member and their project activities.
21. Contract for an annual audit of the HOME Program by an outside independent auditing firm.
22. Supervise the closeout of annual grants with HUD.

M. The HOME Consortium Council shall be formed to oversee the program and provide guidance on the use of funds. The specific duties and responsibilities of the Consortium Council is as follows:

1. Each member of the HOME Consortium shall have three (3) representatives to the Consortium Council.
2. Provide guidance and direction in promoting and affirmatively further fair housing in the Eastern Panhandle.
3. Define an overall strategy and programs based on the needs of the Consortium members.
4. Establish priorities for the use of HOME funds.
5. Approve the allocation and distribution of funds among the Consortium members based on the low- and moderate-income population of each member as a percentage of the Eastern Panhandle's total low- and moderate-income population.
6. Reallocate funds that are uncommitted or unobligated after fifteen (15) months after the approval by HUD of the annual HOME grants.
7. Ensure that any required matching funds are provided by the Members or from the non-federal funds portion of HOME assisted projects.
8. Review and approve any amendments to the Cooperation Agreement.
9. Review and approve documentation submitted by non-profit organizations for designation as a local Community Housing Development Organization (CHDO).
10. Monitor and recertify annually any CHDO's.
11. Adopt and assure compliance with affirmative marketing policies and procedures.
12. Approve the annual consolidated Action Plan in regard to the use of HOME funds.

N. In accordance with Section 91.402 of the Consolidated Plan Final Rule, the City of Martinsburg has a Program year that begins on July 1<sup>st</sup> and ends on June 30<sup>th</sup> each year, the HOME funds will also have the same program year start date.

## SECTION IV- AFFIRMATIVE MARKETING POLICIES AND PROCEDURES:

### A. Statement of Policy -

In accordance with the Eastern Panhandle HOME Consortium's, commitment of non-discrimination and equal opportunity in housing, the Consortium hereby establishes procedures to affirmatively market units assisted under the HOME Investment Partnerships Program. These procedures are intended to further the objectives of Title VIII of the Civil Rights Act of 1988 and Executive Order 11063. In addition, the Consortium will abide by and establish a minority outreach program in accordance with 24 CFR 92.350 (a)(5).

The Consortium believes that individuals of similar economic levels in the same housing market area should have available to them a like range of housing choices regardless of their race, color, religion, sex, familial status, disability or national origin. Individuals eligible for public housing assistance or who have minor children should have available to them, a like range of housing choices.

The Consortium will carry out this policy through affirmative marketing procedures designed for the HOME Investment Partnerships Program.

- B. The Consortium will inform the public, potential tenants and owners about its Fair Housing and Affirmative Marketing Policies.

## SECTION V – TERMS OF THE AGREEMENT:

- A. This agreement shall be in effect for a period of one fiscal year, subject to annual renewal for any additional period of time needed to complete all phases of the project, each of which annual renewal periods shall be limited to one fiscal year; provided that, in addition to the right of non-renewal, all parties hereto shall have the right to terminate this agreement on any 12-month anniversary of the date of this agreement by giving to the other parties 30 days' written notice of such termination. It is the City's the Counties' intentions to remain members of the Consortium for the period necessary to carry out all activities that will be funded from the three **Federal Fiscal Years 2016, 2017 and 2018** provided that the Consortium qualifies as a participating jurisdiction under the Home Investment Partnerships Program, by approval of annual renewals of this agreement, and subject to said renewals will take necessary steps to provide budget allocations for funding purposes.
- B. Prior to the adoption of any amendment to this agreement, partial or complete termination of this agreement including the incorporation of changes necessary to meet the requirements for a subsequent three (3) year consortium designation period, the members agree to submit to the U.S. Dept. of HUD any revisions for its approval.

- C. This agreement covers the designation period of the **Federal Fiscal Years of 2016, 2017 and 2018** which the Consortium is to qualify to receive HOME funds. This agreement may automatically be renewed for participation in successive three (3) year designation periods for HOME Entitlement funds by the U.S. Dept. of HUD. In order to qualify for automatic renewal by HUD, the Representative Member must notify each participating unit of general local government of its right not to participate for the successive three (3) year designation periods. This notification must be submitted to each participating unit of general local government by the date specified in the U.S. Dept. of HUD Consortia designation notices.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF MARTINSBURG, West Virginia

\_\_\_\_\_  
George Karos  
Mayor

Attest: \_\_\_\_\_

Gena Long, City Recorder

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015

BERKELEY COUNTY COUNCIL  
For and on behalf of Berkeley County, a political  
Subdivision of the State of West Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Attest: \_\_\_\_\_

Including the incorporated area of the Town of Hedgesville, Berkeley County, West Virginia.

Including the incorporated area of the Town of Hedgesville, Berkeley County, West Virginia.

BERKELEY COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015

TOWN OF HEDGESVILLE  
For and on behalf of the municipality of Hedgesville,  
a political subdivision of the State of West Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Attest: \_\_\_\_\_

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this

\_\_\_\_\_ day of \_\_\_\_\_, 2015

JEFFERSON COUNTY COMMISSION  
For and on behalf of Jefferson County, a political  
Subdivision of the State of West Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Attest: \_\_\_\_\_

Including the incorporated areas of the Town of Bolivar, City of Charles Town, Town of Harpers Ferry, City of Ranson, and Corporation of Shepherdstown, Jefferson County, West Virginia.

Including the incorporated areas of the Town of Bolivar, City of Charles Town, Town of Harpers Ferry, Corporation of Ranson, and Town of Shepherdstown, Jefferson County, West Virginia.

JEFFERSON COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015

TOWN OF BOLIVAR

For and on behalf of the municipality of Bolivar, a political subdivision of the State of West Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Attest: \_\_\_\_\_

Including the incorporated areas of the Town of Bolivar, City of Charles Town, Town of Harpers Ferry, Corporation of Ranson, and Town of Shepherdstown, Jefferson County, West Virginia.

JEFFERSON COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015

CITY OF CHARLES TOWN

For and on behalf of the municipality of Charles Town,  
a political subdivision of the State of West Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Attest: \_\_\_\_\_

Including the incorporated areas of the Town of Bolivar, City of Charles Town, Town of Harpers Ferry, City of Ranson, and Corporation of Shepherdstown, Jefferson County, West Virginia.

JEFFERSON COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015

TOWN OF HARPERS FERRY  
For and on behalf of the municipality of Harpers Ferry  
a political subdivision of the State of West Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Attest: \_\_\_\_\_

Including the incorporated areas of the Town of Bolivar, City of Charles Town, Town of Harpers Ferry, City of Ranson, and Corporation of Shepherdstown, Jefferson County, West Virginia

JEFFERSON COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015

Corporation of Ranson  
For and on behalf of the municipality of Ranson, a  
political subdivision of the State of West Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Attest: \_\_\_\_\_

Including the incorporated areas of the Town of Bolivar, City of Charles Town, Town of Harpers Ferry, City of Ranson, and Corporation of Shepherdstown, Jefferson County, West Virginia

JEFFERSON COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015

Town of Shepherdstown  
For and on behalf of the municipality of  
Shepherdstown, a political subdivision of the State of  
West Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Attest: \_\_\_\_\_

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015

MORGAN COUNTY COMMISSION  
for and on behalf of Morgan County, a political  
subdivision of the State of West Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Attest: \_\_\_\_\_

Including the incorporated areas of the Town of Bath and the Town of Paw Paw,  
Morgan County, West Virginia.

Including the incorporated areas of the Town of Bath and the Town of Paw Paw, Morgan County, West Virginia.

MORGAN COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015

TOWN OF BATH  
For and on behalf of the municipality of Bath, a political subdivision of the State of West Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Including the incorporated areas of the Town of Bath and the Town of Paw Paw, Morgan County, West Virginia.

MORGAN COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015

TOWN OF PAW PAW  
For and on behalf of the municipality of Paw Paw,  
a political subdivision of the State of West Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Attest: \_\_\_\_\_

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



Name: Danny Lutz

Department or Organization: FFA of Washington and Jefferson High Schools

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: 19 Nov 2015  
If a specific date is needed, please provide reason for specific date:

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

Subject (Wording to be placed on agenda):

Request endorsement of FFA extracurricular programs which support Education  
Please provide the County Commission with a description of your request or presentation, including any background information:

2 students will accompany and tell commission about their activities

Is this a funding request? Y/N/NO NO

If so, how much? \$

Provide exact financial impact/request: N/A

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

Jefferson County Commission endorses and supports the FFA programs

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

If not attached, explain:

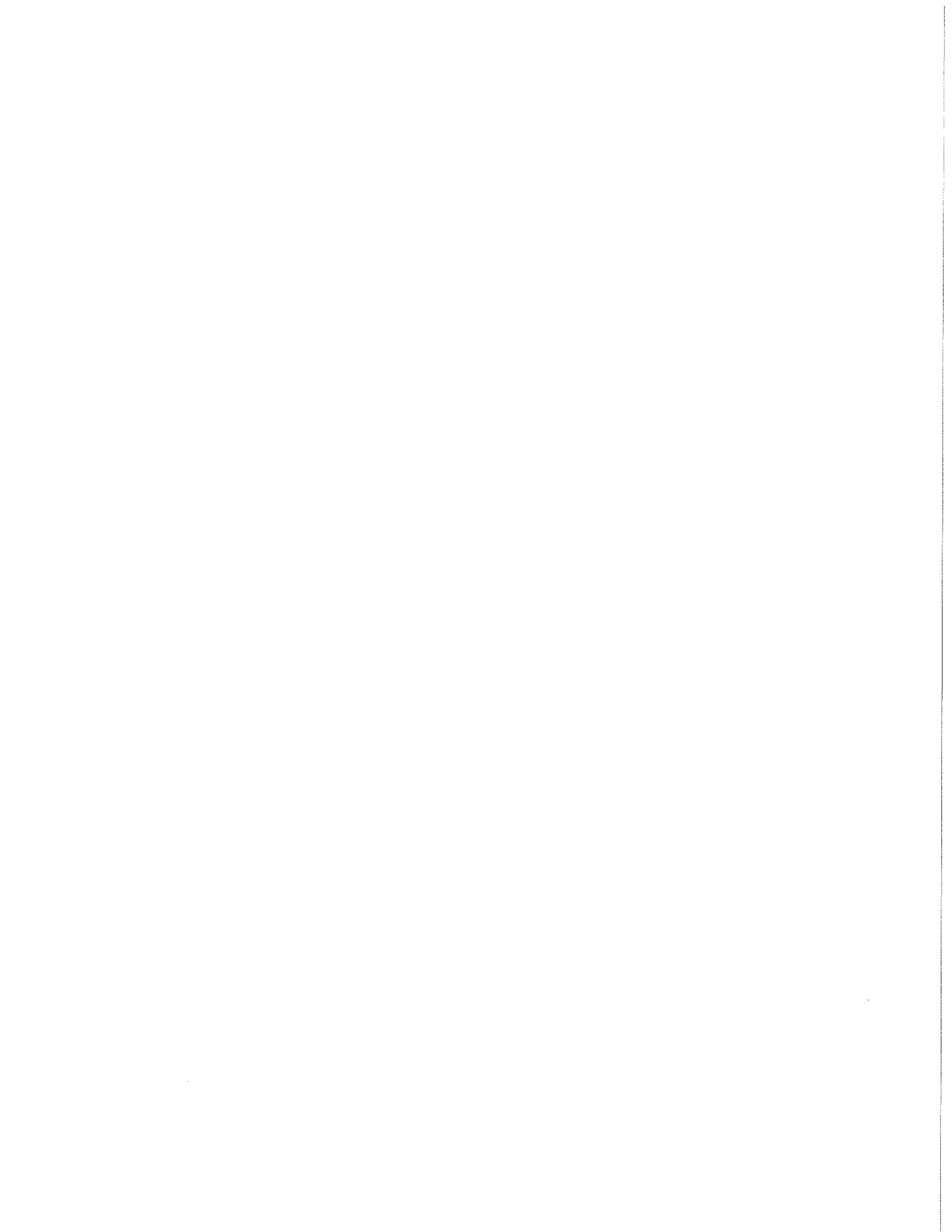
Is equipment needed? Projector Y/N Internet/Wi Fi Y/N Telephone for conference call Y/N

Contact information: 304 725-0966 land Danny Lutz

Email address: p.lutz007@gmail.com Phone Number: 304-886-5771 cell

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



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



Name: **Todd Fagan**

Department or Organization: **Jefferson County GIS/Addressing**

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

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

Date Requested – 2<sup>nd</sup> Choice: **Dec 3<sup>rd</sup>, 2015**

Subject: **Collaborative purchase of Spring 2016 Aerial Photography**

Please provide the County Commission with a description of your request or presentation, including any background information: **It has been four years since the County has obtained high quality aerial imagery for use in mapping and analysis. To keep up with the pace of development change in the landscape, the county should be in a cycle of aerial acquisition every 3-4 years. Since free data is not available in 2016 nor anticipated in 2017, it is our recommendation to make an independent purchase. In order to fund this purchase, we formed a partnership among the Assessor, City of Ranson, City of Charles Town, Economic Development Authority, Emergency Communications, and the Sheriff's Office. This agreement affords the product without requests for additional funding and defrays costs while sharing the benefits. The Commission is asked to approve a purchase order so we can contract with the vendor, begin flight scheduling, and collect funds among the partners. Thank you.**

Is this a funding request? **NO. Contributions from 6 agencies are already budgeted.**

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

Provide exact financial impact/request:

Recommended motion: **Move to approve purchase order of \$14,800 for 2016 Digital Aerial Photography and direct staff to collect contributions from participating agencies.**

Attach supporting documents for request, or request may be denied. **Please see attached memo for additional details.**

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

Contact information:

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

Phone Number: 304-724-6759

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

# Jefferson County GIS/Addressing Office

## DEPARTMENTAL MEMORANDUM

**TO:** Jefferson County Commission  
Stephanie Grove, County Administrator

**FROM:** Todd Fagan, GIS Director

**DATE:** November 19<sup>th</sup>, 2015

**SUBJECT:** Collaborative purchase of Spring 2016 Aerial Photography



Annual Aerial Photography is a foundational data layer in the County's GIS along with addresses, roads and parcels. A routine, annual cycle of photography allows for visual change detection on the ground, update of GIS features without time-consuming field work, and the most user-friendly base reference in any mapping application. Nearly every County department and outside agency customer has benefitted from an aerial map produced in our office.

The County makes great use of federal and state (free) sources of imagery when available, but often these pictures are grainy, locationally inaccurate, or flown during the summer when leaves obscure many features. The last high-quality year flown was Spring 2012. Since then there has been plenty of new construction, particularly within Charles Town and Ranson.

A free source for 2016 is unavailable, so the County has secured a cooperative purchasing partnership toward an inexpensive commercial product to fill in gaps of knowledge and upgrade the overall quality of GIS data derived from the imagery. This partnership, much like the larger one that successfully funded the 2012 imagery, will help defray costs and share benefits among multiple user organizations.

Bid solicitation yielded two proposals. Blue Mountain, Inc of Burton WV, provided the most flexible and economical solution priced at \$14,800. To fund this purchase order we got commitments from 6 agencies to contribute a portion of the total cost. The contributing partners are listed below.

|              |          |
|--------------|----------|
| Assessor     | \$5,800  |
| Ranson       | \$2,500  |
| Charles Town | \$2,500  |
| JC EDA       | \$1,500  |
| JC ECC 911   | \$1,500  |
| JCSO         | \$1,000  |
| Total        | \$14,800 |

Each of the partners will directly benefit from the imagery through property assessments, municipal planning, marketing maps, or 911 CAD integration. But the benefits will not be limited to these applications. The data will be available for use in all typical customer requests for mapping or analyses. This partnership demonstrates cooperation and collaboration that makes efficient use of individual budgets to gain a bigger bang for each buck contributed.

AGENDA REQUEST FORM

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

**NAME:** Lynn Fields

**DEPARTMENT OR ORGANIZATION:** Probate Office

**ESTIMATION OF TIME NEEDED FOR APPT.:** 20-30 minutes

**DATE REQUESTED: 1<sup>ST</sup> CHOICE** November 19<sup>th</sup>, 2015

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

**SUBJECT:** (1) Petition of Pamela Dibabo re: the Estate of Joann Hicks, deceased  
(2) Special Session to Approve and Close estates

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

- (1) Probate Office to submit the Report and Recommendation of Fiduciary Commissioner D. Frank Hill, III on the Petition of Pamela Dibabo re: the Estate of JoAnn Hicks, deceased
- (2) Special Session to Approve and Close estates which did not meet the deadline for the October session

**RECOMMENDED MOTION:** (1) The probate office defers to the recommendation of Fiduciary Commissioner Frank Hill that Mark Hicks be removed as Co-Executor of the estate of Joann Hicks and that Pamela Dibabo be allowed to serve as sole Executor.

- (2) All presented estates have met the necessary requirements for closure, and it is our recommendation that they be approved and closed by the county commission.

**ARE DOCUMENTS ATTACHED:** Yes.

**IS A PROJECTOR NEEDED?:** NO

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

BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

RE: THE ESTATE OF JOANN VIRGINIA HICKS, DECEASED

\*\*\*\*\*

REPORT OF FIDUCIARY COMMISSIONER

This Report represents the Fiduciary Commissioner's (the "Commissioner") recommendations regarding the administration of the Estate of JoAnn Virginia Hicks (the "Estate"), as follows:

1. JoAnn Virginia Hicks (the "Decedent") died, testate, a resident of Jefferson County, West Virginia, on April 4, 2014.

2. The Last Will And Testament (the "Will") of JoAnn Virginia Hicks, executed on the 14<sup>th</sup> day of January, 2013, was recorded in the office of the Clerk of the County Commission of Jefferson County, West Virginia, on May 5, 2014, in Will Book 23, page 629.

3. On April 28, 2014, Mark E. Hicks and Pamela L. DiBabbo, the Decedent's nephew and niece, qualified before the County Clerk as Co-Executors of the Estate, and remain in office as of this date.

4. On November 13, 2014, the Co-Executors executed an Appraisement of the Estate reflecting probate assets of \$358,916.65 which was recorded in the aforesaid Clerk's office on January 6, 2015, in Appraisement Book 25, page 572, which included a single parcel of improved real estate valued at \$170,000.00, with the balance of the Estate's assets being various items of tangible and intangible personal property.

5. By a letter dated June 20, 2015, Pamela Hicks-DiBabbo, a Co-Executor of the Estate and a co-equal residuary beneficiary of the Estate, filed a writing (held to be a Petition) seeking the removal of Mark E. Hicks as a Co-Executor of the Estate for various reasons set forth therein. In addition, responses were received from two other beneficiaries of the Estate (Gregory A. Anderson and David P. Hicks) who each agreed with the position taken within the Petition.

6. A hearing on the Petition was held before the County Commission on September 3, 2015, at which it was decided that the Commission would not hear the Petition, but rather would refer the matter to a Fiduciary Commissioner.

7. By an Order entered on September 3, 2015, the Clerk of the County Commission appointed the undersigned as the Fiduciary Commissioner of the Estate.

8. Upon review of the Estate file and all relevant documents, on October 7, 2015, your Commissioner wrote a letter to each Co-Executor (Mark E. Hicks and Pamela L. DiBabbo) setting forth the Commissioner's proposed resolution of the matter, and specifically requested that an interim accounting for the first year of their appointment (April 28, 2014, through April 30, 2015) be submitted by November 7, 2015, accompanied by a check in the amount of \$400.00 in payment toward the Commissioner's fee, and requested that a written explanation as to why the Estate's real estate has not been sold, a copy of which letter is attached hereto as Exhibit 1.

9. On September 1, 2015, Pamela L. DiBabbo submitted, by email, a multi-page "Affidavit" setting forth a narrative history of the administration of the Estate as well as various problems and difficulties she has encountered as a result of actions, and more particularly in-actions, of Mark E. Hicks in his capacity as a Co-Executor of the Estate.

10. On November 4, 2015, your Commissioner received from the Clerk's office an email (2 pages) from Pamela DiBabbo dated November 2, 2015, detailing certain matters involving the administration of the Estate, a copy of which is attached as Exhibit 2. In addition, Pamela DiBabbo submitted a comprehensive "First And Final Account" based upon information of which she was aware, the consideration of which by your Commissioner will be deferred pending the Commission's ruling on the removal Petition.

11. Critically, Article Four of the Decedent's Will stated "..., I hereby direct my Co-Executors to sell and convey and reduce the same [all property, particularly including the subject real estate] to cash as soon as possible after my decease, ...".

(underlines added)

#### SUMMARY


From your Commissioner's review of the Estate file maintained by the County Clerk's office, the information and documentation submitted by Pamela L. DiBabbo, the letters in support of the Petition filed by Gregory A. Anderson and David P. Hicks (the three of whom are beneficiaries who, collectively are entitled to one-half of the residuary of the Estate), and noting

that no response or objection to the requested relief has been made by Mark E. Hicks, it is sufficiently clear that the best interest of the Estate, and its six co-equal residuary beneficiaries, will be served by the removal of Mark E. Hicks as a Co-Executor of the Estate, such having frustrated and delayed the administration of the Estate.

### RECOMMENDATION

Given that near one and one-half years have passed since the death of JoAnn Virginia Hicks, coupled with the express directive of the Decedent (as stated in paragraph 11 above) regarding the sale of the subject real estate, your Commissioner recommends that the County Commission grant the Petition filed by Pamela L. DiBabbo and do remove Mark E. Hicks as a Co-Executor of the Estate of JoAnn Virginia Hicks, affirm the appointment of Pamela L. DiBabbo as the (sole) Executrix of the Estate, and do further grant such additional relief as is requisite in the premises.

Given under my hand this 5<sup>th</sup> day of November, 2015.

  
\_\_\_\_\_  
D. Frank Hill, III  
Fiduciary Commissioner  
P.O. Box A  
Shepherdstown, WV 25443  
(304) 876-9333  
West Virginia Bar No. 1725

CERTIFICATE OF SERVICE

I hereby certify that true copies of the foregoing Report  
Of Fiduciary Commissioner were deposited in the United States  
mail, first class postage prepaid, this 5<sup>th</sup> day of November,  
2015, addressed as follows:

Mark E. Hicks  
55 Hogbin Road  
Millville, NJ 08332

Pamela E. DiBabbo  
P.O. Box 132  
Absecon, NJ 08201

Vernon S. Hicks  
123 Cindy Drive  
Egg Harbor Township, NJ 08234

Gregory A. Anderson  
123 Cindy Drive  
Egg Harbor Township, NJ 08234

David P. Hicks  
5318 73<sup>rd</sup> Road, South  
Lake Worth, FL 33463

Deborah L. Kryka  
821 Society Court  
Woodstock, GA 30188

  
D. Frank Hill, III  
Fiduciary Commissioner

D. FRANK HILL, III  
ATTORNEY AT LAW  
POST OFFICE BOX A  
SHEPHERDSTOWN, WEST VIRGINIA 25443

D. FRANK HILL, III (WV & MD BAR)

136 E. GERMAN STREET  
THE PHARMACY BUILDING  
(304) 876-9333

October 7, 2015

Mr. Mark E. Hicks  
55 Hogbin Road  
Millville, NJ 08332

Ms. Pamela L. DiBabbo  
2183 Richards Avenue  
Hammonton, NJ 08037

Re: Estate of Jo Ann Virginia Hicks, deceased

Dear Mr. Hicks and Ms. DiBabbo:

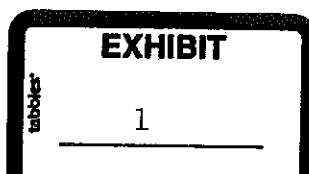
On September 3, 2015, the Clerk of the Jefferson County Commission referred the above-captioned Estate to me as its Fiduciary Commissioner.

I have reviewed various documents pertaining to this Estate, particularly the decedent's Will and the Appraisal which was filed by you on November 17, 2014.

In addition, I have reviewed the "petition" filed by Pamela Hicks-DiBabbo which seeks the removal of Mark E. Hicks as a Co-Executor of the Estate, and several responses from the Estate's beneficiaries regarding her "petition".

I particularly draw your attention to certain language in Article Four of the decedent's Will which stated "... , I hereby direct my Co-Executors to sell and convey and reduce the same [all property, particularly including the subject real estate] to cash as soon as possible after my decease, ...". (underlines added)

Given that Jo Ann Hicks died near eighteen (18) months ago, it would appear that ample time has passed for the sale of this real estate which is a significant portion of the Estate.



Also, this letter is to inform you of your obligation to submit to the County Commission (through me) an interim accounting covering the first year of your appointment (April 28, 2014, through April 30, 2015) which was required to have been done within two months after the end of the first year of your administration, which would have been June 28, 2015. To my knowledge no such Accounting has been filed.

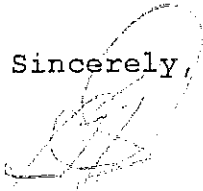
Therefore, the purpose of this letter is two-fold:

First, you are to submit an interim accounting to me, as stated above, within 30 days of this date, accompanied by a check payable to me in the amount of \$400.00 in payment toward my fee as the Fiduciary Commissioner for this Estate.

Second, within 30 days of this date please provide me with a written explanation of why the real estate has not been sold and what steps you have taken to effect its sale.

After my receipts of the proposed interim accounting and your letter regarding the real estate, I will prepare a Report to be filed with the County Commission, a copy of which will be mailed to all parties.

Sincerely,



D. Frank Hill, III  
Fiduciary Commissioner

cc: Gregory A. Anderson  
David P. Hicks  
Vernon S. Hicks  
Deborah L. Kryka  
Clerk of the Jefferson County Commission

**Karen Olden**

---

**From:** Pamela DiBabbo <pdibabbo@yahoo.com>  
**Sent:** Monday, November 02, 2015 9:31 PM  
**To:** Pamela DiBabbo; Karen Olden  
**Subject:** Estate of Joann Hicks

Dear Mr. Hill,

Thank you in advance for your time in the matter of the Estate of Joann Hicks. As you know I have been trying to move forward with the details of the estate but have not had the cooperation or communication with Mark E. Hicks. The attached pages give an accounting to date of the monies spent to pay debt and ongoing expenses. There are also outstanding items which need to be paid but require the signature of Mark E. Hicks.

We began the process in a cordial manner, and I was able to get the signatures needed until it came to listing the home at 887 Red Bird lane. Together Mark and I had met with the Realtor Mary Ellen Mahoney from Long and Foster at the home. We talked about the area, what was selling and listing the home between \$137,000.00 and \$147,000.00 at that time, which was late spring early summer 2014. Mary Ellen felt as if the home was ready to list and that we should remove as much of the personal contents as we could. She also noted that it was not necessary to show the home furnished. No changes were necessary.

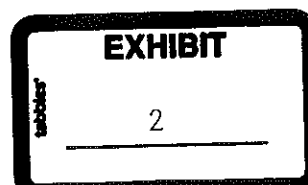
I also reached out to Brian Masemer from Remax. He was willing to list the home close to \$160,000.00.

I kept in touch with Mary Ellen and re visited her at her office on March 12, 2015, at that time the market was stronger and we asked if listing it for \$162,000.00 would be fair. She indicated that it would be good for the home and the adjoining lot. I discussed this with Mark and he said fine. Mary Ellen drew up the papers and went over each page with me, I signed them and took them for Mark to review. On March 13, 2015 I took them to Marks office and went over them with him. Mark had some questions and I said I would leave the papers and pick them up on the 15th of March, this way he could call Mary Ellen and do whatever research he wanted. When I texted him to pick them up on March 15th he responded that he had not had a chance to review them. I said we need to move on this and he was not in a hurry. He said the house was not ready.

I drove to the property from New Jersey on five different occasions, four with Greg Andersen (beneficiary) and once by myself. During these trips we repaired a shed that was damaged by a storm in February of 2015, replace the fireplace insert, clean the yard of debris, and other house maintenance. I rented a carpet steamer and deep cleaned the home from top to bottom for 4 days by myself, to include packing and dropping off to goodwill and the dump.

On several occasions Gregg was to go to the property with Mark to repair the shed roof, but Mark cancelled. Gregg helped with all this prior to having back surgery days later.

I have put up my own money for expenses for gas, tolls, miscellaneous, and the headstone for Aunt Jo grave site. Much of which is still outstanding.



I have loaned money to Vernon, David and Gregg while the Estate was in Probate because they had financial difficulties knowing that they would reimburse me out of their portion.

I am trying to do what is right by Aunt Jo, the Beneficiary's and the Probate court. I have made all of the phone calls, research the paper trails, and sent in the proper documentation to the appropriate parties to settle debts and receive what is due the estate. Monies are now held in two places, Bank of Charles town, and UBS Financial Services. There are also 2 savings bonds to be deposited.

I have reached out numerous times to Mark by phone and stopping by his work to no avail. Debbie, David and Gregg also get no response. Our mother Sharon Hicks has also reached out with no response. We cant move forward without communication.

I am in contact with Probate office, accounting office, bank and UBS Financial services, I remain accessible. Mark has never once come to me, I have always persued him.

Please assist us in bringing this estate to a close and distributing monies to the beneficiaries.

Cordially,

Pamela DiBabbo

SPECIAL SESSION

NOVEMBER 2015

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

At a Special Session of the County Commission of said County and State, begun and held at the Old Charles Town Library thereof, on Thursday, November 19<sup>th</sup>, 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*

*Special November Term, thereof was this day presented to the Commission by*

*the Clerk thereof, examined by it, and ordered filed:*

Estate of Margaret V. Plisko, deceased, First and Final Accounting, Colleen Delaney, Executrix

*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 Robert G. Nelson, deceased, Waiver of Final Settlement, D. Frank Hill, III, Executor

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 Benjamin Hartz, deceased, Second and Final Accounting, Barbara Habermann, Executrix

---

President

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



Name: Barbara J. Miller, Director.

Department or Organization: Jefferson County Homeland Security and Emergency Management

Estimation of amount of time needed for appointment: 10 minutes

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

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

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

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

1. *MOUs with Jefferson County Schools*

Please provide the County Commission with a description of your request or presentation, including any background information:  
*Each school year, we renew our MOUs with the schools in Jefferson County. The MOUs allow us to use the schools for setting up shelters, command centers, points of distribution sites, etc. in case of an emergency or disaster.*

Is this a funding request? 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 approve the MOUs with Jefferson County Schools for the use of their buildings during emergencies or disasters, as presented.

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

If not attached, explain:

Attachment: Copies of all MOUs

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&  
Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Blue Ridge Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

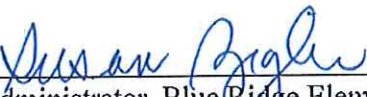
4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Blue Ridge Elementary School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide North Jefferson Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

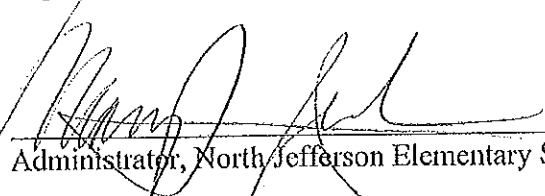
- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, North Jefferson Elementary School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Page Jackson Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.


- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Page Jackson Elementary School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Ranson Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.


Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.


- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Ranson Elementary School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Shepherdstown Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
Date

  
\_\_\_\_\_  
Administrator, Shepherdstown Elementary School

9-17-15  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide C. W. Shipley Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.


- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, C. W. Shipley Elementary School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide South Jefferson Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

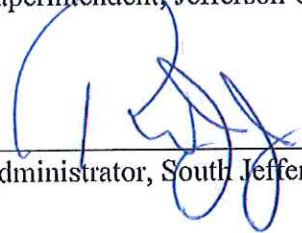
- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, South Jefferson Elementary School

9/15/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Wright Denny Intermediate School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.


- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Wright Denny Intermediate School

9/15/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide T. A. Lowery Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.


4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, T. A. Lowery Elementary School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Driswood Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

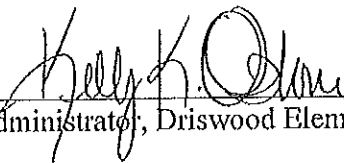
- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Driswood Elementary School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Blue Ridge Primary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

Chap Snapper  
\_\_\_\_\_  
Administrator, Blue Ridge Primary School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Charles Town Middle School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

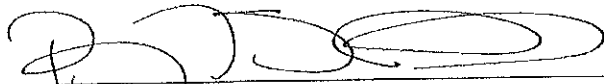
Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

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3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

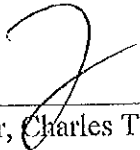
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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Charles Town Middle School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Harpers Ferry Middle School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

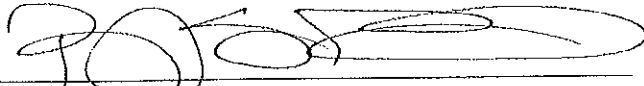
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3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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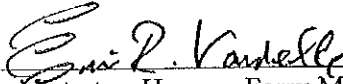
Agreed to and accepted by:



\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15

\_\_\_\_\_  
Date



\_\_\_\_\_  
Administrator, Harpers Ferry Middle School

9/17/15

\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

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**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Shepherdstown Middle School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
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5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

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3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.


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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Shepherdstown Middle School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Wildwood Middle School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
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Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Wildwood Middle School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Jefferson High School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
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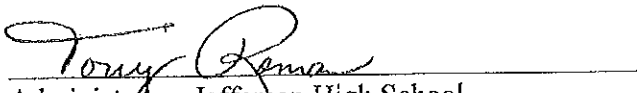
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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Jefferson High School

9-17-15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Washington High School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
  - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
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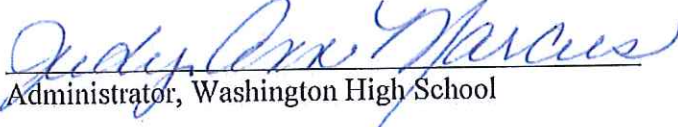
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Agreed to and accepted by:

  
\_\_\_\_\_  
Superintendent, Jefferson County Schools

9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Washington High School

9/17/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date

**Memorandum of Understanding  
Between  
Jefferson County Board of Education  
&**

**Jefferson County Office of Homeland Security and Emergency Management**

**General Purpose:** To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Opportunity Learning Center for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
  - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
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\_\_\_\_\_  
Superintendent, Jefferson County Schools

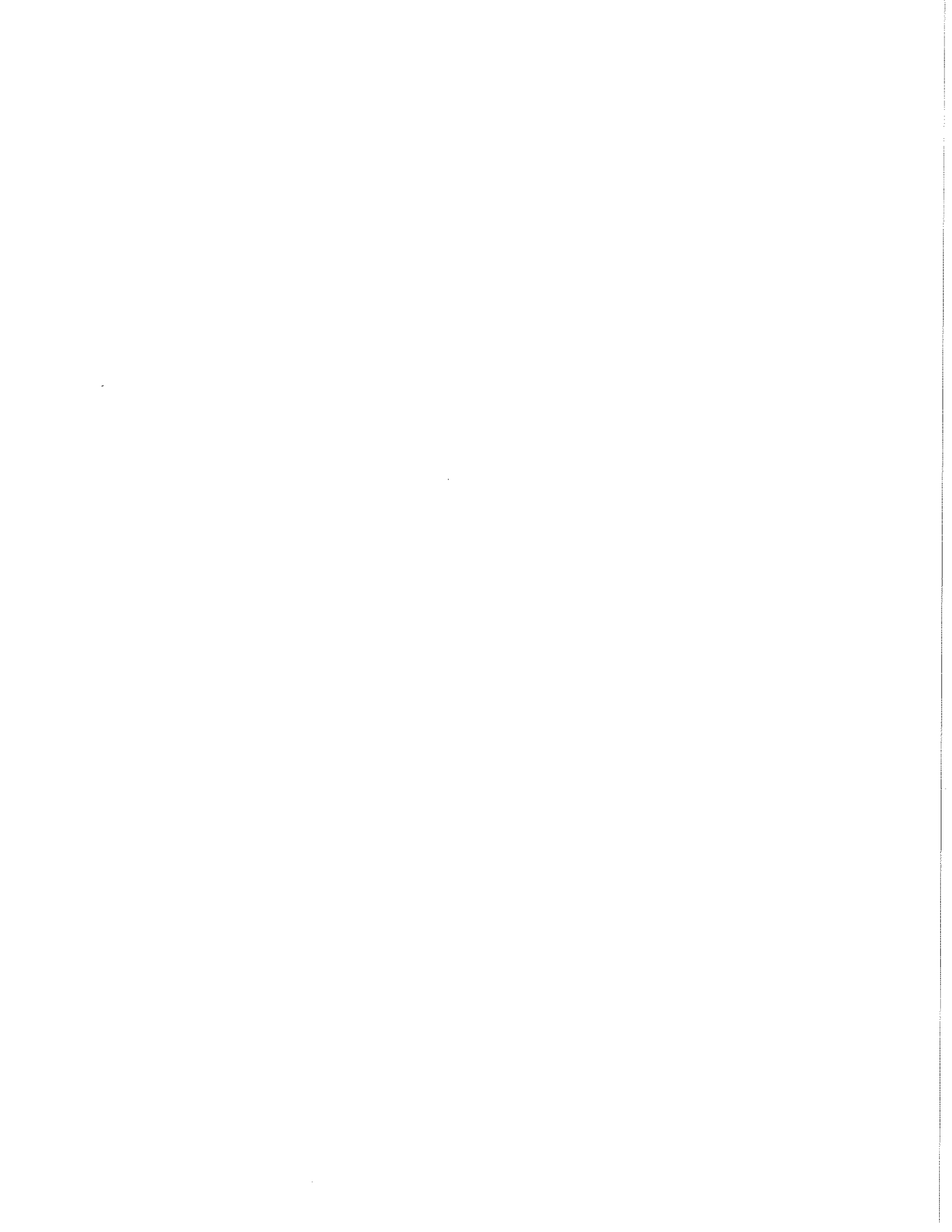
9/15/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Opportunity Learning Center

09-15-15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Jefferson County Office of Homeland Security  
& Emergency Management

\_\_\_\_\_  
Date



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



Name: Bill Polk

Department or Organization: **Maintenance Department**

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: **11/19/15**

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

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

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

1. Request Approval To Advertise and Hire Two Custodial Positions
2. Request Approval to Internally Promote two Employees in the Maintenance Department

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

Two employees will be retiring from the Maintenance Department on December 11th, one Custodial position and one Maintenance Helper position. I would like to promote two employees in the Maintenance Department, one employee promoted from Custodial to General Laborer and the other employee from General Laborer to Maintenance Helper. That would leave the need to fill two open custodial positions. I would like to hire the two new custodial positions at a 35 hour work week.

Is this a funding request?      No. The positions are already budgeted. This is to fill two vacancies in the maintenance department. If so, how much?

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Move to approve to advertise to hire two new custodial staff positions and to promote two Maintenance Department employees.

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

Is equipment needed? NO

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

Click here to enter text.

**The County Commission of Jefferson County**

**Department of Maintenance**

**128 Industrial Blvd.**

**Kearneysville, WV 25430**

**304-728-3355 • 304-728-3376 (f)**

**William Polk, Director**

**[bpolk@jeffersoncountywv.org](mailto:bpolk@jeffersoncountywv.org)**

---

TO: Jefferson County Commission  
FROM: Bill Polk, Maintenance Director  
DATE: November 12, 2015  
RE: Hiring and Promotion Request

Two employees from the Maintenance Department will be retiring next month. Their last day of employment will be December 11, 2015. One employee is retiring from the position of Maintenance Helper at a Grade 3, Step F. The other retiring employee is retiring from a Custodial position at a Grade 2, Step E. Both of these positions are 40 hour work weeks.

With the opening of these two positions, I would like to take this opportunity to internally promote two Maintenance Department Employees. I would like to promote a General Laborer employee currently at a Grade 2, Step D, 40 hour work week to the open Maintenance Helper position at a Grade 3, Step D at a 40 hour work week. The second promotion that I am requesting is to promote one Custodial employee currently at a Grade 2, Step A, 35 hour work week to the General Laborer position at a Grade 2, Step A at a 40 hour work week.

With these two internal promotions, that will leave the Maintenance Department with two open Custodial Positions. I am requesting approval to hire two new custodial employees at a Grade 2, Step A at 35 hour work weeks.

This request to promote and hire within my department is fully covered in my budget. I estimate that these changes will decrease my salary expenditures for Fiscal Year 2016 by approximately \$14,000.

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



Name: Carol Swiger

Department or Organization: Jefferson County Commission-Ambulance Fee

Estimation of amount of time needed for appointment: 5 minutes

Date Requested—1<sup>st</sup> Choice: 11/19/15

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

Date Requested—2<sup>nd</sup> Choice: 12/3/15

Subject (Wording to be placed on agenda.

**Request for the late fees for fiscal year 2014-2015 be removed for Persis Bates.**

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:

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

**I move to approve/deny the removal of Persis Bates late fees for the fiscal year 2014-2015.**

Attach supporting documents for request or request may be denied.

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

Contact information:

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

Phone Number: 304-728-5606

FOR COMMISSION STAFF USE ONLY—FINANCIAL IMPACT/RECOMMENDATION

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

Persis Bates is requesting their late fee for fiscal year 2014-2015 be removed.

Upon receiving her payment for this year, the system showed that she had not paid for last year. So as a courtesy and to keep this bill from going to collections, another Delinquent bill was sent with a note explaining this.

Ms. Bates called stating that she didn't remember getting a bill for last year or the delinquent bill in April and that it was probably because she was having a baby. She believes that the late fee is excessive and wants it removed.

There was no addressing errors and she did receive and pay for this year's bill.

- It would be difficult to put a past due amount on the current bills due to so many properties being bought and sold constantly.

October 29, 2015

To Whom It May Concern,

I am writing to request to have the \$30.00 late fee removed from my 2014-2015 ambulance fee. From the phone call I had with the Office Manager, this is a new fee as of last year. I promptly pay all of my bills and feel that a late fee that is almost as much as the fee itself is exorbitant, especially for a new assessment in the county.

I submitted a check for \$40.00 to pay my 2015 fee. A few weeks later, I received a pink notice that stated I still owe \$70 because I did not pay last year's assessment.

- My one complaint is that when I received my bill for this year's fee, there was no mention of a failure to pay for 2014-2015. I believe this is a major lack of communication. To receive a bright pink notice with handwritten notes, highlighted and underlined information is not a thorough and effective way to ensure residents understand what they owe.

I have absolutely no issue submitting my payment for the 2014-2015 fee, but feel the \$30 is excessive, and I request to have it removed. I now understand this is an annual fee and have noted so in family ledger.

I look forward to hearing back from the Commission.

Best,



Persis Bates

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

Date: 10/29/15

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

Amount billed: \$70 (\$40 ambulance fee + \$30 late fee)

I believe I qualify for the fee assessment circled:

Residence - \$40

Business - \$85

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

Homestead Exemption  
50% off approved parcel

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

Describe the reason for this request:

please see attached letter

Persis Bates  
Printed Name

P Bates  
Signature

12 Don Quixote Dr. Charles Town, WV  
Address

304-657-9193  
Phone number

Do not write below this line—For Official Use Only

Approved / Denied

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

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

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



Name: Roger Goodwin

Department or Organization: Engineering

Estimation of amount of time needed for appointment: 5 minutes

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

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

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

Subject (*Wording to be placed on agenda*): Complete Bond Release Verizon Wireless Leetown Site

Please provide the County Commission with a description of your request or presentation, including any background information: Complete release of construction bond security for Verizon Wireless Leetown Site – Billy F. & Marian W. Owens Property (File #S11-13) – Performance Bond #8232-11-83 with Federal Insurance Company, Warren, NJ.

Is this a funding request? Y/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*): I authorize a complete release of the remaining \$50,000.00.00 from the construction bond amount for Verizon Wireless Leetown Site – Billy F. & Marian W. Owens Property (File #S11-13).

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

Construction Bond Release Letter

Bond Release Request Report

Site Map

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

Contact information:

Email address: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org) Phone Number: 304-728-3257

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



## JEFFERSON COUNTY COMMISSION

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

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

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

PRESIDENT  
*Jane M. Tabb*

November 19, 2015

VICE PRESIDENT  
*Patsy Noland*

Ms. Christine Hession  
Federal Insurance Company  
15 Mountain View Road  
Warren, New Jersey 07059

COMMISSIONER  
*Dale Manuel*

COMMISSIONER  
*Walt Pellish*

RE: Performance Bond No. 8232-11-83 dated April 4, 2013, Construction Bond  
Surety for Verizon Wireless Leetown Site – Billy F. & Marian W. Owens  
Property (File #S11-13).

COMMISSIONER  
*Eric Bell*

Dear Ms. Hession:

The Jefferson County Commission authorizes a complete release of the remaining \$50,000.00 from the construction bond for Verizon Wireless Leetown Site – Billy F. & Marian W. Owens Property (File #S11-13). This project is located at 6000 Paynes Ford Road. The work appears to be 100% complete.

In summary, you are hereby authorized to fully release the remaining amount of the above referenced Performance Bond No. 8232-11-83 originally issued in the amount of \$50,000.00. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

Jane Tabb, President  
Jefferson County Commission

JT:rfb

cc: Daniel P. Lavelle, President  
Lavelle & Associates, Inc.  
5732 Industry Lane  
Frederick, MD 21704  
Department of Engineering

County Administrator  
*Stephanie Grove*

Deputy County Administrator  
*Sandy Slusher McDonald*

Email: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org)

**BOND REDUCTION or RELEASE REQUEST - REPORT**

Date Received: 07 / 30 / 2015 J.C.P.C. File No. S11 - 13  
(STABILIZATION COMPLETE NOV. 2015)

Consultant/Engineer/Firm Name: LAVELLE & ASSOC.

Mailing Address: 5732 INDUSTRY LANE

City: FREDERICK State: MD Zip: 21704

Contact Person: DANIEL LAVELLE Phone: 301-695-9722

Project/Subdivision Name: LEETOWN CELLULAR TOWER SITE PLAN

Section/Phase: \_\_\_\_\_ Lots: \_\_\_\_\_

Review Comments:

The bond ~~release~~ reduction is Approved as Submitted. \_\_\_\_\_ The bond release/reduction request is Denied.

\_\_\_\_\_ Add items/revise as shown per our comments on your attached bond release/reduction form & resubmit reduction/release request to our office for review and approval.

\_\_\_\_\_ Some site work has progressed beyond the required "milestone" site inspections that are to be performed by our office. As a result, you will need to schedule the inspections with our Land Development Inspector, and/or provide the certifications noted on the attached "Third-Party Certifications" checklist. Please collect all the required third-party certifications and submit them all at one time along with a copy of this report and the checklist.

\_\_\_\_\_ Bonding Policy & Unit Cost Figures attached for your use.

Comments: ALL WORK APPEARS COMPLETE.

RECOMMEND RELEASE OF BOND

**APPROVED FOR:**  
**BOND RELEASE**  
By: [Signature] Date: 11/10/2015  
**DATE**

Original Bond Amt. \$ 20,309 + 15% Cont. \$ 15,000 = Total Original Bond Amt. \$ 35,309

Total Current Bond Amount \$ 50,000.00 (MINIMUM PERFORMANCE BOND AMOUNT)

Cost of Work Remaining \$ 0.00 + Contingency Amount \$ 0.00

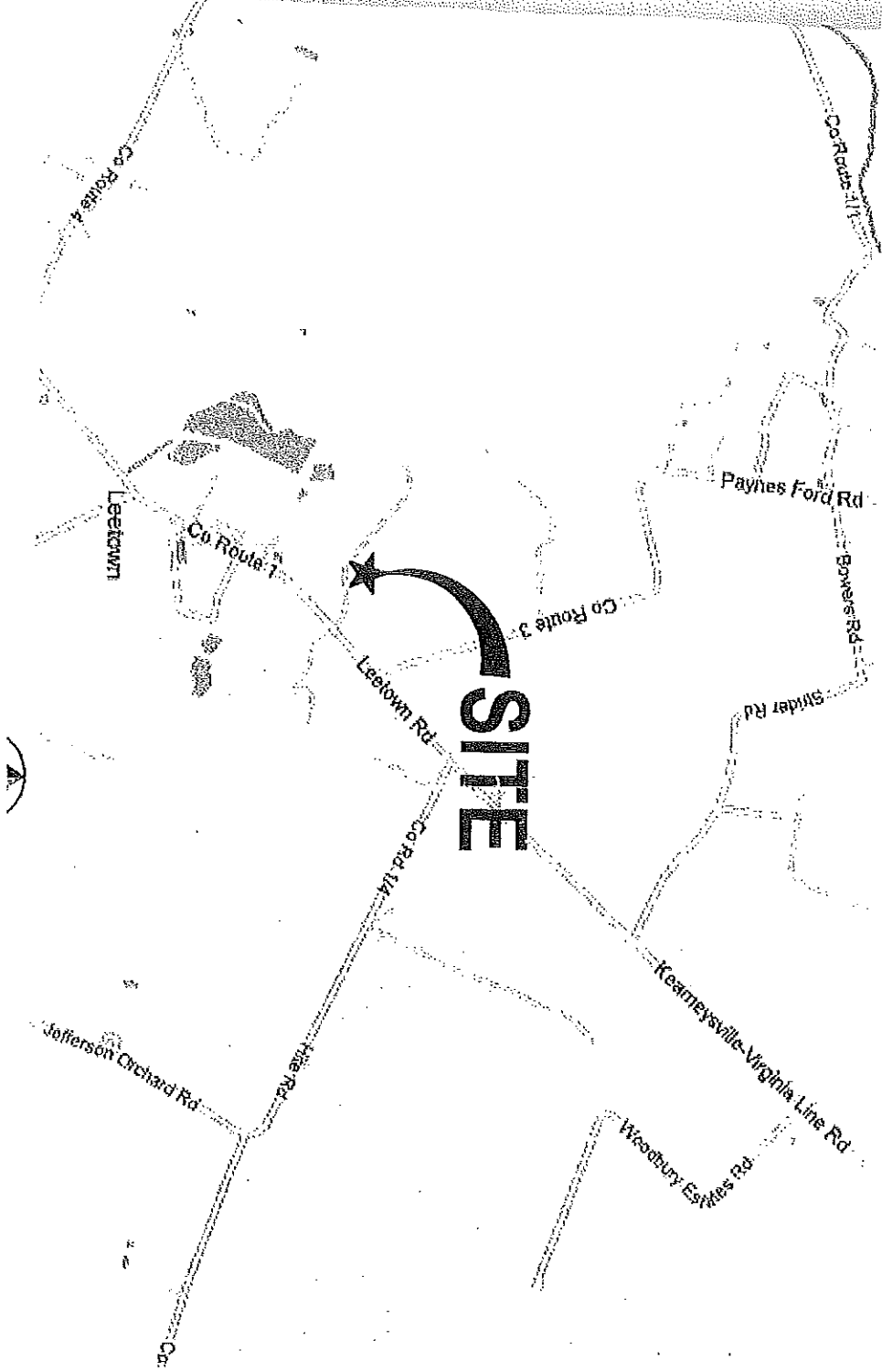
= Approved for Revised Bond Amount \$ 0.00

Reviewed By: Joseph W. Kent Title: L.D.I.

Signature: [Signature] Date: 11 / 10 / 2015

25430

**SITE**



5732  
Foods  
TEL:  
FAX:

REV

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



Name: Roger Goodwin

Department or Organization: Engineering

Estimation of amount of time needed for appointment: 5 minutes

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

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

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

Subject (Wording to be placed on agenda): Complete Bond Release Asbury United Methodist Church

Please provide the County Commission with a description of your request or presentation, including any background information: Complete release of construction bond security for Asbury United Methodist Church – Asbury United Methodist Church Addition (File #S11-05) – Performance Bond #1000965945 with United States Surety Company, Timonium, MD.

Is this a funding request? Y/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): I authorize a complete release of the remaining \$100,000.00.00 from the construction bond amount for Asbury United Methodist Church – Asbury United Methodist Church Addition (File #S11-05).

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

Construction Bond Release Letter

Bond Release Request Report

Site Map

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

Contact information:

Email address: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org) Phone Number: 304-728-3257

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



## JEFFERSON COUNTY COMMISSION

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

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

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

PRESIDENT  
*Jane M. Tabb*

November 19, 2015

VICE PRESIDENT  
*Patsy Noland*

Mr. Monroe Burger, Trustee  
United States Surety Company

COMMISSIONER  
*Dale Manuel*

P. O. Box 5605  
Timonium, MD 21094-5605

COMMISSIONER  
*Walt Pellish*

RE: Performance Bond No. 1000965945 dated March 22, 2013, Construction Bond Surety for Asbury United Methodist Church – Asbury United Methodist Church Addition (File #S11-05).

COMMISSIONER  
*Eric Bell*

Dear Mr. Burger:

The Jefferson County Commission authorizes a complete release of the remaining \$100,000.00 from the construction bond for Asbury United Methodist Church – Asbury United Methodist Church Addition (File #S11-05). This project is located at 4257 Kearneysville Pike across from Morgan's Grove Parks. The work appears to be 100% complete.

In summary, you are hereby authorized to fully release the remaining amount of the above referenced Performance Bond No. 1000965945 originally issued in the amount of \$870,736.00. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

Jane Tabb, President  
Jefferson County Commission

JT:rfb

cc: Pastor Rudolph Bropleh  
Asbury United Methodist Church  
4257 Kearneysville Pike  
Shepherdstown, WV 25443  
Department of Engineering

County Administrator  
*Stephanie Grove*

Deputy County Administrator  
*Sandy Slusher McDonald*

**BOND REDUCTION or RELEASE REQUEST - REPORT**

Date Received: 10 / 29 / 2015 J.C.P.C. File No. S11 - 05  
Consultant/Engineer/Firm Name: FREDERICK SEIBERT & ASSOC.  
Mailing Address: 128 S. POTOMAC ST.  
City: HAGERSTOWN State: MD Zip: 21740  
Contact Person: MIKE NICKS Phone: 301 + 791-3650  
Project/Subdivision Name: ASBURY UNITED METHODIST CHURCH SITE PLAN  
Section/Phase: \_\_\_\_\_ Lots: \_\_\_\_\_

Review Comments:

The bond release reduction is Approved as Submitted. \_\_\_\_\_ The bond release/reduction request is Denied.

\_\_\_\_\_ Add items/revise as shown per our comments on your attached bond release/reduction form & resubmit reduction/release request to our office for review and approval.

\_\_\_\_\_ Some site work has progressed beyond the required "milestone" site inspections that are to be performed by our office. As a result, you will need to schedule the inspections with our Land Development Inspector, and/or provide the certifications noted on the attached "Third-Party Certifications" checklist. Please collect all the required third-party certifications and submit them all at one time along with a copy of this report and the checklist.

\_\_\_\_\_ Bonding Policy & Unit Cost Figures attached for your use.

Comments: ALL WORK APPEALS TO BE COMPLETE.

RECOMMEND RELEASE OF BOND

**Approved for:**  
BOND RELEASE  
BY: [Signature] 11/02/2015  
**County Engineer Date**

Original Bond Amt. \$ 757,101.25 + 15% Cont. \$ 113,574.26 = Total Original Bond Amt. \$ 870,736

Total Current Bond Amount \$ 100,000.00

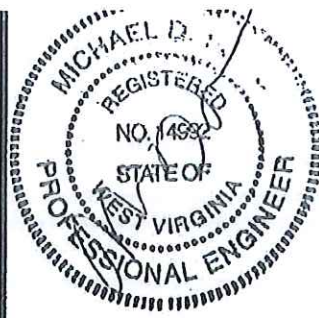
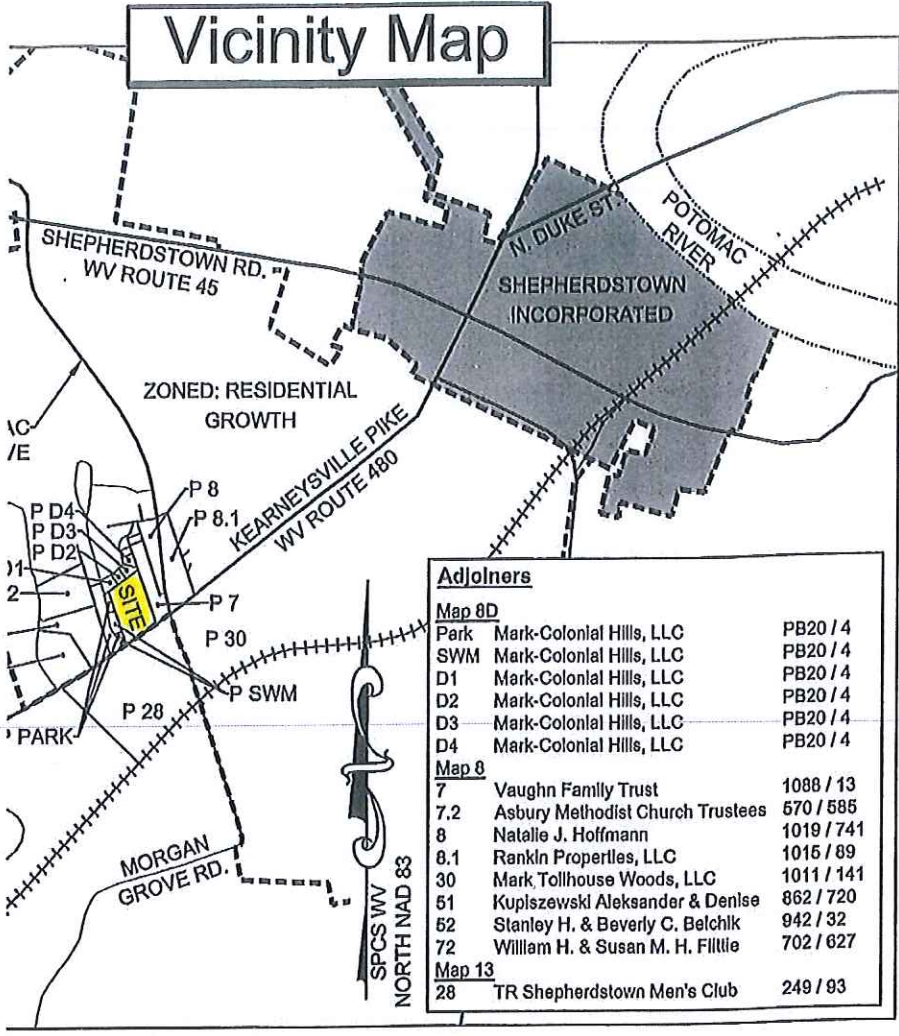
Cost of Work Remaining \$ 0.00 + Contingency Amount \$ 0.00

= Approved for Revised Bond Amount \$ 0.00

Reviewed By: JOSEPH W. KENT [Signature] Title: L.D.I.

Signature: [Signature] Date: 11 / 02 / 2015

# Vicinity Map



**Professional Certification**  
 I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of West Virginia, License No. 14992, Expiration Date: 06-30-12

**FREDERICK SEIBERT & ASSOCIATES, INC.**  
 CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS  
 128 SOUTH POTOMAC STREET, HAGERSTOWN, MARYLAND 21740  
 20 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225

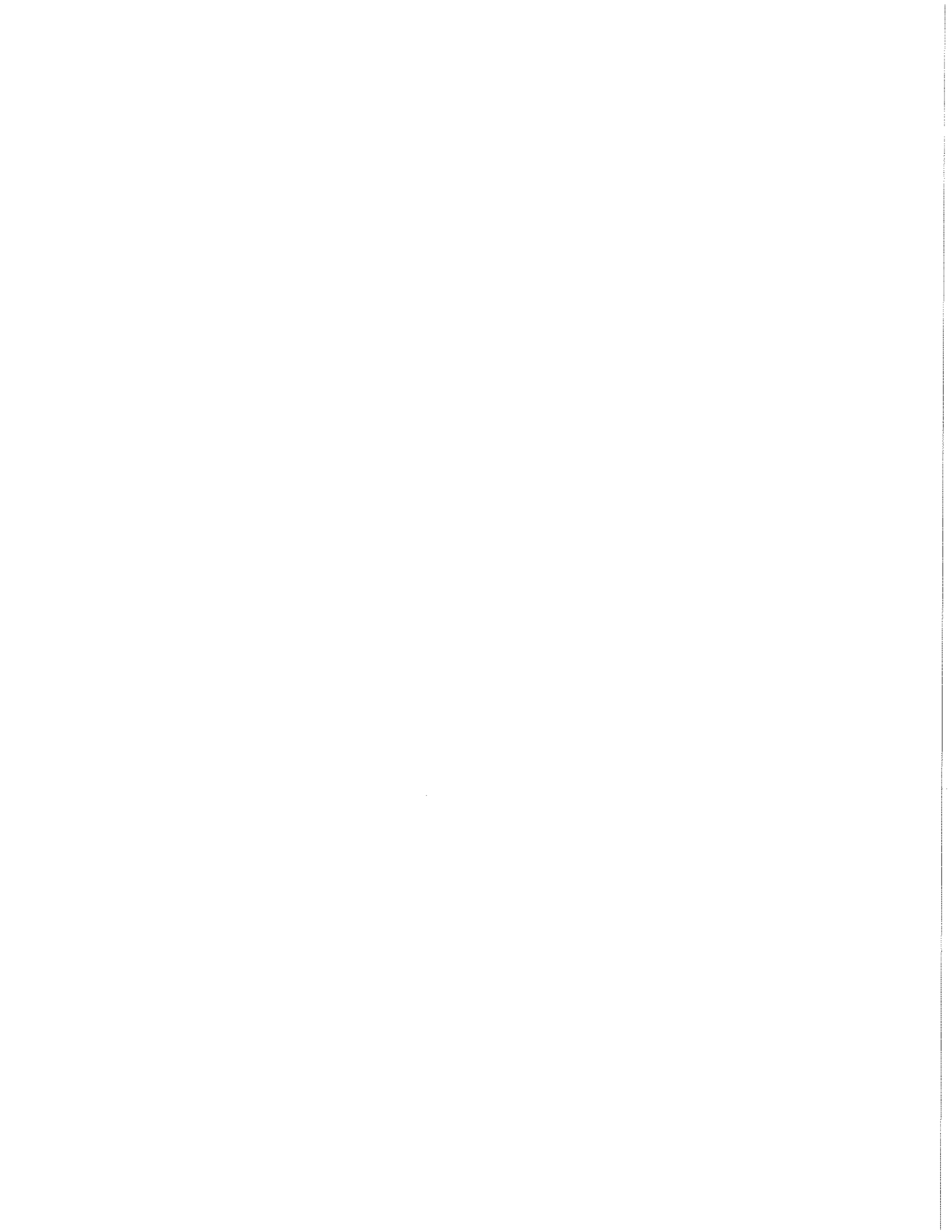
© 2012

(801) 791-3650 (301) 416-7478 (717) 597-1007 (301) 739-4556

# Sheet Index

| NUMBER   | TITLE                                           |
|----------|-------------------------------------------------|
| SHEET 1  | COVER SHEET                                     |
| SHEET 2  | GENERAL NOTES                                   |
| SHEET 3  | EXISTING CONDITIONS PLAN                        |
| SHEET 4  | SITE, UTILITY & DIMENSIONING PLAN               |
| SHEET 5  | GRADING & DRAINAGE PLAN                         |
| SHEET 6  | EROSION & SEDIMENT CONTROL PLAN                 |
| SHEET 7  | LANDSCAPE PLAN                                  |
| SHEET 8  | STORMWATER MANAGEMENT PROFILES, DETAILS & NOTES |
| SHEET 9  | STORM DRAIN PROFILES                            |
| SHEET 10 | UTILITY PROFILES                                |
| SHEET 11 | SITE DETAILS & NOTES                            |
| SHEET 12 | STORM DRAIN DETAILS & NOTES                     |
| SHEET 13 | UTILITY DETAILS & NOTES                         |

| DESCRIPTION:                                             | DATE:    |
|----------------------------------------------------------|----------|
| Revised per Jefferson Co. Planning, Zoning & Engineering | 07-16-12 |
| Revised due to Value Engineering                         | 12-14-12 |
|                                                          |          |
|                                                          |          |
|                                                          |          |
|                                                          |          |
|                                                          |          |



## **NOTICE OF PUBLIC HEARING**

**The County Commission of Jefferson County will hold a Public Hearing on Thursday, November 19, 2015, at 1:30 p.m. in the County Commission meeting room located at the Old Charles Town Library, 200 East Washington Street, Charles Town, WV 25414.**

**The purpose of the hearing is to receive public input on the proposed redlined edits to the Jefferson County Subdivision Regulations (File #STA15-05).**

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

**A copy of the proposed information may be obtained on the County website at: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)**

**No decisions will be made at this meeting.**

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



# JEFFERSON COUNTY, WEST VIRGINIA

## Departments of Planning and Zoning

116 East Washington Street, 2<sup>nd</sup> Floor

P.O. Box 338

Charles Town, WV 25414

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

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

Phone: (304) 728-3228

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

Fax: (304) 728-8126

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### MEMO

**To:** Jefferson County Planning Commission

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

**Date:** September 22, 2015

**RE:** Proposed red-lined edits to the Jefferson County Subdivision and Land Development Regulations regarding the Major/Minor Processes (STA15-05)

---

On February 10, 2015 the Planning Commission appointed a citizen's committee to draft an amendment to the Jefferson County Subdivision and Land Development Regulations regarding the Major/Minor Subdivision and Site Plan processes.

On August 11, 2015 staff distributed for your review the first draft of the proposed redlined edits (STA15-05) as submitted by the committee.

Attached for your review is the first draft of the proposed red-lined edits as submitted by the committee. Note, the only revision made on this version from the first version you received is that **Section 24.105E Minor Site Plan Application – Determination** has been re-added to the text by staff because it is mandated by WV Code §8A-5-4.

The next step would be to schedule a Public Hearing to receive public input on the proposed text amendment.

#### Attachments

- ❖ Cover Memo dated 07-29-15
- ❖ Article 26 – Terminology, Definition of Major Site Plan and Minor Site Plan
- ❖ Minor Site Plan Process
  - Sections 20.203; 24.105
  - Proposed new Sections (not yet numbered):
    - Minor Site Plan Concept Plan – Submission and Completeness Review
    - Minor Site Plan Concept Plan – Public Workshop
    - Minor Site Plan Concept Plan Direction
    - Minor Site Plan Process After Concept Plan Direction (working title)
- ❖ Major Subdivision/Site Plan Processes
  - Sections 23.203; 24.206; 24.107; 24.109; 24.110; 24.111; 24.112; 24.114; and 24.115
  - 24.113 - Major Subdivision Final Plat – Public Hearing – Recommendation is to delete this section entirely.

MEMORANDUM

TO: Steve Stolipher, President, Jefferson County Planning Commission

FROM: Committee on Subdivision and Site Plan Process Ordinance Amendments *PR*

SUBJECT: Draft of Proposed Amendments to the Subdivision and Site Development Ordinance

DATE: July 29, 2015

As you are aware, this Committee has been working diligently on proposed ordinance amendments for the processing of Subdivisions and Site Plans. The Committee has met for many months to come up with reasonable amendments to the process that would both streamline an application while keeping the Public involved and informed during the process.

The Committee understood that our task was to come up with a more workable process for plan and plat approvals that more closely reflected the intent of the West Virginia State Code and the experiences of the last several years of processing plans. When the Subdivision/Site Development Ordinance was adopted in 2008, the procedures for processing developments were incorporated into the document without much direction from a very vague new enabling legislation.

Although the Enabling Legislation does not contain a lot of public participation, the Committee felt that it served both the Public and the Applicant if the Concept Plan stage remained in the early stages of the plan approval process. Accordingly, the proposed amendments should achieve a balanced approach to public participation along with quicker processing times.

While the State Code makes it difficult to make the process perfect, the Committee believes that it succeeded with their task. The active participants of the Committee included: Suzanne Malesic; Katy Fidler; Mike Shepp; Michael Boyle; Debra Lee Hovatter; and, Paul J. Raco.

As discussed with Staff, the Committee would like the draft of the proposed amendments distributed to the Planning Commission at your August 11, 2015 meeting, but would hope for time in a September meeting to discuss the amendments with you. Ideally, we discussed the possibility of scheduling a second meeting in September to adequately address the amendments.

We appreciate the opportunity that we had to work on this important matter and hope that we can continue on the project until the final version is adopted. Thank you.

cc: Jennie Brockman, AICP, Director of Planning and Zoning

RECEIVED

JUL 29 2015

JEFFERSON COUNTY PLANNING  
ZONING & ENGINEERING



## M

**Maintenance Guarantee.** A guarantee of facilities or work to ensure the correction of any failures of any improvements required pursuant to these Regulations or to maintain same.

**Major Change.** A change to the plan that increases density or floor area, decreases open space, *bufferyards*, or which alters the alignment or layout of streets by more than five feet. For conditional approvals granted prior to the effective date of these Regulations, any proposed use not contained in the original advertisement shall be considered a major change.

**Major Site Plan<sup>3</sup>.** A plan that follows the major site development process and proposes one or more of the following:

- A. A new public or private street or dedication to public use of an existing street;
- B. Building(s), both new and additions to existing, where new all structures or new additions located on the parcel are equal to or total more than 250,000 square feet or more of GFA on any site;
  - except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;
- C. ~~Apartment or multi-family development of ten or more dwelling units~~; or
- D. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Major Subdivision Plat.** A plat that proposes subdivision of land, whether residential or non-residential, that requires the development of streets (public or private) or rights-of-way access to the lots, or common area and/or includes the creation of more than five lots that take access to an existing public street.

**Manufactured Home.** Housing built in a factory according to the federal manufactured home construction and safety standards effective June 15, 1976. (*Source: W.Va. Code §8A-1-2(r)*)

**Mean Sea Level.** For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum to which base flood elevations shown on a community's flood Insurance Rate Map are referenced.

**Mean Surface Water Elevation.** The observed limit of dry weather flow elevation in a *watercourse* or mean high water level in tidal areas.

**Minimize.** To reduce to the smallest amount possible using *Best Management Practices*. "Minimize" shall not mean complete elimination, but shall require that the most substantial efforts possible under the circumstances have been taken to reduce the adverse effect of the action required to be minimized. With respect to activities, the conduct of which is adverse to the conservation of the natural features of land, the requirement to "minimize" shall include, but not be limited to, the requirement that the placement of dwellings and other structures and the locations of roads, sedimentation and erosion control devices, and earthmoving activities shall be planned and designed so as to permit the adverse effect of the activity in question to be reduced to the smallest amount possible under the circumstances consistent with the otherwise permitted development.

**Minor Change.** A change to the plan that does not increase density or floor area, does not decrease open space, *bufferyards*, or parking, or does not *alter* the alignment or layout of streets by more than five feet.

**Subdivision Regulations**

Jefferson County, West Virginia



**Minor Site Plan**<sup>1&3</sup>. A plan that follows the minor site development process and that will not require the development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

- A. Building(s), both new and additions to existing, where new all structures or new additions to structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site shall process administratively, and building(s), both new and additions to existing, where all structures located on the parcel total more than 5,000 and less than ~~50,000~~ 250,000 square feet gross floor area (GFA) on any site shall:
  - Process a concept plan with a public workshop and all remaining site plan review processes shall be administratively approved.
  - In the event that any condition(s) placed upon a site plan during the concept plan public workshop that cannot be addressed or resolved administratively, such condition(s) placed upon the concept plan at the public workshop shall return to the Planning Commission for resolution.
  - ~~Building(s), both new and additions to existing that exceed 50,000 square feet gross floor area at the time of this adoption, adopted 01/19/2012, shall be permitted a one-time expansion up to 25,000 square feet gross floor area with a concept plan public workshop.~~
- B. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Section A of this definition does not apply to this provision;<sup>1</sup>
- C. Apartment or multi-family development ~~of nine or less dwelling units.~~

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.<sup>3</sup>

**Minor Subdivision Plat.** A plat that will not require the development of new off-tract infrastructure or the extension of existing off-tract infrastructure, that proposes subdivision of land into five or less lots including the parent parcel.

**Mitigation.** Any action taken to lessen the specified undesirable impacts of a proposed land use or land disturbance activity, including those which would adversely affect the health or longevity of a natural feature, pose a visual intrusion or conflict, or otherwise be deemed incompatible with surrounding properties.

**Moderately Vulnerable Area.** An area where the combination of soils, subsurface conditions, geologic features, hydrology, population density, and Source Water Protection Areas makes the aquifer and groundwater moderately vulnerable to contamination. This area contains a lower intensity of the conditions found in a highly vulnerable area.

**Monument.** A stone or concrete boundary marker, as required by these Regulations, intended to fix the physical location of property lines.



- 2. Judicial sales or tax sales;
  - 3. Mortgages;
  - 4. Deeds of partition under or pursuant to an order of Court;
  - 5. Real estate transferred by will or intestacy.
- d. A parent or a child may receive only one such exempt lot within the County after July 19, 1979.
- e. Parents who are married are entitled to only one such parcel.

**B. Non-Residential.**

The re-subdividing of a lot located in an approved industrial park or existing major non-residential subdivision shall be permitted to follow the minor non-residential subdivision process. When a non-residential subdivision is provided for in the rural district, such development may utilize the minor non-residential subdivision provisions provided only one parcel is being subdivided off and only one use will be established on the lot. All minor non-residential subdivisions shall contain, but are not limited to, the following criteria:

- 1. **Lots.** A minor non-residential subdivision divides the property into more than one lot.
- 2. **Access.** All lots shall front on an existing internal subdivision road built to county grade road standards and having a minimum right-of-way width of 50 feet. Lots having direct access to a state road are not permitted to process as a minor, except for those proposals utilizing the non-residential permitted uses in the Rural District.
- 3. **Water/Well or Sewer/Septic.** Potable water and sewer shall be provided according to the requirements of Appendix B, *Engineering Standards*. All submissions shall provide a plat approved by the Department of Health.

Where, in the judgment of staff, a residential or non-residential proposal does not comply with the minor subdivision requirements and/or the intent of these Regulations, the proposed subdivision shall be classified as a major subdivision. The reason for such a determination shall be provided to the applicant in writing. The determination may be appealed to the Planning Commission for consideration and classification.

**Sec. 20.202 Major Subdivision**

A major subdivision, whether residential or non-residential, is any subdivision of land that requires the development of streets (public or private) or easements of access to the lots, or common area and/or includes the creation of more than five lots that take access to an existing public street. (See definition of "Major Subdivision.") A subdivision may be classified as major if in the judgment of staff, a proposal does not comply with the minor subdivision requirements and/or the intent of these Regulations. The reason for such a determination shall be provided to the applicant in writing. The determination may be appealed to the Planning Commission for consideration and classification.

**Sec. 20.203 Minor Site Development<sup>1, 3, & 4</sup>**

*Minor Site Developments* are those proposals that do not require the development of new infrastructure or the extension of existing off-tract infrastructure.

If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Minor site development proposes one or more of the following:



(1) Building(s), both new and additions to existing, where all structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site shall process administratively, and building(s), both new and additions to existing, where all new structures or additions to structures located on the parcel total more than 5,000 and less than ~~50,000~~ 250,000 square feet gross floor area (GFA) on any site shall:

- Process a concept plan with a public workshop and all remaining site plan review processes shall be administratively approved.
- In the event that any condition(s) placed upon a site plan during the concept plan public workshop that cannot be addressed or resolved administratively, such condition(s) placed upon the concept plan at the public workshop shall return to the Planning Commission for resolution.
- ~~Building(s), both new and additions to existing that exceed 50,000 square feet gross floor area at the time of this adoption, adopted 01/19/2012, shall be permitted a one-time expansion up to 25,000 square feet gross floor area with a concept plan public workshop.~~

(2) Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Section 20.203 Sub-Section (1) does not apply to this provision;

(3) Apartment or multi-family development ~~of nine or less dwelling units.~~

Minor Site Development requires Stormwater Management Plans and stormwater management activities per the Jefferson County Stormwater Management Ordinance, as identified in A, B, C, and D within this Section.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this section; unless, development/redevelopment activity at the site triggers stormwater management policy as described in the Jefferson County Stormwater Management Ordinance.

- A. **No Site Plan or Stormwater Management Plan Required.** No site plan is required for additions to existing structures or structures ancillary to existing uses on a property, when:
1. The footprint of the addition or the new structure is less than 250 square feet; and
  2. No additional parking is required per Zoning Ordinance standards; and
  3. The disturbed area is no more than 3000 square feet.
- B. **Limited Site Plan and Stormwater Management Plan Addressing Quantity Only Required.** A site plan limited to basic information needed to address (a) erosion and sediment control, (b) parking requirements for the expanded use, (c) stormwater management for the additional impervious area only, (d) handicapped access to the existing and proposed structures and (e) compliance with the Zoning Ordinance, may be used on sites where the structure is:
1. An addition to an existing structure, or, ancillary to an existing use; and
  2. The footprint does not exceed 1600 square feet or 35% of the existing structure, whichever is smaller.
  3. For a home occupation or cottage industry, the limited site plan standards are applicable if a site plan is required pursuant to the Zoning Ordinance.<sup>2</sup>
- C. **Full Site Plan Required.** Any development which does not meet all of the criteria for a limited or rural site plan shall meet all the requirements of these Regulations and the appendices.



### Sec. 24.105 Minor Site Plan Application – Determination

- A. **General.** An applicant for a minor site plan, who does not schedule a pre-proposal conference, shall be subject to the procedures of this Section upon submittal of a copy of a site plan application and the corresponding fees to the Planning Commission. All minor site plans shall follow the site plan standards in Appendix A, *Plan & Plat Standards*.
- B. **Application Meeting.** Within seven days after the submission of the site plan, the applicant and the staff shall meet to discuss the proposed site plan and the criteria used to classify the proposal as minor. The applicant may choose to waive this meeting but shall do so upon submission.
- C. **Site Inspection.** The staff shall make a site inspection of the site plan.
- D. **Determination.** Within ten days after the submission of the site plan, the staff shall notify the applicant in writing that the proposed site plan has or has not been classified a minor site development. If the Staff determines that the site plan has been classified as a minor site development and is over 5,000 square feet as described in Section 20.201, then the project shall proceed with Section XXXX, Minor Site Plan Concept Plan. All other Minor Site Plans (under 5,000 sq. ft. and in Industrial/Business Park) shall proceed with Section XXXX (page 50D) Minor Site Plan Process After Concept Plan Direction (Page 50D).
- E. **Approval.** Within ten days after the site plan has been classified as minor site plan, the staff shall approve, approve with conditions, or deny the site plan.

*(For minor site plan criteria see the definition, Site Plan, Minor and Sec. 20.201, Minor Subdivisions.)*

### Sec. XXXXX Minor Site Plan Concept Plan - Submission and Completeness Review<sup>2, 4</sup>

The submission of a concept plan is a required step for minor site plans determined in Section 24.105. The Department shall have 45 days to complete the sufficiency and completeness review. At the time of submission, Concept Plan shall be placed on the first regularly scheduled Planning Commission meeting after the 45 day review period for the public workshop. Within the 45 days, the department shall have ten (10) days to review the submission and determine whether it is sufficient in that it includes all of the items listed below. If the submission is insufficient, it shall be returned to the applicant. In order to keep on the proposed schedule, the applicant shall resubmit within 10 days after being notified of insufficiency. For the review to be complete within 45 days and remain on the scheduled Planning Commission meeting, all reviewing material, including outside agency reviews, shall be returned to the Department of Planning and Zoning at least 14 days prior to the scheduled Planning Commission workshop.

- A. **Submission.** The applicant is responsible for submitting an application and all supporting documents to the planning department. It shall be accompanied by the fee for concept plan review.
- B. **Submission Contents.** The submission shall contain the following elements in the number of copies indicated by staff.
1. **General location.** A map or aerial photograph showing an area of 500 feet around the property. Zoning boundaries shall be located on this document.
  2. **Concept Plan.** A Concept Plan shall be submitted in accordance with the content and formatting guidelines provided in Appendix A, *Plan & Plat Standards*. Show or note if all features are addressed.

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**3. Zoning Information.** This shall include:

- a. Determination of the zoning district in which the proposed site plan project is situated.
- b. Density calculations.
- c. Site resource map. (See definition)
- d. Use designations for all adjoining and confronting parcels.

**4. Proposal Description.** This shall be a written description of the proposal with general identification of the number of dwelling units or floor area proposed, commentary, zoning, and development option selected if the development is multifamily residential.

**5. Traffic Impact Data.** This shall include:

- a. ADT figures for the adjoining or accessible State road.
- b. Trip generation figures based on the following table:

| <u>USE</u>                   | <u>PEAK HOUR</u> | <u>AVERAGE DAILY</u>          |
|------------------------------|------------------|-------------------------------|
| <u>Townhouse</u>             | <u>0.6</u>       | <u>7.0 per d.u.</u>           |
| <u>Mobile Home</u>           | <u>0.6</u>       | <u>5.0 per d.u.</u>           |
| <u>Light Industrial</u>      | <u>1.2</u>       | <u>5.5 per 1000 s.f.</u>      |
| <u>Industrial Park</u>       | <u>0.99</u>      | <u>7.0 per 1000 s.f.</u>      |
| <u>Warehousing</u>           | <u>1.63</u>      | <u>4.9 per 1000 s.f.</u>      |
| <u>Mini-warehousing</u>      | <u>0.29</u>      | <u>2.8 per 1000 s.f.</u>      |
| <u>Office</u>                | <u>2.82</u>      | <u>17.7 per 1000 s.f.</u>     |
| <u>Small Shopping Center</u> | <u>15.51</u>     | <u>118.0 per 1000 s.f.</u>    |
| <u>Convenience Market</u>    | <u>54.80</u>     | <u>625/1000 leasable s.f.</u> |

- c. Nearest key intersection that will serve the proposed project. A “key intersection” is defined as any intersection with a primary or secondary highway as classified by the current Comprehensive Plan.
  - d. “Highway Problem Areas” according to the current Comprehensive Plan that falls within a one-mile radius of the project.
  - e. If a use is not listed in the table above, the most current edition of the Institute of Transportation Engineers Trip Generation Manual or Handbook shall be referenced to determine appropriate trip generation figures.
- 6.** A traffic study may be required only at the request and direction of the West Virginia Division of Highways. Any required traffic study or a letter from the West Virginia Division of Highways outlining the proposed improvements shall be received with the first submission of the site plan.<sup>4</sup>



- 7. Agency Reviews.** The reviewing agencies shall conduct reviews of the proposed concept plan. Agency comments shall be received by the Department fourteen (14) days prior to the scheduled public workshop. The applicant shall distribute the concept plan to all reviewing agencies no later than 7 days after the review. Reviewing agencies are found in Sections 23.203 and 23.204. Applicant shall provide copy of letter sent to outside agencies to the Departments of Planning and Zoning with 7 days of submission of Concept Plan. If any review agency failed to respond, they shall be deemed by these Regulations to have approved the plan.
- 8. Other Data.** Any other data or information the applicant believes will assist in the review.
- 9. Other Reviews.** Any other staff or agency reviews of the plans.
- 10. Adjoining Property.** The applicant must provide an accurate list of all properties and owners' addresses adjoining the subject property. The adjoining and Homeowner's Associations shall be notified by staff of the date of the workshop.
- C. Review Content.** The Department and agency reviews shall address the areas indicated in D through G below and any other areas of concern to the agencies.
- D. Department.** The Department review shall include the following:
1. Whether the density, use, and plan meet the requirements of the Zoning Ordinance and any other zoning issues that can be identified at the concept plan submission. (Landscaping, for instance, is not generally available at this stage). Staff shall identify conditions that would enable the plan to meet the standards. It shall also identify any other zoning issues the developer shall address in a site plan submittal.
  2. Staff opinion as to whether the plan meets the site plan criteria of these Regulations. The Department shall review the concept plan for modifications that would improve the plan.
- E. WVDOH.** WVDOH shall submit a letter to the Department of Planning indicating issues and data requirements or notice that there are no issues or data requirements. If WVDOH determines that a traffic study needs to include more area than required by these Regulations or the Zoning Ordinance, it shall specify the expanded area. Any issues regarding sight distances, access location, road configuration, or off-site improvements shall be noted with recommendations or required changes. The purpose is to ensure that, at preliminary plat review, all transportation information is available so the agency does not have to seek additional data for a qualitative review.
- F. Traffic Impact.** The review shall indicate whether a traffic impact study will be required based on analysis required in 24.116.B.5.e.
- G. Public Services.** The review shall indicate whether there are existing water and sewer systems in place that can handle the development. If not, the review shall indicate the type or extent of a system that shall be proposed by the developer to best meet the County's needs in that area of the County.
- H. Recommended Conditions.** All reviews shall contain recommended conditions for moving forward to a site plan or reasons why the plan should be denied.
- I. Approval.** Unless there are reviews indicating that the development cannot conform to the Zoning Ordinance, be serviced by public services, or provide its own utilities, or other factors

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that make the development impossible, Planning Staff shall accept or deny the concept plan as complete.

- J. Effect.** At the time of submission, the concept plan shall be placed on the 1<sup>st</sup> regularly scheduled Planning Commission meeting after the 45 day review period for the public workshop. Staff shall advertise the public workshop in a local newspaper of general circulation in the area one time at least twenty-one (21) days in advance of the meeting and send notice by mail to the adjoining property owners at least fourteen (14) days prior to the meeting. The applicant shall post notice on the property at least fourteen (14) days in advance of the meeting.

**Sec. XXXX Minor Site Plan Concept Plan - Public Workshop**

At the scheduled Planning Commission meeting, the Planning Commission shall hold a public workshop to take public comments, concerns, and inputs on the proposed concept plan. This workshop is intended to provide the developer and the Planning Commission with said public input.

- A. Plan Presentation.** The developer shall make a short presentation of the plan.
- B. Agency Comments.** The staff shall briefly outline agency comments. The planning department shall specifically address whether the project can meet the standards of the Zoning Ordinance.
- C. Public Comment.** The public will be invited to comment. The Planning Commission shall direct participants to briefly cite concerns or ask questions of the Planning Commission. The intent of this procedure, like the Department comments, is to inform the developer and Planning Commission with regard to issues that should be addressed in the site plan and report such transportation or engineering matters.

**Sec. XXXX Minor Site Plan Concept Plan - Direction**

After the close of the public workshop, the Planning Commission shall, during their regular meeting or at a specific public meeting within 14 days, provide direction on the concept plan. If the Planning Commission decides to postpone action for 14 days, the workshop shall be closed for public comment; however the applicant or designated representative will be permitted to interact with the Planning Commission at that meeting to answer questions raised during the public comment at the workshop.

- A. Direction.** The Planning Commission shall direct the preparation of a site plan subject to conditions to be addressed in the site plan application. The purpose of this review is to guide the developer so that when the site plan application is formally reviewed by the staff, there should not be a whole range of issues being raised for the first time. The developer shall cite conditions and demonstrate that they have been met or otherwise addressed.
- B. Conditions.** In the direction, it is anticipated that there will be numerous conditions from the Department, agencies, and public comment. There may well be public comment that seeks to lower density of the project below that permitted by the Zoning Ordinance, or to deny the project because of concerns outside the scope of the zoning or subdivision regulations. The applicant may make proffers to address these concerns, but the Planning Commission may not use them as conditions, unless they are proffered by the applicant.

**Effect.** The direction is to the developer to proceed to prepare a site plan (Section 24.119, *Major Site Plan Application – Submission and Completeness Review*). The direction received in the Concept Plan Public Workshop shall be applicable for a period of two years, with the provision that any amendments to these Regulations or the Zoning Ordinance in the second year shall control. If any zoning changes have been presented in a public hearing prior to the decision on the concept plan direction, then meeting the amended zoning requirements, if adopted, shall be a condition of the direction.

Section XXXX Minor Site Plan Process After Concept Plan Direction

A. Formal Site Plan Submission. An Application, applicable fees, two copies of a Site Plan as outlined in Appendices A and B, 2 copies of Storm Water Management Calculations with Stormwater Narrative and all other applicable Site Plan support material can be submitted after the Concept Plan Direction is given by the Planning Commission.

B. Required Elements. Within 7 days, Engineering Staff shall determine if the Site Plan is sufficient and support material contains at least 70 percent of the required elements of a site plan submission.

C. Staff Review Conference. Once Engineering Staff determines that the Site Plan contains 70 percent of the required elements, Staff shall place an advertisement in the Spirit of Jefferson noticing a Staff Review Conference will be held on the first available Staff Review Schedule held on the first and third Fridays of every month. This Staff Review Conference shall be open to the public, but will be conducted only between the Staff, applicant and Design Consultant. The Design Consultant is required to attend, or the Staff Review Conference will be postponed to the next available Staff Review Schedule on a first or third Friday of the month. The purpose of the Staff Review Conference is for the Staff, applicant and design consultant to exchange checklists, ideas, suggestions and questions regarding the applicable site plan regulations as it relates to the submitted site plan and support data.

D. Site Plan Approval. Once the Staff Review Conference is held, the site plan will be exchanged back and forth between the design consultant and Staff via the approved checklist process until such time that the Staff believes that the site plan and support data meets all applicable local and state regulations. Once the Staff determines that the site plan meets all such regulations, the Staff shall approve the site plan and allow the project to proceed to bond the project under the current Jefferson County Bonding Policy. All Health Department, Highway Department, Public Service District, WVDEP and other applicable State and Local Agency Approvals shall be in place prior to the Staff's Approval.

E. Site Plan/Checklist Approval Process. Under Section D above, the applicant may at any time request to be on the Planning Commission agenda pursuant to current agenda rules in order to request that the Planning Commission approve the site plan if the applicant believes that the site plan meets the site plan rules and regulations.

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**Sec. 23.203 County Agencies**

The following Jefferson County agencies are involved or may be involved in the subdivision and site development review process.

- A. **On-Site Water Supply and Sanitary Waste Disposal.** The Jefferson County Health Department and West Virginia Department of Health shall be responsible for the review of any on-site water supply or sanitary waste disposal for the proposed development. Approval needed at Preliminary Plat Stage.
- B. **Centralized Water Supply/Distribution and Sewage Collection/Treatment.** The Jefferson County Public Service District or other applicable local agency supplying centralized utilities, West Virginia Health Department, and WVDEP shall be responsible for the review and approval for any centralized sewer and water supply intended to serve the proposed development. Approval needed at Preliminary Plat Stage.
- C. **Jefferson County Historical Landmarks Commission.** This body shall submit a report and findings on whether historical resources exist on the site of the proposed subdivision of site development. If there are, they shall submit findings on whether the proposal meets the requirement of zoning with respect to such structures or places at Concept Plan Stage.
- D. **Jefferson County Parks and Recreation Department.** This body shall determine the adequacy of park, recreation, and trail facilities intended to serve a proposed residential development at Concept Plan stage. This is a courtesy review for Park Planning Purposes.
- E. **Jefferson County Addressing/GIS Office.** This body shall verify adequacy of proposed addresses, road names, and names of subdivisions in accordance with Jefferson County E 9-1-1 Addressing Ordinance. Approval is needed at either Concept Plan or Preliminary Plat Stage.
- F. **Jefferson County Engineering Department.**<sup>4</sup> This body shall review and either approve or deny the Stormwater Management Plan relating to stormwater management.

**Sec. 23.204 Other Agencies**

The following are the responsibilities of other agencies:

- A. **West Virginia Division of Highways (WVDOH).** WVDOH is responsible for reviewing the site access and potential improvements to public roads at Preliminary Plat Stage.
- B. **Jefferson County Schools.** The Board of Education should determine the adequacy of school facilities intended to serve a proposed residential development at Concept Plan Stage. This is a courtesy review for School Planning purposes.
- C. **Emergency Services.** Fire, police, and EMS providers should determine the adequacy of emergency response and lifesaving services provided to their respective service area if potentially affected by a proposed subdivision or development project at Concept Stage.
- D. **U.S. Postal Service.** ~~The U.S. Postal Service shall determine which zip code wholly contains the new subdivision and acknowledge which postal delivery mechanism is approved when affected by a proposed subdivision or development project.~~ WVDEP. DEP approval for NPDES, SWPPP, GPP, and other applicable approvals (if required) are needed prior to Preliminary Plat Approval.

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- c. Nearest key intersection that will serve the proposed project. A “key intersection” is defined as any intersection with a primary or secondary highway as classified by the current Comprehensive Plan.
  - d. “Highway Problem Areas” according to the current Comprehensive Plan that falls within a one-mile radius of the project.
  - e. In the event trip generation in the peak hour exceeds 100 or the limitation designated in the most current DOH Traffic Engineering Directive, a traffic study may will be required which includes generators, etc. or unless the West Virginia Division of Highways has created an agreement with the applicant to provide site access improvements that are typically required by a traffic study, the traffic study shall not be required. This type of study should be performed by a traffic engineering consultant. The effect of phasing the subdivision shall be cumulative. The traffic study or a letter from the West Virginia Division of Highways outlining proposed improvements shall be received prior to with the first submission of the preliminary plat approval.<sup>4</sup>
6. **Agency Reviews.** The reviewing agencies may shall conduct reviews of the proposed concept plan. Agency comments, if responding, shall be received by the Department fourteen (14) days prior to the scheduled public workshop. The applicant shall distribute the concept plan to all reviewing agencies no later than 7 days after review. Reviewing agencies are found in Sections 23.203 and 23.204. Applicant shall provide a copy of the letter sent to outside agencies to the Department of Planning and Zoning within 7 days of the submission of Concept Plan. If any review agency fails to respond, they shall be deemed by these Regulations to have approved the plan.
  7. **Adjoining Property.** The applicant must provide an accurate list of all properties and owners’ addresses adjoining the subject property. The adjoining and Homeowner’s Associations shall be notified by staff of the date of the workshop.
  8. **Other Data.** Any other data or information the applicant believes will assist in the review.
  9. **Other Reviews.** Any other staff or agency reviews of the plans.
- C. **Review Content.** The Department and agency reviews shall address the areas indicated in D through G below and any other areas of concern to the agencies.
- D. **Department.** The Department review shall include the following:
1. Whether the density, use, and plan meet the requirements of the Zoning Ordinance and any other zoning issues that can be identified at the concept plan submission. (Landscaping, for instance, is not generally available at this stage). Staff shall identify conditions that would enable the plan to meet the standards. It shall also identify any other zoning issues the developer shall address in a preliminary plat submittal.
  2. Staff opinion as to whether the plan meets the site development planning or subdivision criteria of these Regulations. The Department shall review the concept plan for modifications that would improve the plan.

- E. **WVDOH.** The WVDOH approval is necessary prior to preliminary plat approval. The County defers to the WVDOH requirements and approval. ~~When appropriate, the WVDOH shall submit a letter to the Department of Planning indicating issues and data requirements or notice that there are no issues or data requirements. If WVDOH determines that a traffic study needs to include more area than required by these~~



~~Regulations or the Zoning Ordinance, it shall specify the expanded area. Any issues regarding sight distances, access location, road configuration, or off-site improvements shall be noted with recommendations or required changes. The purpose is to ensure that, at preliminary plat review, all transportation information is available so the agency does not have to seek additional data for a qualitative review.~~

- F. **Traffic Impact.** ~~The WVDOH shall determine. The review shall indicate~~ whether a traffic impact study will be required during the preliminary plat stage. ~~based on analysis required in 24.106.B.5.e.~~
- G. **Public Services.** The review shall indicate whether there are existing water and sewer systems in place that can handle the development. If not, the review shall indicate the type or extent of a system that shall be proposed by the developer to best meet the County's needs in that area of the County.
- H. **Recommended Conditions.** All reviews shall contain recommended conditions for moving forward to a preliminary plat or reasons why the plat should be denied.
- I. **Approval.** Unless there are reviews indicating that the development cannot conform to the Zoning Ordinance, be serviced by public services, or provide its own utilities, or other factors that make the development impossible, Planning Staff shall accept or deny the concept plan as complete.
- J. **Effect.** At the time of submission, the concept plan shall be placed on the 1<sup>st</sup> regularly scheduled Planning Commission meeting after the 45 day review period for the public workshop. Staff shall advertise the public workshop in the local newspaper one time at least twenty-one (21) days in advance of the meeting and send notice by mail to the adjoining property owners at least fourteen (14) days prior to the meeting. The applicant shall post notice on the property at least fourteen (14) days in advance of the meeting.

### Sec. 24.107 Major Subdivision Concept Plan - Public Workshop

At the scheduled Planning Commission meeting, the Planning Commission shall hold a public workshop to take public comments, concerns, and inputs on the proposed concept plan. This workshop is intended to provide the developer and the Planning Commission with said public input.

- A. **Plan Presentation.** The developer shall make a short presentation of the plan.
- B. **Agency Comments.** The staff shall briefly outline agency comments. The planning department shall specifically address whether the project can meet the standards of the Zoning Ordinance.
- C. **Public Comment.** The public will be invited to comment. The Planning Commission shall direct participants to briefly cite concerns or ask questions of the Planning Commission or Applicant. The intent of this procedure, like the Department comments, is to inform the developer and Planning Commission with regard to issues that should be addressed in the preliminary plat and report such transportation or engineering matters.

### Sec. 24.108 Major Subdivision Concept Plan -Direction

After the close of the public workshop or at any public meeting within 14 days thereafter, the Planning Commission shall provide direction on the concept plan. If the Planning Commission decides to postpone action for 14 days, the workshop shall be closed for public comment; however the applicant or designated representative will be permitted to interact with the Planning Commission at that meeting to answer questions raised during the public comment at the workshop.

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- A. **Direction.** The Planning Commission shall direct the preparation of a preliminary plat subject to conditions to be addressed in the preliminary plat application. The purpose of this review is to guide the developer so that when the preliminary plat application is formally reviewed by the staff, there should not be a whole range of issues being raised for the first time. The developer shall cite conditions and demonstrate that they have been met or otherwise addressed.
- B. **Conditions.** In the direction, it is anticipated that there will be numerous conditions from the Department, agencies, and public comment. There may well be public comment that seeks to lower density of the project below that permitted by the Zoning Ordinance, or to deny the project because of concerns outside the scope of the zoning or subdivision regulations. The applicant may make proffers to address these concerns, but the Planning Commission may not use them as conditions unless they are proffered by the applicant.
- C. **Effect.** The direction is to the developer to proceed to prepare a preliminary plat (Section 24.109). The direction received in the Concept Plan Public Workshop shall be applicable for a period of two years, with the provision that any amendments to these Regulations or the Zoning Ordinance in the second year shall control. If any zoning changes have been presented in a public hearing prior to the decision on the concept plan direction, and then meeting the amended zoning requirements, if adopted, shall be a condition of the direction.

### **Sec. 24.109 Major Subdivision Preliminary Plat - Application Submission and Completeness Review**

The submission of a preliminary plat application is a required step for major subdivisions. The Department shall have 45 days to complete the sufficiency and completeness review unless the applicant chooses to waive the 45 day period. Within the 45 days, the department shall have ten (10) days to review the submission and determine whether it is sufficient (at least 70 % of the required elements are addressed) in that it includes all of the items listed below. If the submission is insufficient, it shall be returned to the applicant. The 45 day period shall restart when the applicant resubmits. After staff concludes completeness review, staff shall place the preliminary plat and application on the next regularly scheduled Planning Commission agenda for a vote to accept or deny the application as complete. In order for the preliminary plat to remain on the scheduled Planning Commission meeting, all reviewing material, including outside agency reviews, shall be returned to the Department of Planning and Zoning at least 14 days prior to the scheduled Planning Commission.

- A. **Submission.** The applicant is responsible for submitting an application and all supporting documents to the Department and reviewing agencies. It shall be accompanied by the fee for preliminary plat review.
- B. **Submission Contents.** The submission shall contain the following elements in the number of copies indicated.
1. **Preliminary Plat.** A preliminary plat application shall be submitted in accordance with the content and formatting guidelines provided in Appendix A, *Plan & Plat Standards*.
  2. **Density Calculation and Site Resource Map.** This map shall have the preliminary plat on it and shall identify the total area of each resource present, the amount protected and a summary table showing that the resource protection standards are met.
  3. **General Location.** A map or aerial photograph showing an area of 500 feet around the property. Zoning boundaries shall be located on this document.



4. **Preliminary Engineering Plans.** A ~~preliminary~~ engineering plan shall be submitted in accordance with the content and formatting guidelines provided by the County Engineer.
5. **Preliminary Landscape Plans.** A ~~preliminary~~ landscape plan shall be submitted in accordance with the content and formatting guidelines provided by the Department of Planning.
6. **Transportation Impact Study.** If required, TIS and materials agreed to at the concept plan direction shall be submitted prior to final preliminary plat approval by staff. This element is not required for completeness review. Where applicable, analysis, commentary, drawings, or other material specifically addressing conditions in the concept direction. This shall include comments or material from WVDOH regarding the impact study and any responses from the developer's engineers.
7. **Well and Septic Systems.** Where applicable, preliminary plats shall include well and septic provisions and all appropriate Jefferson County Health Department approvals. This element is not required for completeness review. However, final Health Department (State and Local) approval is necessary prior to final Preliminary Plat approval by Staff.
8. **Feasibility of Water and Sewer Systems.** Where applicable, preliminary plats shall include connections to existing water and sewer systems or provisions for these systems and for oversizing to serve additional properties. This shall include comments or material from the Jefferson County Public Service District regarding the impact study and any responses from the developer's engineers. Capacity Letters are required at Completeness Stage, but final approvals are necessary prior to final Preliminary Plat approval by Staff.
9. **Special Engineering.** Special engineering studies are required if the site is in or partially in areas designated as high vulnerability areas. If other natural resources have specific resource protection standards contained in the Zoning Ordinance, a preliminary engineering assessment shall be provided regarding how those standards can be met.
10. **Historic Resource Preservation.** A Phase I archaeological study is required. A historic resources impact study shall also be included.
11. **Proposal Description.** This shall be a written description of the proposal with general identification of the number of dwelling units or floor area proposed, commentary, zoning, and development option selected if the development is residential.
12. **Stormwater Management Plan and Narrative.** A Stormwater Management Plan and Narrative, as described in the Jefferson County Stormwater Management Ordinance, must be submitted as part of the preliminary plat to be reviewed by the Jefferson County Engineering Department. This is a required element in the first submission or the submission will automatically be determined as incomplete.<sup>4</sup>
13. **Identified Concerns.** A report demonstrating how specific conditions identified in the concept plan evaluation and direction received from the Concept Plan public workshop have been addressed on the preliminary plat or will be addressed on the final plat documents.

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- C. **Review Content.** The Department and agency reviews shall address the areas indicated in paragraphs D to F below and any other areas of concern to the agencies.
- D. **Department of Planning.** The Department review shall include the following:
1. Whether the density, use, and plan meet the requirements of the Zoning Ordinance and any other zoning issues that can be identified at the preliminary plan submission. Staff shall identify conditions that must be adjusted if they would enable the plan to conform to Zoning and Subdivision Ordinance standards.
  2. Staff shall provide a written opinion as to whether the preliminary subdivision plat meets the site planning criteria specified in Articles 21 and 22 of these Regulations. In reviewing the submitted application, the Department shall determine whether the concept plan was fulfilled.
- E. **WVDOH.** The WVDOH approval is required prior to final Preliminary Plat Approval by Staff. When appropriate, the WVDOH review shall determine whether the on-site conditions of the preliminary plat are acceptable to the Department, including sight distances, access location, turning or by-pass lanes, road configuration, road alignment and road drainage. A review of the traffic study shall be conducted and any problems or concerns with the study methodology or findings identified. WVDOH shall identify any off-site improvements that shall be required of the developer. A list of concerns to be addressed on the final plat shall be provided.
- F. **Public Services.** The review shall indicate whether the preliminary engineering indicates that water and sewer can adequately be provided for the project and if a new system is provided, whether the proposal is sufficient to handle other development in the area. The Public Service District shall make recommendations for oversizing and methods to recapture costs.
- G. **Recommended Conditions.** All reviews shall contain recommended final engineering standards that shall be met to deal with specific issues or conditions that need to be addressed in final engineering, plat, landscape plan, or other documents.
- H. **Approval.** If the preliminary plat and application is incomplete, or the development cannot conform to the Zoning Ordinance, be serviced by public services or on-site utilities, or is otherwise impossible, the Planning Commission shall deny the same; otherwise, the Planning Commission shall find it complete and accept it. The Planning Commission may also accept the preliminary plat and application with the condition that the remaining items identified as necessary by the Ordinance be completed prior to final preliminary plat approval
- I. **Effect.** After staff concludes the completeness review, staff shall place the preliminary plat on the next regularly scheduled Planning Commission agenda for a vote to accept or deny the application as complete. If the application is found complete or essentially complete, the Planning Commission shall schedule a public hearing within 45 days in accordance with Section 24.110 , *Major Subdivision Preliminary Plat - Public Hearing*. If the application is incomplete, the applicant shall be notified in writing stating the reasons for denial.

**Sec. 24.110 Major Subdivision Preliminary Plat - Public Hearing**

Within 45 days of accepting an application as complete or essentially complete, the Planning Commission shall conduct a public hearing to receive public comments, concerns, and inputs on the proposed preliminary subdivision plat. The public notice of the public hearing shall be advertised in a local newspaper of general circulation in the area at least twenty-one (21) days prior to the public hearing. The applicant shall post notice on the site at least fourteen (14) days prior to the public hearing. The scope of this public hearing shall be limited to whether the application meets the requirements of these Regulations and the Zoning Ordinance.



### Sec. 24.111 Major Subdivision Preliminary Plat -Approval

After the close of the public hearing or at any meeting within 14 days thereafter, the Planning Commission shall (1) approve the application, (2) approve the application with conditions, (3) deny the application, or (4) hold the application for up for 45 days for additional information. If the application is to be held for the additional time, a date certain for re-opening the public hearing must be set by the Planning Commission simultaneously with the vote to hold. Additional legal advertisement is not required.

- A. **Approval.** The Planning Commission shall review the recommendations and opinions of the reviewing agencies, the staff's decision regarding compliance with the Zoning Ordinance, and the testimony of the public and render its decision. The Planning Commission may approve the plan if it meets the standards of the land use ordinances, deny the plan if it does not meet the standards of the land use ordinances, or approve the plan with conditions to complete any remaining items. In the event that the preliminary plat is approved with conditions to complete any remaining items, unless otherwise directed by the Planning Commission, the Staff shall have the authority to grant final approval of the preliminary plat once the conditions are met. Also, if the Planning Commission conditionally approves the preliminary plat, then the Applicant shall be required to submit a notarized document expressly and explicitly waiving the 45 day time requirement for the Commission and/or Staff to act. If the Applicant is unwilling to provide such document, then the Planning Commission shall proceed in the final consideration of the preliminary plat. In making the decision, the following rules apply:

1. **Zoning.** The preliminary plat application must be denied on zoning grounds if the staff's decision is that the proposed project does not comply with the Zoning Ordinance. If staff indicates it can meet zoning with a specific condition, these conditions shall be required by the Planning Commission. The Planning Commission cannot deny an application on the basis of zoning if the staff's decision is that the application complies with the Zoning Ordinance.
2. **Impact Fees.** The County has adopted impact fee requirements that apply to parks and recreation, schools, law enforcement, fire protection, and emergency services. All fees are collected from individual landowners or builders in conjunction with the building permit process. For this reason, the preliminary plat application cannot be denied on the grounds of adverse impact on these services.
3. **Roads.** The Planning Commission shall defer to the WVDOH on final requirements and approvals for improvements to the public roads. Staff, Applicant and WVDOH are encouraged to work together for an acceptable final approval by WVDOH. have the jurisdiction over any developer or subdivider to require the installation of such improvements as are deemed proper within or adjacent to the subdivision to assure safe access to and from the public highway, and maintain an adequate flow of traffic on the public highway. Improvements required may include the installation of traffic signs and signals, constructing left or right turn lanes, acceleration and deceleration lanes, or reconstructing public roads to eliminate vertical or horizontal curves. Such improvements shall be acceptable to and approved by the West Virginia Division of Highways, provided a denial of such approval shall supersede Planning Commission authority under this provision. The roads impacted by a development are State roads under the jurisdiction of WVDOH. The Planning Commission shall not substitute its judgment of the safety or performance of roads for that of WVDOH unless there is compelling professional evidence that WVDOH has erred in its determination of impact.



2. **Density Calculation.** ~~The final recording plan shall include a current density calculation note or table. **and Site Resource Map.**~~ This map shall have the final plat superimposed, and shall identify the total area of each resource present, the amount protected, and a summary table showing that the resource protection standards are met.
3. **General Location Map.** A map or aerial photograph showing an area of 500 feet around the property. Zoning boundaries shall be located on this document.
4. **Final Engineering Plans.** The final engineering plan(s) shall be submitted in accordance with the content and formatting guidelines provided by the Department of Engineering. If preliminary engineering plans satisfy the requirements of the Department of Engineering and no modifications to the preliminary engineering plans are required, then preliminary plans previously approved shall be considered final plans.
5. **Final Landscape Plans.** The final landscape plan shall be submitted in accordance with the content and formatting guidelines provided by the Department of Planning.
6. **Transportation Impact Study and WVDOT Approvals.** A transportation impact study shall be re-submitted only if there was a condition for revisions in the preliminary plat approval. WVDOT approvals shall be secured prior to final approval.
7. **Water and Sewer Services.** This shall include a declaration of Public Service District's approval of plats, or approval by the appropriate service provider, and an agreement to operate the facility. This shall also include documents necessary for the transfer of ownership of the facility to the Public Service District or appropriate operating agency.
8. **On-Site Sewer and Water.** If on-site waste disposal and water supply are provided, approval of the soils, design of the system, and its **their** location on the site shall be indicated.
9. **Special Engineering.** If the site is in or partially in areas designated as high vulnerability areas, preliminary geotechnical engineering assessment may be required. All natural resources which have specific resource protection standards in the Zoning Ordinance or these Regulations shall be complied with and require final engineering approval. All natural resources which have specific resource protection standards in the Zoning Ordinance or these Regulations, shall be complied with, and require final engineering approval.
10. **Open Space.** Open space to be provided to satisfy the requirements of the Zoning Ordinance shall be identified on the final plat. Covenants and deed restrictions applicable to such open space to assure its retention shall be submitted and approved for recordation.
11. **Stormwater Management Plan.** If the preliminary Stormwater Management Plan satisfies the requirements of the Department of Engineering and no modifications to the preliminary Stormwater Management Plan is required, then preliminary plans previously approved shall be considered final plans. Preliminary stormwater management plans requiring modifications will require a final Stormwater Management Plan, as described in the Jefferson County Stormwater Management Ordinance, to be submitted as part of the final plat to be reviewed by the Jefferson County Engineering Department.<sup>4</sup>
12. **Surety.** Cost estimates for all improvements and proof of surety. See Section 24.503, *Amount of Surety*.
13. **Other Agencies.** Required agency sign-offs that the final plat is approved by that agency. These agencies shall include the Jefferson County Health Department, West

**Subdivision Regulations**

Jefferson County, West Virginia



~~Virginia Division of Highways, West Virginia Department of Environmental Protection, the West Virginia Health Department, the Public Service District, appropriate utility service providers, Jefferson County 911 Addressing Department, and other review agencies certifying that the application is consistent with approved preliminary plat and meets all requirements of the applicable codes, ordinances, or standards or others when determined appropriate by County staff.~~

14. **Names.** Name of applicant and of consulting firms, addresses, phone numbers, e-mail addresses, and person(s) to whom correspondence shall be addressed.

C. **Endorsements on Final Plats.** The following certificates shall be placed on all final plats:

1. **Surveyor.** Certificate of accuracy and mapping by professional licensed surveyor signed and sealed.
2. **Owners.** Certificate of ownership and dedication signed and notarized, including all individuals, partnerships, and corporations, and lenders with financial security interests.

D. **Additional Information.** The Department shall:

1. Review and approve all matters under its jurisdiction.
2. Issue a zoning compliance letter.
3. Certify that all proffers have been satisfied.

E. **Approval.** Based on the Planning Commission's approval or conditional approval of the final Preliminary Plat, the approval of the final recording plat shall be an administrative function of Staff unless there is a disagreement between the Staff and the Applicant. The Staff or Applicant can request that the final recording document be addressed by the Planning Commission by having the matter placed on the next available meeting agenda. If the final plat is found by the Planning Commission to be incomplete, or the development cannot conform to the Zoning Ordinance, be serviced by public services or on-site utilities, the Planning Commission shall deny the same; otherwise, the Planning Commission shall find it complete and accept it.

F. **Effect.** ~~After staff concludes the completeness review, staff shall place the final plat on the next regularly scheduled Planning Commission agenda for a vote to accept or deny the application as complete. If the application is found complete, the Planning Commission shall schedule a public hearing within 45 days in accordance with Section 24.113, Major Subdivision Final Plat Public Hearing. If the application is incomplete, the applicant shall be notified in writing stating the reasons for denial.~~

### **Sec. 24.113 Major Subdivision Final Plat – Public Hearing**

~~Within 45 days of accepting the application as complete, the Planning Commission shall conduct a public hearing to receive public comments, concerns, and inputs on the proposed final plat. The public notice of the public hearing shall be advertised in a local newspaper of general circulation in the area at least twenty-one (21) days prior to the public hearing. The applicant shall post notice on the site at least fourteen (14) days prior to the public hearing.~~

- A. **Subjects Covered.** ~~The scope of this public hearing shall be limited to whether the final plat application meets the requirements of these Regulations and the Zoning Ordinance.~~
- B. **Hearing Procedure.** ~~The hearing shall be conducted in accordance with the Bylaws of the Jefferson County Planning Commission.~~

**Sec. 24.114 Major Subdivision Final Plat -Approval**

~~After the close of the public hearing or at any meeting within 14 days thereafter, the Planning commission shall (1) approve the application, (2) approve the application with conditions, (3) deny the application, or (4) hold the application for up to 45 days for additional information.~~



- A. **Approval.** If the final plat application is consistent with the preliminary plat application and meets all other requirements of these Regulations and the Zoning Ordinance and has received sign-off from the agencies specified in Section 24.112 (B)(12), the Planning ~~Director-Commission~~ shall approve the subdivision application.
- B. **Denial.** Denial can only be done on the following basis:
  - 1. The plat (plan, ~~plat, final engineering, or final landscaping~~) is inconsistent with the approved preliminary plat or conditions of said approval.
  - 2. Failure to provide approved surety.
- C. **Plat Signing.** The Planning Director, or their representative shall sign ~~Commission President shall authorize the signing of~~ the plat.
- D. **Effect and Vesting.** The approval of the final plat application and signing of the plat makes the document recordable.

**Sec. 24.115 Major Subdivision Final Plat -Recording**

The applicant shall have 180 days after approval to file and record the final plat for lots to be recorded, together with any deed restrictions as may be required, in accordance with W.Va. Code §39-1-13. The approval shall become void if it is not recorded within the 180 day period. The Planning Commission may grant a waiver to this provision pursuant to the waiver process. The following documents shall be submitted to the Department of Planning:

- A. One (1) Mylar copy of the Final Plat suitable for recordation and acceptable to the Clerk of Jefferson County;
- B. Three (3) paper copies of the Final Plat;
- C. One (1) digital copy of the Final Plat compatible with the Jefferson County GIS, as specified by the Jefferson County GIS Office-requirements; and
- D. One (1) digital and one (1) paper copy of any deed restrictions/covenants in a form suitable to the Department.



Jefferson County  
Development Authority

Board of Directors  
2015-2016

Eric Lewis  
President

Debra Lee Havatter  
Vice President

Mike Chapman  
Secretary/Treasurer

Andy Blake  
Chuck Ellison

Annette Gavin

David Manthos

David Marshall

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David Mills

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Tony Price

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Andrew Slumer

Lyn Tabib

Karan Townsend

Laura Whittington

Harry Wilkins

John Reisenweber  
Executive Director

PO BOX 237  
CHARLES TOWN  
WV 25414

304.728.3255

304.725.3133 fax

www.JCDA.net

Received

NOV 06 2015

Jefferson County Commission

October 30, 2015

Honorable Commissioner Jane Tabb  
President, Jefferson County Commission  
124 E. Washington Street  
Charles Town, WV 25414

Dear Commissioner Tabb,

On behalf of the Board of Directors of the Jefferson County Development Authority (JCDA), I am writing to express our support for the proposed revisions to the Jefferson County Subdivision and Land Development Regulations regarding the Major/Minor Subdivision and Site Plan processes.

The proposed revisions streamline the Site Plan application process, which will considerably lessen the amount of time to get projects approved. This quicker process could be the difference in whether or not a major economic development project comes to Jefferson County. Moving the public workshop from the end of the process to the beginning of the process will provide a greater opportunity to have any identified issues addressed more efficiently. Developers have the ability to be more responsive to staff and public concerns during the concept plan phase when changes can be easier and less expensive to make.

While the JCDA supports the overall amendments, we do encourage the Planning Commission to take another look at the structure of the concept plan public workshops. The Planning Commission is responsible for approving site plans; therefore, the JCDA believes public comment should be directed to the Planning Commission, rather than allowing the public to also engage directly with developers at these workshops.

Thank you for your consideration and please do not hesitate to contact me if I can provide any information in this matter.

Sincerely,

John Reisenweber  
Executive Director

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Nathan Cochran

Department or Entity: Prosecutor's Office

Estimation of amount of time needed for appointment: 30 min.

Date Requested - 1<sup>st</sup> Choice: 11/19/15

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

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

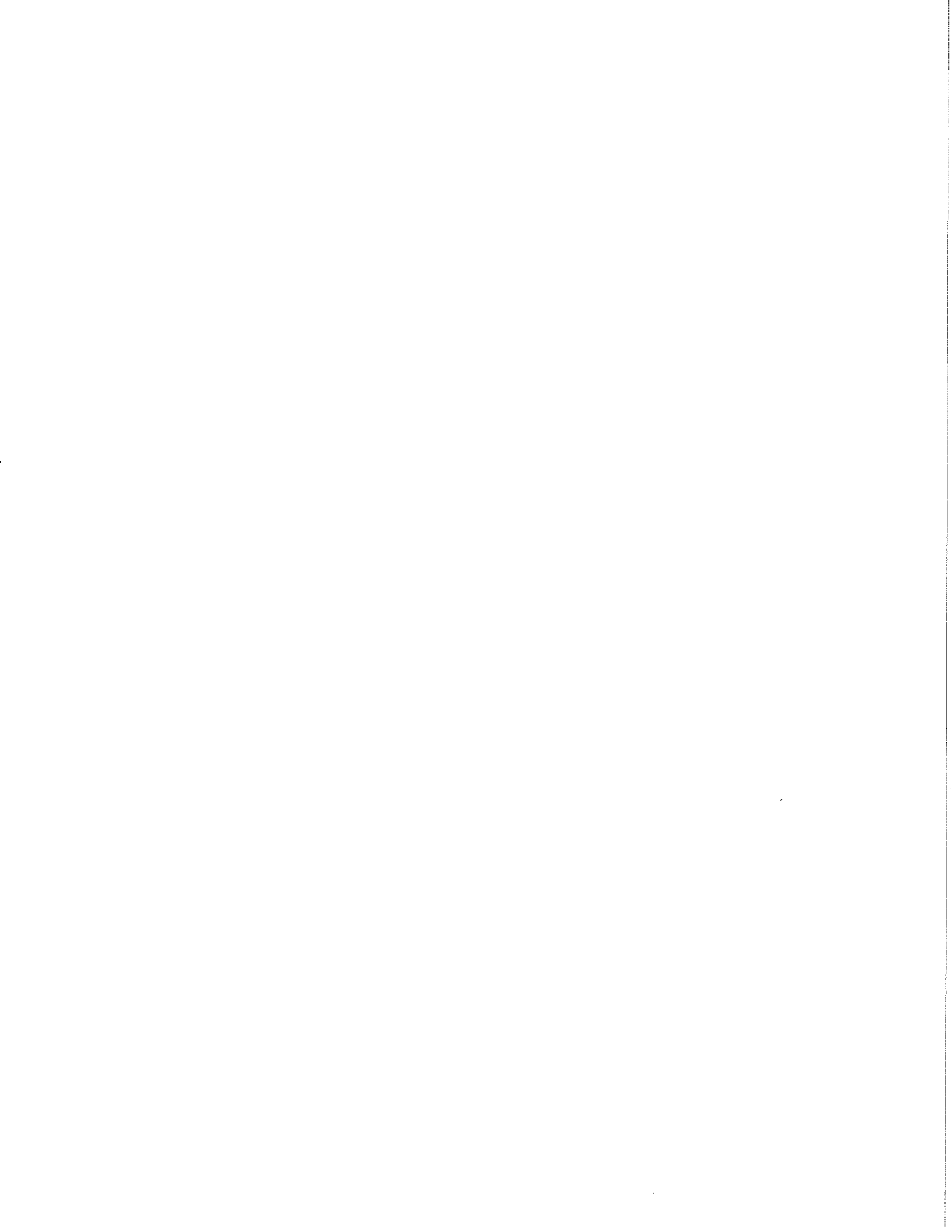
Subject:

Legal Update on Case No. 15-C-282,  
13-C-432, 15-0323/14-1792-T-C 14-0324/  
14-1793-T-C. Possible executive session

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:



# RESOLUTION

Be it hereby RESOLVED and DECLARED by each of the persons and entities whose signatures appear below:

First, that year round, live thoroughbred horse racing and thoroughbred horse breeding at farms in West Virginia needs to be sustained at the Hollywood Casino at Charles Town Races;

Second, that year round, live thoroughbred horse racing at the Hollywood Casino at Charles Town Races and thoroughbred horse breeding at farms in West Virginia are an integral part of the Eastern Panhandle of West Virginia's agriculture, and that agriculture is a critical ingredient in West Virginia's economy;

Third, that year round, live thoroughbred horse racing at the Hollywood Casino at Charles Town Races and local thoroughbred horse breeding at farms in West Virginia protects and enhances tourism in the Eastern Panhandle of West Virginia, including but not limited to, hotels, motels, bed & breakfasts, restaurants, historic tourism, and purveyors and sellers of goods and services of every kind and variety, and that tourism is a critical ingredient in West Virginia's economy;

Fourth, that year round, live thoroughbred horse racing at the Hollywood Casino at Charles Town Races and thoroughbred horse breeding at farms in West Virginia promote job creation and continued

employment and the generation of state revenues, and that job creation and continued employment are essential not only to the financial and moral well-being of those who are employed, but to the spouses, children, and families of those so employed who, without the benefits of such employment, would be forced to rely upon scarce public resources or suffer penury;

Fifth, that year round, live thoroughbred horse racing at the Hollywood Casino at Charles Town Races and thoroughbred horse breeding at farms in West Virginia generate tax revenues that support the provision of essential government services, including public education, police and fire services, and our municipal and county governments who, without such tax revenues, would be forced to further scale-back essential services and employment.

WHEREFORE, as evidenced by our signatures below, we support a racing industry that is competitive with surrounding racing establishments, and can sustain year round, live thoroughbred horse racing at the Hollywood Casino at Charles Town Races, and we support thoroughbred horse breeding at farms in West Virginia.

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



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

Department or Organization: **County Commission**

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

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

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

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

Subject (*Wording to be placed on agenda*): **Approval of Resolution and contract – Victims of Crime Act (VOCA) Grant– 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, contract, and grant documents – Victims of Crime Act (VOCA) Grant in the amount of \$60,623.00 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**

**Matching Funds - \$15,156**

**RESOLUTION**

The Commission of Jefferson County met on November 19<sup>th</sup>, 2015 with a quorum present and passed the following resolution.

Be it resolved that the Commission hereby authorizes Jane M. 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 Victims of Crime Act (VOCA) grant program.

Signed: \_\_\_\_\_  
County Clerk

15-VA-012

# **GRANT CONTRACT AGREEMENT**

**BETWEEN**

**DIVISION OF JUSTICE AND COMMUNITY SERVICES**

**AND**

**Jefferson County Commission**

**15-VA-012**

This **AGREEMENT**, entered into this **28th day of October, 2015** by the Director of the Division of Justice and Community Services, hereinafter referred to as "DJCS", and the Jefferson County Commission hereinafter referred to as "Grantee."

**WHEREAS**, DJCS is the recipient of a Victims of Crime Act (VOCA) Program Grant from the United States Department of Justice, and

**WHEREAS**, the Grantee is an eligible applicant who is desirous of receiving funds. **These funds will provide for a portion of the salaries of two full-time Victim Advocates in the Jefferson County Prosecuting Attorney's Office to provide direct services to crime victims in Jefferson County..**

**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 **October 1, 2015**, and shall continue those services/activities until **September 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 \$60,623.00 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 once per 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, 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 hereunder 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 hereto agree that notice shall be given by personal service or served when mailed certified U.S. Mail, postage prepaid, return receipt requested to 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  
Post Office Box 250  
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.

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**Jane Tabb, President**  
**Jefferson County Commission**

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

**WEST VIRGINIA  
DIVISION OF Justice and Community  
Services**

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

**Network Policy & Protections**

**All subgrantee's must have a policy that prohibits the viewing, downloading, and/or exchanging of pornographic material.** Subgrantee's understand and agrees that – (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

**Salary Increases**

Subgrantee's that were awarded an increase in Personnel/Contractual must apply the approved raises in salary within the first quarter of the grant cycle or the increased funds may be deobligated.

**Brochures**

Subgrantee's that were awarded funding for brochures must submit a copy of the brochure to DJCS for pre-approval and all brochures must be purchased within the first quarter of the grant cycle or the funds may be deobligated.

**Applicability of Part 200 Uniform Requirements**

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to this 2015 award from the Office of Justice Programs (OJP). For this 2015 award, the Part 200 Uniform Requirements, which were first adopted by DOJ on December 26, 2014, supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

If this 2015 award supplements funds previously awarded by OJP under the same award number, the Part 200 Uniform Requirements apply with respect to all award funds (whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2015 award.

Potential availability of grace period for procurement standards: Under the Part 200 Uniform Requirements, a time-limited grace period may be available under certain circumstances to allow for transition from policies and procedures that complied with previous standards for procurements under federal awards to policies and procedures that comply with the new standards (that is, to those at 2 C.F.R. 200.317 through 200.326).

For more information on the Part 200 Uniform Requirements, including information regarding the potentially-available grace period described above, see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the subgrantee is to contact DJCS and OJP promptly for clarification.

**Computers and/or Office Equipment**

Subgrantee's that were awarded "Other" funding for computers and/or office equipment must purchase the approved items within the first quarter of the grant cycle or funds may be deobligated.

**Other Funds**

Subgrantee's that were awarded "Other" funding for general office supplies must purchase supplies quarterly or the funds may be deobligated.

**Compliance with DOJ Grants Financial Guide**

Subgrantee agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide").

**Restrictions and certifications regarding non-disclosure agreements and related matters**

No subgrantee under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information. The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the subgrantee --

- a) represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- b) certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the subgrantee does or is authorized to make subawards or contracts under this award --

- a) it represents that --
  - 1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
  - 2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and
- b) it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

**Outstanding Audit Issues**

The subgrantee understands and agrees that DJCS and/or OJP may withhold award funds, or may impose other related requirements, if the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

## Performance Measures

The subgrantee must collect, maintain, and provide to DJCS & OJP, data that measure the performance and effectiveness of activities under this award, in the manner, and within the timeframes, specified in the program solicitation, or as otherwise specified by OJP. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

## Performance Measures II

The subgrantee agrees to submit performance reports on the performance metrics identified by DJCS and OVC, and in the time and manner required by DJCS & OVC. This information on the activities supported by the award funding will assist in assessing the effects that VOCA Victim Assistance funds have had on services to crime victims within the jurisdiction. Beginning October 1, 2015, the subgrantee agrees to submit such information monthly.

## Non-Profit Financial Statements

All non-profit subgrantees of VOCA Assistance funding under this award are required to make their financial statements available online (either on the subgrantees, or another publicly available website). OVC will consider sub-recipient organizations that have Federal 501(c)(3) tax status as in compliance with this requirement, with no further action needed, to the extent that such organization files IRS Form 990 or similar tax document (e.g., 990-EZ), as several sources already provide searchable online databases of such financial statements.

## Non-Profit Status Certification

All non-profit subgrantees of VOCA Assistance funding under this award are required to certify their non-profit status. Subgrantees may certify their non-profit status by submitting a statement to DJCS (to be placed in the grant file) affirmatively asserting that the subgrantee a non-profit organization, and indicating that it has on file, and available upon audit, either – 1) a copy of the recipient's 501(c)(3) designation letter; 2) a letter from the recipient's state/territory taxing body or state/territory attorney general stating that the recipient is a non-profit organization operating within the state/territory; or 3) a copy of the recipient's state/territory certificate of incorporation that substantiates its non-profit status. Subgrantees that are local non-profit affiliates of state/territory or national non-profits should have available proof of (1), (2) or (3), and a statement by the state/territory or national parent organization that the recipient is a local non-profit affiliate.

## Program Accountability – Federal Audit Requirements

I.) Federal Office of Management and Budget (OMB) 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 at the time of award.

§200.501(a) Audit required. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.

(b) Single audit. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.

(c) Program-specific audit election. When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a sub-recipient, approves in advance a program-specific audit.

(d) Exemption when Federal awards expended are less than \$750,000. A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

**De Minimis**

A subgrantee that is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC).

**Fraud**

All subgrantee's must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, subgrantee, contractor, subcontractor, or other person has -- (1) submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving award funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by - mail: Office of the Inspector General U.S. Department of Justice Investigations Division 950 Pennsylvania Avenue, N.W. Room 4706 Washington, DC 20530 e-mail: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov) hotline: (contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881 Additional information is available from the DOJ OIG website at [www.usdoj.gov/oig](http://www.usdoj.gov/oig)

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

\_\_\_\_\_  
**Printed/Typed Authorized Official Name**

\_\_\_\_\_  
**SIGNATURE (Original) of Authorized  
Official**

\_\_\_\_\_  
**DATE**



## 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.

### I. 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 subrecipients 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;
- (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7<sup>th</sup> 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: **Jefferson County Commission PO Box 250 Charles Town WV 25414**

**15-VA-012 Victims of Crime Grant**

**55-6000333**

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

**Jane M. Tabb, President**

4. Typed Name and Title of Authorized Representative

**November 19, 2015**

5. Signature

6. 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: Jefferson County Commission            |                                              | DUNS Number: 07-741-4548 |
| Address: 124 E. Washington Street Charles Town, WV 25414 |                                              |                          |
| Grant Title: Victim of Crime Act                         | Grant Number: 15-VA-012                      | Award Amount: \$60,623   |
| Name and Title of Contact Person: Debra Yound            |                                              |                          |
| Telephone Number: 304-724-6277                           | E-Mail Address: dyoung@jeffersoncountywv.org |                          |

### 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, Jane M. Tabb, President \_\_\_\_\_ [responsible official],  
certify that Jefferson County Commission \_\_\_\_\_ [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:  
Jefferson County Commission \_\_\_\_\_ [organization],  
P.O. Box 250, Charles Town, WV 25414 \_\_\_\_\_ [address].

Jane M. Tabb, President

November , 2015

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](mailto: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 7<sup>th</sup> 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.

|                                |                                  |
|--------------------------------|----------------------------------|
| <b>VOCA<br/>Grants Program</b> | <b>Budget Summary<br/>Page 3</b> |
|--------------------------------|----------------------------------|

|                                                  |                                                        |
|--------------------------------------------------|--------------------------------------------------------|
| <b>Applicant:</b><br>Jefferson County Commission | <b>FEIN: 55-6000333</b><br><br><b>DUNS#: 077414548</b> |
|--------------------------------------------------|--------------------------------------------------------|

| Category                  | VOCA Grant Funds (A) | Matching Funds (B) | Total Funds (A + B) |
|---------------------------|----------------------|--------------------|---------------------|
| Personnel and Contractual | \$60,123             | \$15,156           | \$75,279            |
| Travel and Training       | \$500                | \$0                | \$500               |
| Equipment                 | \$0                  | \$0                | \$0                 |
| Space                     | \$0                  | \$0                | \$0                 |
| Other                     | \$0                  | \$0                | \$0                 |
| <b>Total Budget</b>       | <b>\$60,623</b>      | <b>\$15,156</b>    | <b>\$75,779</b>     |

|                         |
|-------------------------|
| <b>FUNDING STRATEGY</b> |
|-------------------------|

| Funding Source(s) | Amount          | Status |
|-------------------|-----------------|--------|
| VOCA Grant Funds  | \$60,623        | (A)    |
| Match             | \$15,156        |        |
|                   |                 |        |
| <b>Total</b>      | <b>\$75,779</b> |        |

\* TOTAL FOR COLUMN A SHALL BE PLACED IN THE SPACE PROVIDED ON PAGE ONE FOR GRANT FUNDS REQUESTED.

| <b>VOCA<br/>Grants Program</b>                        | <b>Itemization of Funds By Category<br/>Page 4</b> |                                           |                                                |
|-------------------------------------------------------|----------------------------------------------------|-------------------------------------------|------------------------------------------------|
| <b>Applicant: Jefferson County Commission</b>         | <b>Local Matching<br/>Funds</b>                    | <b>Requested<br/>VOCA Grant<br/>Funds</b> | <b>Approved<br/>VOCA Funds<br/>(DJCS ONLY)</b> |
| <b><u>Personnel and Contractual:</u></b>              |                                                    |                                           |                                                |
| <b>F/T Victim Advocate salary - Debra Young</b>       |                                                    | \$25,680                                  | \$25,680                                       |
| FICA 7.65%                                            |                                                    | \$1,965                                   | \$1,965                                        |
| Retirement 13.5%                                      |                                                    | \$3,467                                   | \$3,467                                        |
| Match                                                 | \$7,128                                            |                                           |                                                |
| <b>F/T Advocate Jennifer May-Sanner</b>               |                                                    | \$23,946                                  | \$23,946                                       |
| FICA 7.65%                                            |                                                    | \$1,832                                   | \$1,832                                        |
| Retirement 13.5%                                      |                                                    | \$3,233                                   | \$3,233                                        |
| Match                                                 | \$7,128                                            |                                           |                                                |
| <b>Volunteer hours \$10.00/hr</b>                     | \$900                                              |                                           |                                                |
| <b><u>Travel and Training:</u></b>                    |                                                    |                                           |                                                |
| DJCS Pre-Approved Travel/Training                     |                                                    | \$500                                     | \$500                                          |
| <br><br><br>                                          |                                                    |                                           |                                                |
| <b><u>Equipment (\$5,000 or more "per unit"):</u></b> |                                                    |                                           |                                                |
| <br><br>                                              |                                                    |                                           |                                                |
| <b><u>Space (includes telephone):</u></b>             |                                                    |                                           |                                                |
| <br><br>                                              |                                                    |                                           |                                                |
| <b><u>Other:</u></b>                                  |                                                    |                                           |                                                |
| <br><br><br>                                          |                                                    |                                           |                                                |
| <br><br>                                              |                                                    |                                           |                                                |
|                                                       |                                                    |                                           |                                                |
|                                                       |                                                    |                                           |                                                |
|                                                       |                                                    |                                           |                                                |
| <b>Total Local Matching Funds</b>                     | \$15,156                                           |                                           | \$15,156                                       |
| <b>Total Federal Funds</b>                            |                                                    | \$60,623                                  | \$60,623                                       |
| <b>Total Approved Project (DJCS ONLY)</b>             |                                                    |                                           | \$75,779                                       |



STATE OF WEST VIRGINIA

Department of Revenue  
State Tax Department

Earl Ray Tomblin  
Governor

Mark W. Matkovich  
State Tax Commissioner

---

November 9, 2015

President, Jefferson County Commission  
Jefferson County Courthouse  
100 E. Washington Street  
Charles Town, West Virginia 25414

Dear Commission President:

This letter and attachment certify that Angela L. Banks, Assessor of Jefferson County, has substantially complied with the "assessor's additional duties" as delineated in West Virginia Code § 7-7-6a. Substantial completion of the additional duties entitles Ms. Banks to the additional compensation of \$15,000 as provided in West Virginia Code § 7-7-6b.

Sincerely,

A handwritten signature in blue ink, appearing to be "M. Matkovich", written over a horizontal line.

Mark W. Matkovich  
State Tax Commissioner

MWM/jaj

Attachment

cc: Assessor of Jefferson County  
Clerk of Jefferson County

ASSESSOR ADDITIONAL DUTIES - 2015

RECEIVED

OCT 9 2015

SUBSTANTIAL COMPLETION  
(PLACE AN "X" IN THE APPROPRIATE SPACE.)

State Tax Department  
Property Tax Division  
YES NO

|    |                                                                                                                                                                                                                                                                                                                                                                                                                       |   |  |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|
| 1. | I have completed a sales ratio analysis of all sales from July 1, 2014 to June 30, 2015 in the manner prescribed by the State Tax Commissioner.                                                                                                                                                                                                                                                                       | X |  |
| 2. | I have provided the State Tax Commissioner with all real property transfers for the prior assessment year (July 1, 2014 – June 30, 2015) by entering this information in the IAS/CAMA system.                                                                                                                                                                                                                         | X |  |
| 3. | I have completed a list indicating that an appraisal change, mapping change or both have occurred to a parcel of property requiring this action during the previous tax year. I have made the appropriate appraisal data change to the IAS/CAMA system record on the computer network for each appraisal change. A list is available for inspection. (Indicate the number of changes completed this year. <u>79</u> ) | X |  |
| 4. | I have prepared a listing of all new businesses added to the assessment rolls and all businesses that have ceased operations during the past year and removed from the assessment rolls.                                                                                                                                                                                                                              | X |  |
| 5. | I have assisted the State Tax Commissioner in determining the current use of real property by completing a new appraisal card and map card for all land splits, adjusted the parent card, and made the appropriate entry to include all appropriate appraisal data on the computer network, including the proper tax class and land use code.                                                                         | X |  |
| 6. | I have assisted the State Tax Commissioner in determining the current use of public utility real property in my county by completing the public utility 20:21 report and determining if the real property is operating or non-operating.                                                                                                                                                                              | X |  |
| 7. | I have occupied the office of Assessor during this entire calendar year. If no, provide explanation. _____                                                                                                                                                                                                                                                                                                            | X |  |

STATEMENT OF COMPLETION

State of West Virginia

County of Jefferson

I, the undersigned, Angela L. Banks, Assessor of Jefferson County, hereby certify that I have substantially completed each additional duty described in West Virginia Code § 7-7-6a, in the manner prescribed by the West Virginia State Tax Commissioner.

10/7/2015  
Date

Angela L. Banks  
Signature of Assessor

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



Name: Michelle Pombo, Finance Director

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: 30 minutes

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

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

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

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

Review of Budget to Actual as of October 31, 2015  
Approval of Budget Transfers

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? \$N/A

Provide exact financial impact/request: N/A

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

Motion to accept State Budget Revision Number 3 of General Fund

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:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

# Jefferson County Commission

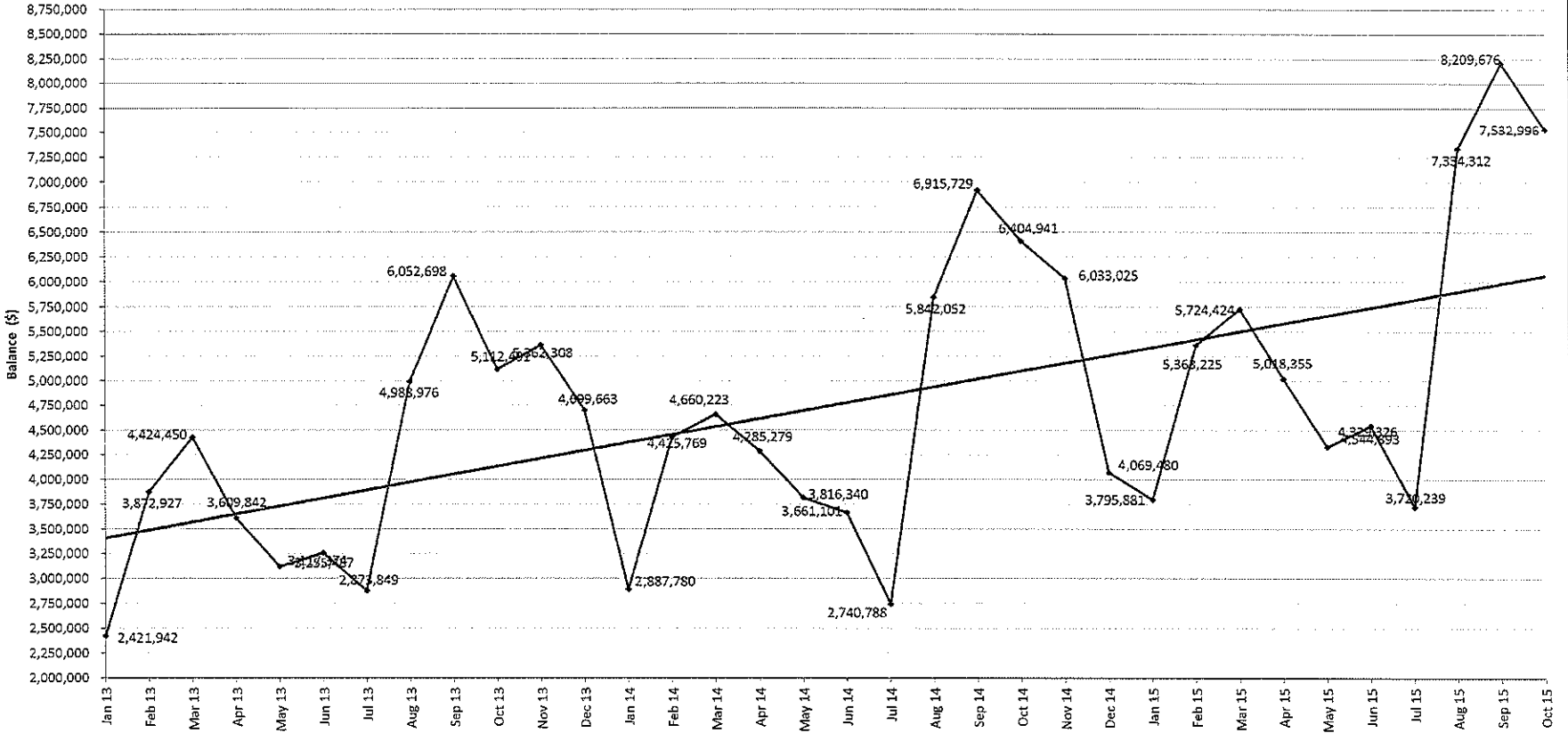
## Cash Balances by Fund

As of 10-31-2015

| Fund                 | Discription                  | Balance              |
|----------------------|------------------------------|----------------------|
| 001                  | General Operating            | \$ 7,532,996         |
| 002                  | Coal Severance               | 63,627               |
| 003                  | Dog & Kennel                 | 24,086               |
| 004                  | General School               | -                    |
| 005                  | Magistrate Court             | 2,296                |
| 006                  | Worthless Check              | 29,993               |
| 008                  | Home Confinement             | 22,985               |
| 009                  | Federal Grants               | -                    |
| 010                  | State Grant                  | -                    |
| 023                  | Flood Mitigation             | 34,959               |
| 039                  | Waste Coal                   | 8,366                |
| 056                  | Assessor Valuation           | 514,585              |
| 057                  | Farmland Protection          | 2                    |
| 059                  | Concealed Weapons            | 55,125               |
| 063                  | Voter Registration           | 203                  |
| 074                  | Drug Forfeiture              | 13,427               |
| 075                  | Sub Division Bond Forfeiture | 172                  |
| 077                  | Teen Court                   | 840                  |
| 244                  | Bardane Public Health Center | 62,270               |
| 246                  | Capital Outlay               | 4,339,385            |
| 247                  | Parks Land Fund              | -                    |
| 249                  | Impact Fees                  | 1,857,075            |
| 315                  | State Police                 | 60                   |
| 369                  | Deputy Sheriff Retire        | 1                    |
| Total Cash all Funds |                              | <u>\$ 14,562,453</u> |

### Jefferson County Commission General Fund Cash Balance 34 Month Trend

Series1  
Cash Trend



Jefferson County Commission  
 FY16 General Fund Revenues and Expenditures  
 Compiled November 12, 2015  
 Expenditures by Department

|                           | Budget            |                  |                     |                | YTD Actual       |                |               |
|---------------------------|-------------------|------------------|---------------------|----------------|------------------|----------------|---------------|
|                           | FY16 YTD          | Variance         |                     | FY15 YTD       | FY16-FY15 Var    |                |               |
|                           | Actual            | Favorable /      | % Rec'd             | Actual         | Favorable /      | % Rec'd        |               |
|                           | FY16 Budget       | as of 10/31/15   | (Unfavorable)       | /Exp'd         | as of 10/31/14   | (Unfavorable)  | /Exp'd        |
| <b>REVENUE</b>            |                   |                  |                     |                |                  |                |               |
| UNENCUMBERED BALANCE      | 3,951,985         | -                | (3,951,985)         | -              | -                | -              | -             |
| AD VALOREM TAXES          | 12,582,514        | 6,918,270        | (5,664,244)         | 54.98 %        | 6,680,105        | 238,165        | 3.57 %        |
| TAX PENALTIES             | 295,000           | 128,910          | (166,090)           | 43.70 %        | 133,837          | (4,927)        | (3.68) %      |
| PROPERTY TRANSFER TAX     | 598,000           | 224,543          | (373,457)           | 37.55 %        | 221,205          | 3,339          | 1.51 %        |
| GAS & OIL SEVERANCE TAX   | 41,000            | 95,320           | 54,320              | 232.49 %       | 81,957           | 13,363         | 16.30 %       |
| HORSE & DOG RACING TAX    | 12,686            | 4,739            | (7,947)             | 37.36 %        | 5,029            | (289)          | (5.75) %      |
| WINE & LIQUOR TAX         | 32,000            | 16,469           | (15,531)            | 51.46 %        | 18,902           | (2,434)        | (12.87) %     |
| HOTEL OCCUPANCY TAX       | 549,500           | 257,205          | (292,295)           | 46.81 %        | 248,555          | 8,649          | 3.48 %        |
| LICENSE/DECALS            | 65                | 30               | (35)                | 46.15 %        | 16               | 14             | 87.50 %       |
| BUILDING PERMIT FEES      | 200,000           | 8,263            | (191,737)           | 4.13 %         | 59,393           | (51,129)       | (86.09) %     |
| MISC. RENTS               | 131               | 120              | (11)                | 91.60 %        | 112              | 8              | 7.14 %        |
| FEDERAL GOV GRANTS        | 160,462           | 24,124           | (136,338)           | 15.03 %        | -                | 24,124         | -             |
| FED PYMNT IN LIEU OF TAXS | 11,676            | 516              | (11,160)            | 4.42 %         | 11,676           | (11,160)       | (95.58) %     |
| SHERIFF'S SRVC OF PROCESS | 17,600            | 7,830            | (9,770)             | 44.49 %        | 7,000            | 830            | 11.86 %       |
| SHERIFF EARNINGS          | 30,000            | 7,250            | (22,750)            | 24.17 %        | 12,189           | (4,939)        | (40.52) %     |
| COUNTY CLERK'S EARNING    | 192,375           | 64,338           | (128,037)           | 33.44 %        | 59,108           | 5,230          | 8.85 %        |
| CIRCUIT CLERK'S EARNING   | 65,815            | 20,114           | (45,701)            | 30.56 %        | 21,361           | (1,247)        | (5.84) %      |
| PROSECUTING ATTY EARNINGS | 1,278             | 267              | (1,011)             | 20.87 %        | 575              | (309)          | (53.63) %     |
| ACCIDENT REPORTS          | 3,500             | 1,330            | (2,170)             | 38.00 %        | 1,230            | 100            | 8.13 %        |
| MAP SALES                 | 2,700             | 1,131            | (1,569)             | 41.89 %        | 612              | 519            | 84.80 %       |
| RENT - CONCESSIONS        | 47,400            | 11,650           | (35,750)            | 24.58 %        | 15,400           | (3,750)        | (24.35) %     |
| AMBULANCE FEES            | 675,000           | 650,000          | (25,000)            | 96.30 %        | 375,000          | 275,000        | 73.33 %       |
| EMG COMM - 911 FEE        | 1,760,000         | 560,716          | (1,199,284)         | 31.86 %        | 481,634          | 79,082         | 16.42 %       |
| FRANCHISE FEES            | 400,000           | 113,291          | (286,709)           | 28.32 %        | 105,398          | 7,893          | 7.49 %        |
| IRP FEES-INTNATL REG PGM  | 8,000             | 9,209            | 1,209               | 115.11 %       | 3,557            | 5,652          | 158.89 %      |
| INSURANCE CLAIMS          | 95,000            | 97,813           | 2,813               | 102.96 %       | 96,912           | 901            | 0.93 %        |
| INTEREST EARNED           | 20,290            | 9,924            | (10,366)            | 48.91 %        | 7,911            | 2,014          | 25.45 %       |
| MISCELLANEOUS REVENUE     | 100               | 13               | (87)                | 12.75 %        | 13               | 0              | 0.55 %        |
| SHERIFF'S COMMISSION      | 15,000            | 11,563           | (3,437)             | 77.09 %        | 11,619           | (56)           | (0.48) %      |
| REIMBURSEMENTS            | 277,873           | 164,324          | (113,549)           | 59.14 %        | 132,264          | 32,060         | 24.24 %       |
| GEN SCHOOL FUND REIMB     | 250,000           | 64,438           | (185,562)           | 25.78 %        | 96,128           | (31,690)       | (32.97) %     |
| TRANS/ASSR VAL FUND       | 430,228           | -                | (430,228)           | -              | -                | -              | -             |
| <b>TOTAL REVENUES</b>     | <b>22,727,178</b> | <b>9,473,711</b> | <b>(13,253,467)</b> | <b>41.68 %</b> | <b>8,888,697</b> | <b>585,014</b> | <b>6.58 %</b> |
| <b>EXPENDITURES</b>       |                   |                  |                     |                |                  |                |               |
| COUNTY COMMISSION         | 1,753,199         | 618,592          | 1,134,607           | 35.28 %        | 634,787          | 16,195         | 2.55 %        |
| COUNTY CLERK              | 753,392           | 232,146          | 521,246             | 30.81 %        | 236,938          | 4,791          | 2.02 %        |
| CIRCUIT CLERK             | 632,182           | 186,472          | 445,710             | 29.50 %        | 196,664          | 10,192         | 5.18 %        |
| SHERIFF AND TREASURER     | 575,687           | 186,008          | 389,679             | 32.31 %        | 202,875          | 16,867         | 8.31 %        |
| PROSECUTING ATTORNEY      | 1,799,740         | 551,668          | 1,248,072           | 30.65 %        | 551,649          | (20)           | (0.00) %      |
| ASSESSOR                  | 526,372           | 161,095          | 365,277             | 30.60 %        | 173,303          | 12,207         | 7.04 %        |
| ASSESSOR'S VALUATION FUND | 430,228           | 134,695          | 295,533             | 31.31 %        | 144,422          | 9,727          | 6.74 %        |
| STATEWIDE COMPUTER NET    | 63,100            | (15,019)         | 78,119              | (23.80) %      | -                | 15,019         | -             |
| AGRICULTURAL AGENT        | 129,461           | 37,679           | 91,783              | 29.10 %        | 39,453           | 1,775          | 4.50 %        |

Jefferson County Commission  
 FY16 General Fund Revenues and Expenditures  
 Compiled November 12, 2015  
 Expenditures by Department

|                                     | Budget             |                       |                           |                | YTD Actual            |                           |                 |
|-------------------------------------|--------------------|-----------------------|---------------------------|----------------|-----------------------|---------------------------|-----------------|
|                                     | FY16 YTD           |                       | Variance                  |                | FY15 YTD              | FY16-FY15 Var             |                 |
|                                     | FY16 Budget        | Actual as of 10/31/15 | Favorable / (Unfavorable) | % Rec'd /Exp'd | Actual as of 10/31/14 | Favorable / (Unfavorable) | % Rec'd /Exp'd  |
| ELECTIONS COUNTY CLERK              | 336,434            | 46,627                | 289,807                   | 13.86 %        | 78,141                | 31,514                    | 40.33 %         |
| MAGISTRATE COURT                    | 1,000              | 470                   | 530                       | 47.02 %        | 246                   | (224)                     | (91.12) %       |
| COURTHOUSE (MAINTENANCE)            | 1,130,004          | 356,617               | 773,387                   | 31.56 %        | 346,324               | (10,293)                  | (2.97) %        |
| OTHER BUILDINGS                     | 634,750            | 175,504               | 459,246                   | 27.65 %        | 169,200               | (6,305)                   | (3.73) %        |
| DATA PROCESSING                     | 335,993            | 76,453                | 259,540                   | 22.75 %        | 61,823                | (14,630)                  | (23.66) %       |
| REGIONAL DEVELOPMENT AUTH           | 19,795             | 19,794                | 1                         | 100.00 %       | 19,794                | -                         | -               |
| ECONOMIC DEVELOPMENT                | 429,155            | 155,292               | 273,863                   | 36.19 %        | 189,480               | 34,188                    | 18.04 %         |
| GIS DEPT                            | 246,674            | 72,019                | 174,655                   | 29.20 %        | 72,477                | 459                       | 0.63 %          |
| PLANNING AND ZONING                 | 315,787            | 92,087                | 223,700                   | 29.16 %        | 113,678               | 21,591                    | 18.99 %         |
| ENGINEERING                         | 769,844            | 235,506               | 534,338                   | 30.59 %        | 229,925               | (5,580)                   | (2.43) %        |
| DEPT OF ZONING                      | 149,360            | 46,499                | 102,862                   | 31.13 %        | 22,107                | (24,391)                  | (110.33) %      |
| FINANCIAL STABILIZATION             | 2,106,758          | -                     | 2,106,758                 | -              | -                     | -                         | -               |
| CONTINGENCIES                       | 2,094,886          | -                     | 2,094,886                 | -              | -                     | -                         | -               |
| SHERIFF LAW ENFORCEMENT             | 3,521,034          | 1,114,944             | 2,406,090                 | 31.67 %        | 1,052,992             | (61,952)                  | (5.88) %        |
| SHERIFF SVC OF PROCESS              | 18,000             | 6,276                 | 11,724                    | 34.87 %        | 3,198                 | (3,078)                   | (96.25) %       |
| REGIONAL JAIL                       | 1,350,000          | 219,296               | 1,130,704                 | 16.24 %        | 225,810               | 6,514                     | 2.88 %          |
| EMERGENCY SERVICES                  | 274,197            | 75,293                | 198,904                   | 27.46 %        | 65,341                | (9,952)                   | (15.23) %       |
| COMMUNICATIONS CENTER               | 1,991,164          | 541,575               | 1,449,589                 | 27.20 %        | 567,738               | 26,164                    | 4.61 %          |
| FIRE DEPARTMENTS                    | 420,000            | 160,000               | 260,000                   | 38.10 %        | 156,750               | (3,250)                   | (2.07) %        |
| AMBULANCE AUTHORITY                 | 2,123,312          | 1,374,531             | 748,781                   | 64.74 %        | 1,098,781             | (275,750)                 | (25.10) %       |
| ANIMAL CONTROL                      | 325,809            | 92,138                | 233,671                   | 28.28 %        | 95,584                | 3,445                     | 3.60 %          |
| CENTRAL GARAGE                      | 306,979            | 84,206                | 222,773                   | 27.43 %        | 95,362                | 11,156                    | 11.70 %         |
| PARKS AND RECREATION                | 505,160            | 203,343               | 301,817                   | 40.25 %        | 202,955               | (387)                     | (0.19) %        |
| ARTS AND HUMANITIES                 | 10,990             | 3,931                 | 7,059                     | 35.77 %        | 3,477                 | (455)                     | (13.08) %       |
| HISTORICAL COMMISSION               | 15,900             | 5,821                 | 10,079                    | 36.61 %        | 5,148                 | (673)                     | (13.08) %       |
| VISITOR'S BUREAU                    | 275,110            | 98,281                | 176,829                   | 35.72 %        | 86,916                | (11,366)                  | (13.08) %       |
| LIBRARIES                           | 250,000            | 125,000               | 125,000                   | 50.00 %        | 117,000               | (8,000)                   | (6.84) %        |
| PUBLIC TRANSPORTATION               | 10,275             | 5,138                 | 5,138                     | 50.00 %        | 5,138                 | -                         | -               |
| SOLID WASTE AUTHORITY               | -                  | -                     | -                         | -              | 1,500                 | 1,500                     | 100.00 %        |
| <b>TOTAL EXPENDITURES</b>           | <b>26,631,731</b>  | <b>7,479,979</b>      | <b>19,151,752</b>         | <b>28.09 %</b> | <b>7,266,976</b>      | <b>(213,003)</b>          | <b>(2.93) %</b> |
| <b>NET PRIOR TO GAMING REVENUE</b>  | <b>(3,904,553)</b> | <b>1,993,732</b>      | <b>(32,405,219)</b>       |                | <b>1,621,721</b>      | <b>372,011</b>            | <b>22.94 %</b>  |
| TABLE GAMES                         | 790,000            | 292,565               | (497,435)                 | 37.03 %        | 308,232               | (15,667)                  | (5.08) %        |
| VIDEO LOTTERY                       | 3,114,553          | 1,497,964             | (1,616,589)               | 48.10 %        | 1,487,125             | 10,838                    | 0.73 %          |
| <b>NET REVENUE LESS EXPENDITURE</b> | <b>-</b>           | <b>3,784,261</b>      | <b>(34,519,243)</b>       |                | <b>3,417,078</b>      | <b>367,183</b>            | <b>10.75 %</b>  |

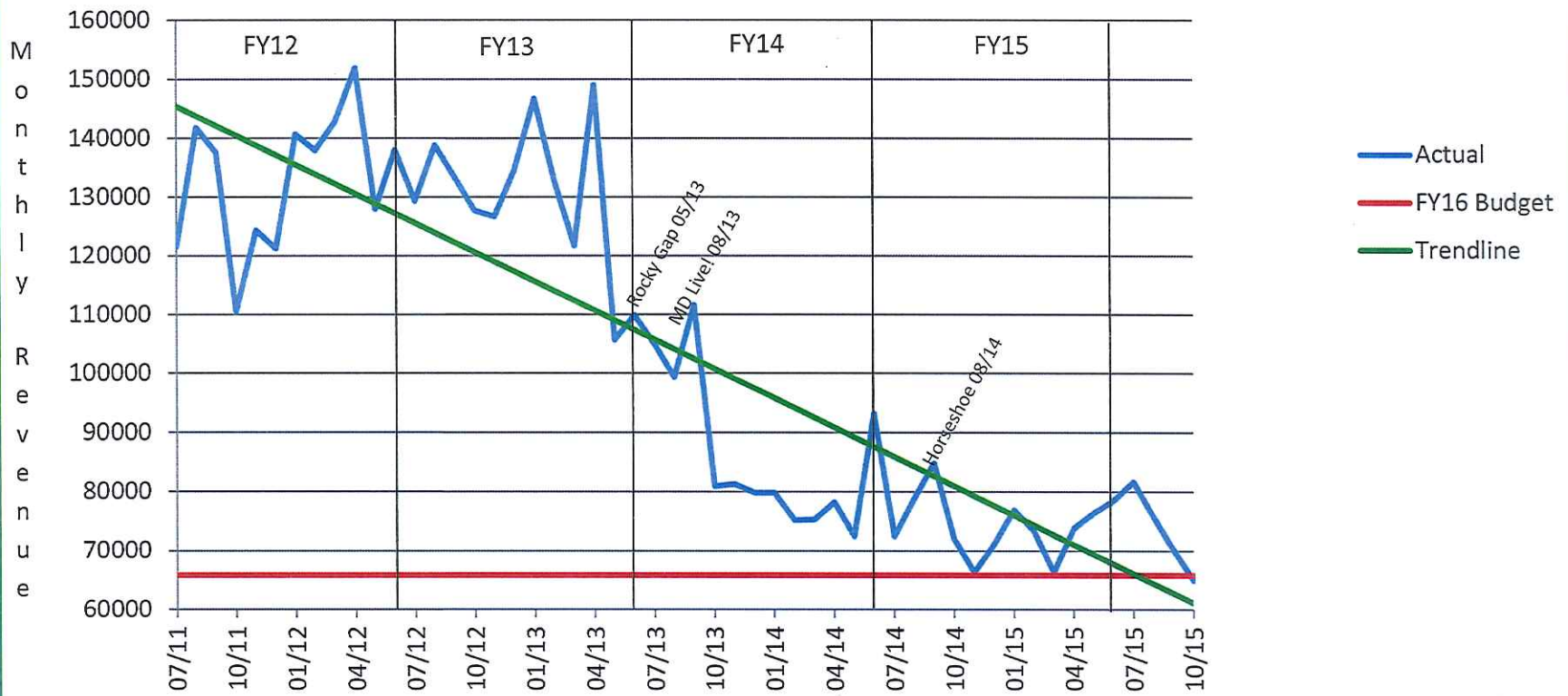
Jefferson County Commission  
 FY16 General Fund Revenues and Expenditures  
 Compiled November 12, 2015  
 General Fund Expenditures by Object Code

|                           | FY16 YTD          |                  |                           |                | YTD Actual                     |                           |               |
|---------------------------|-------------------|------------------|---------------------------|----------------|--------------------------------|---------------------------|---------------|
|                           | FY16 Budget       | Actual           | Budget Variance           | % Rec'd        | FY15 YTD Actual as of 10/31/14 | FY16-FY15 Var             | % Rec'd       |
|                           |                   | as of 10/31/15   | Favorable / (Unfavorable) | /Exp'd         |                                | Favorable / (Unfavorable) | /Exp'd        |
| <b>REVENUES</b>           |                   |                  |                           |                |                                |                           |               |
| UNENCUMBERED BALANCE      | 3,951,985         | -                | (3,951,985)               | -              | -                              | -                         | -             |
| AD VALOREM TAXES          | 12,582,514        | 6,918,270        | (5,664,244)               | 54.98 %        | 6,680,105                      | 238,165                   | 3.57 %        |
| TAX PENALTIES             | 295,000           | 128,910          | (166,090)                 | 43.70 %        | 133,837                        | (4,927)                   | (3.68) %      |
| PROPERTY TRANSFER TAX     | 598,000           | 224,543          | (373,457)                 | 37.55 %        | 221,205                        | 3,339                     | 1.51 %        |
| GAS & OIL SEVERANCE TAX   | 41,000            | 95,320           | 54,320                    | 232.49 %       | 81,957                         | 13,363                    | 16.30 %       |
| HORSE & DOG RACING TAX    | 12,686            | 4,739            | (7,947)                   | 37.36 %        | 5,029                          | (289)                     | (5.75) %      |
| WINE & LIQUOR TAX         | 32,000            | 16,469           | (15,531)                  | 51.46 %        | 18,902                         | (2,434)                   | (12.87) %     |
| HOTEL OCCUPANCY TAX       | 549,500           | 257,205          | (292,295)                 | 46.81 %        | 248,555                        | 8,649                     | 3.48 %        |
| LICENSE/DECALS            | 65                | 30               | (35)                      | 46.15 %        | 16                             | 14                        | 87.50 %       |
| BUILDING PERMIT FEES      | 200,000           | 8,263            | (191,737)                 | 4.13 %         | 59,393                         | (51,129)                  | (86.09) %     |
| MISC. RENTS               | 131               | 120              | (11)                      | 91.60 %        | 112                            | 8                         | 7.14 %        |
| FEDERAL GOV GRANTS        | 160,462           | 24,124           | (136,338)                 | 15.03 %        | -                              | 24,124                    | -             |
| FED PYMNT IN LIEU OF TAXS | 11,676            | 516              | (11,160)                  | 4.42 %         | 11,676                         | (11,160)                  | (95.58) %     |
| SHERIFF'S SRVC OF PROCESS | 17,600            | 7,830            | (9,770)                   | 44.49 %        | 7,000                          | 830                       | 11.86 %       |
| SHERIFF EARNINGS          | 30,000            | 7,250            | (22,750)                  | 24.17 %        | 12,189                         | (4,939)                   | (40.52) %     |
| COUNTY CLERK'S EARNING    | 192,375           | 64,338           | (128,037)                 | 33.44 %        | 59,108                         | 5,230                     | 8.85 %        |
| CIRCUIT CLERK'S EARNING   | 65,815            | 20,114           | (45,701)                  | 30.56 %        | 21,361                         | (1,247)                   | (5.84) %      |
| PROSECUTING ATTY EARNINGS | 1,278             | 267              | (1,011)                   | 20.87 %        | 575                            | (309)                     | (53.63) %     |
| ACCIDENT REPORTS          | 3,500             | 1,330            | (2,170)                   | 38.00 %        | 1,230                          | 100                       | 8.13 %        |
| MAP SALES                 | 2,700             | 1,131            | (1,569)                   | 41.89 %        | 612                            | 519                       | 84.80 %       |
| RENT - CONCESSIONS        | 47,400            | 11,650           | (35,750)                  | 24.58 %        | 15,400                         | (3,750)                   | (24.35) %     |
| AMBULANCE FEES            | 675,000           | 650,000          | (25,000)                  | 96.30 %        | 375,000                        | 275,000                   | 73.33 %       |
| EMG COMM - 911 FEE        | 1,760,000         | 560,716          | (1,199,284)               | 31.86 %        | 481,634                        | 79,082                    | 16.42 %       |
| FRANCHISE FEES            | 400,000           | 113,291          | (286,709)                 | 28.32 %        | 105,398                        | 7,893                     | 7.49 %        |
| IRP FEES-INTNATL REG PGM  | 8,000             | 9,209            | 1,209                     | 115.11 %       | 3,557                          | 5,652                     | 158.89 %      |
| INSURANCE CLAIMS          | 95,000            | 97,813           | 2,813                     | 102.96 %       | 96,912                         | 901                       | 0.93 %        |
| INTEREST EARNED           | 20,290            | 9,924            | (10,366)                  | 48.91 %        | 7,911                          | 2,014                     | 25.45 %       |
| MISCELLANEOUS REVENUE     | 100               | 13               | (87)                      | 12.75 %        | 13                             | 0                         | 0.55 %        |
| SHERIFF'S COMMISSION      | 15,000            | 11,563           | (3,437)                   | 77.09 %        | 11,619                         | (56)                      | (0.48) %      |
| REIMBURSEMENTS            | 277,873           | 164,324          | (113,549)                 | 59.14 %        | 132,264                        | 32,060                    | 24.24 %       |
| GEN SCHOOL FUND REIMB     | 250,000           | 64,438           | (185,562)                 | 25.78 %        | 96,128                         | (31,690)                  | (32.97) %     |
| TRANS/ASSR VAL FUND       | 430,228           | -                | (430,228)                 | -              | -                              | -                         | -             |
| <b>TOTAL REVENUES</b>     | <b>22,727,178</b> | <b>9,473,711</b> | <b>(13,253,467)</b>       | <b>41.68 %</b> | <b>8,888,697</b>               | <b>585,014</b>            | <b>6.58 %</b> |
| <b>EXPENDITURES</b>       |                   |                  |                           |                |                                |                           |               |
| SALARIES                  | 9,785,552         | 2,881,024        | (6,904,528)               | 29.44 %        | 2,943,634                      | 62,610                    | 2.13 %        |
| FICA                      | 748,886           | 243,984          | (504,902)                 | 32.58 %        | 246,894                        | 2,910                     | 1.18 %        |
| HEALTH INSURANCE          | 1,860,168         | 612,288          | (1,247,880)               | 32.92 %        | 614,173                        | 1,885                     | 0.31 %        |
| RETIREMENT                | 1,215,056         | 411,989          | (803,067)                 | 33.91 %        | 431,974                        | 19,984                    | 4.63 %        |
| TELEPHONE                 | 222,167           | 57,426           | (164,741)                 | 25.85 %        | 50,569                         | (6,857)                   | (13.56) %     |
| PRINTING                  | 24,920            | 3,577            | (21,343)                  | 14.35 %        | 4,755                          | 1,178                     | 24.78 %       |
| UTILITIES                 | 284,700           | 81,659           | (203,041)                 | 28.68 %        | 64,138                         | (17,521)                  | (27.32) %     |
| TRAVEL                    | 61,214            | 12,937           | (48,277)                  | 21.13 %        | 8,317                          | (4,619)                   | (55.54) %     |
| MAINT/REP BLDG & GRNDS    | 60,000            | 28,043           | (31,957)                  | 46.74 %        | 10,786                         | (17,257)                  | (159.98) %    |
| MAINT/REP EQUIPMENT       | 192,721           | 17,356           | (175,365)                 | 9.01 %         | 22,802                         | 5,446                     | 23.88 %       |
| MAINT/REP AUTO            | 8,000             | 600              | (7,400)                   | 7.50 %         | 256                            | (344)                     | (134.68) %    |
| POSTAGE                   | 123,763           | 48,008           | (75,755)                  | 38.79 %        | 57,847                         | 9,839                     | 17.01 %       |
| BLDG/EQUIP RENTAL         | 140,717           | 54,195           | (86,522)                  | 38.51 %        | 54,615                         | 420                       | 0.77 %        |
| ADVERTISING/LEGAL PUBS    | 48,184            | 6,715            | (41,469)                  | 13.94 %        | 3,981                          | (2,734)                   | (68.66) %     |
| TRAINING AND EDUCATION    | 50,767            | 9,393            | (41,374)                  | 18.50 %        | 3,142                          | (6,252)                   | (199.00) %    |
| DUES AND SUBSCRIPTIONS    | 72,990            | 32,132           | (40,858)                  | 44.02 %        | 30,927                         | (1,205)                   | (3.89) %      |
| PROFESSIONAL SERVICES     | 270,928           | 46,498           | (224,430)                 | 17.16 %        | 57,677                         | 11,179                    | 19.38 %       |
| AUDIT COSTS               | 70,000            | 17,300           | (52,700)                  | 24.71 %        | 34,600                         | 17,300                    | 50.00 %       |
| INSURANCE AND BONDS       | 479,379           | 227,857          | (251,522)                 | 47.53 %        | 225,154                        | (2,703)                   | (1.20) %      |

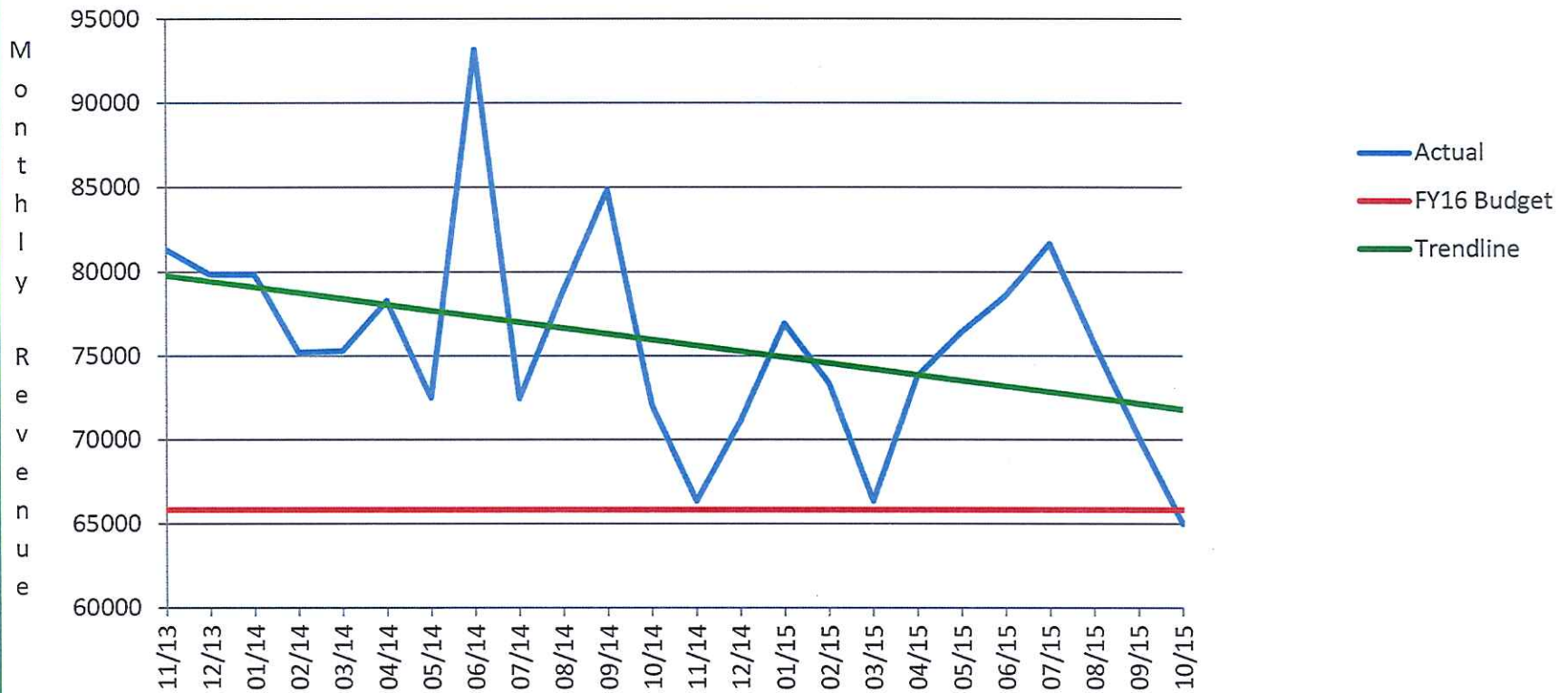
Jefferson County Commission  
 FY16 General Fund Revenues and Expenditures  
 Compiled November 12, 2015  
 General Fund Expenditures by Object Code

|                                      | FY16 YTD           |                  | Budget                       | % Rec'd        | FY15 YTD         | YTD Actual       |                 |
|--------------------------------------|--------------------|------------------|------------------------------|----------------|------------------|------------------|-----------------|
|                                      | FY16 Budget        | Actual           | Variance                     |                | Actual           | FY16-FY15 Var    | % Rec'd         |
|                                      | as of 10/31/15     |                  | Favorable /<br>(Unfavorable) | /Exp'd         | as of 10/31/14   | (Unfavorable)    | /Exp'd          |
| COURT COSTS AND DAMAGES              | 1,000              | 200              | 800                          | 20.00 %        | -                | (200)            | -               |
| CONTRACTED SERVICES                  | 336,812            | 90,894           | 245,918                      | 26.99 %        | 110,169          | 19,275           | 17.50 %         |
| BANK CHARGES                         | 500                | 19               | 481                          | 3.82 %         | 15               | (4)              | (28.05) %       |
| REMITTANCE FEES COLLECTED            | 675,000            | 650,000          | 25,000                       | 96.30 %        | 375,000          | (275,000)        | (73.33) %       |
| INSURANCE PREMIUM RETIREE            | 89,484             | 28,724           | 60,760                       | 32.10 %        | 27,896           | (828)            | (2.97) %        |
| MATERIALS AND SUPPLIES               | 385,479            | 68,090           | 317,389                      | 17.66 %        | 103,571          | 35,482           | 34.26 %         |
| RECORD BOOKS                         | 6,450              | 288              | 6,162                        | 4.47 %         | 2,462            | 2,174            | 88.29 %         |
| AUTO SUPPLIES                        | 198,744            | 48,360           | 150,384                      | 24.33 %        | 68,331           | 19,971           | 29.23 %         |
| JAIL COSTS                           | 1,350,000          | 219,296          | 1,130,704                    | 16.24 %        | 225,810          | 6,514            | 2.88 %          |
| UNIFORMS                             | 25,875             | 13,020           | 12,855                       | 50.32 %        | 9,792            | (3,228)          | (32.96) %       |
| STATE COMPUTER                       | 63,100             | (15,019)         | 78,119                       | (23.80) %      | -                | 15,019           | -               |
| COMPUTER SOFTWARE                    | 50,160             | 1,527            | 48,633                       | 3.04 %         | 359              | (1,168)          | (325.14) %      |
| COMPUTER HARDWARE                    | 50,907             | 1,971            | 48,936                       | 3.87 %         | 9,508            | 7,536            | 79.27 %         |
| IT SUPPORT                           | 102,500            | 34,082           | 68,418                       | 33.25 %        | 275              | (33,807)         | (12,315.86) %   |
| TECH FEES & LIC                      | 76,443             | 14,337           | 62,106                       | 18.75 %        | 15,723           | 1,387            | 8.82 %          |
| CAPITAL OUTLAY-EQUIPMENT             | 94,000             | 78,000           | 16,000                       | 82.98 %        | -                | (78,000)         | -               |
| CONTRIBUTIONS TO OTHER ENTITIES      | 3,203,521          | 1,453,209        | 1,750,312                    | 45.36 %        | 1,451,825        | (1,384)          | (0.10) %        |
| TRANSFER TO OTHER FUNDS              | 2,106,758          | -                | 2,106,758                    | -              | -                | -                | -               |
| CONTINGENCY                          | 2,094,886          | -                | 2,094,886                    | -              | -                | -                | -               |
| <b>TOTAL EXPENDITURES</b>            | <b>26,631,731</b>  | <b>7,479,979</b> | <b>19,151,752</b>            | <b>28.09 %</b> | <b>7,266,976</b> | <b>(213,003)</b> | <b>(2.93) %</b> |
| <b>NET PRIOR TO GAMING REVENUE</b>   | <b>(3,904,553)</b> | <b>1,993,732</b> |                              |                | <b>1,621,721</b> |                  |                 |
| TABLE GAMES                          | 790,000            | 292,565          | (497,435)                    | 37.03 %        | 308,232          | (15,667)         | (5.08) %        |
| VIDEO LOTTERY                        | 3,114,553          | 1,497,964        | (1,616,589)                  | 48.10 %        | 1,487,125        | 10,838           | 0.73 %          |
| <b>NET REVENUE LESS EXPENDITURES</b> | <b>-</b>           | <b>3,784,261</b> |                              |                | <b>3,417,078</b> | <b>(4,828)</b>   | <b>10.75</b>    |

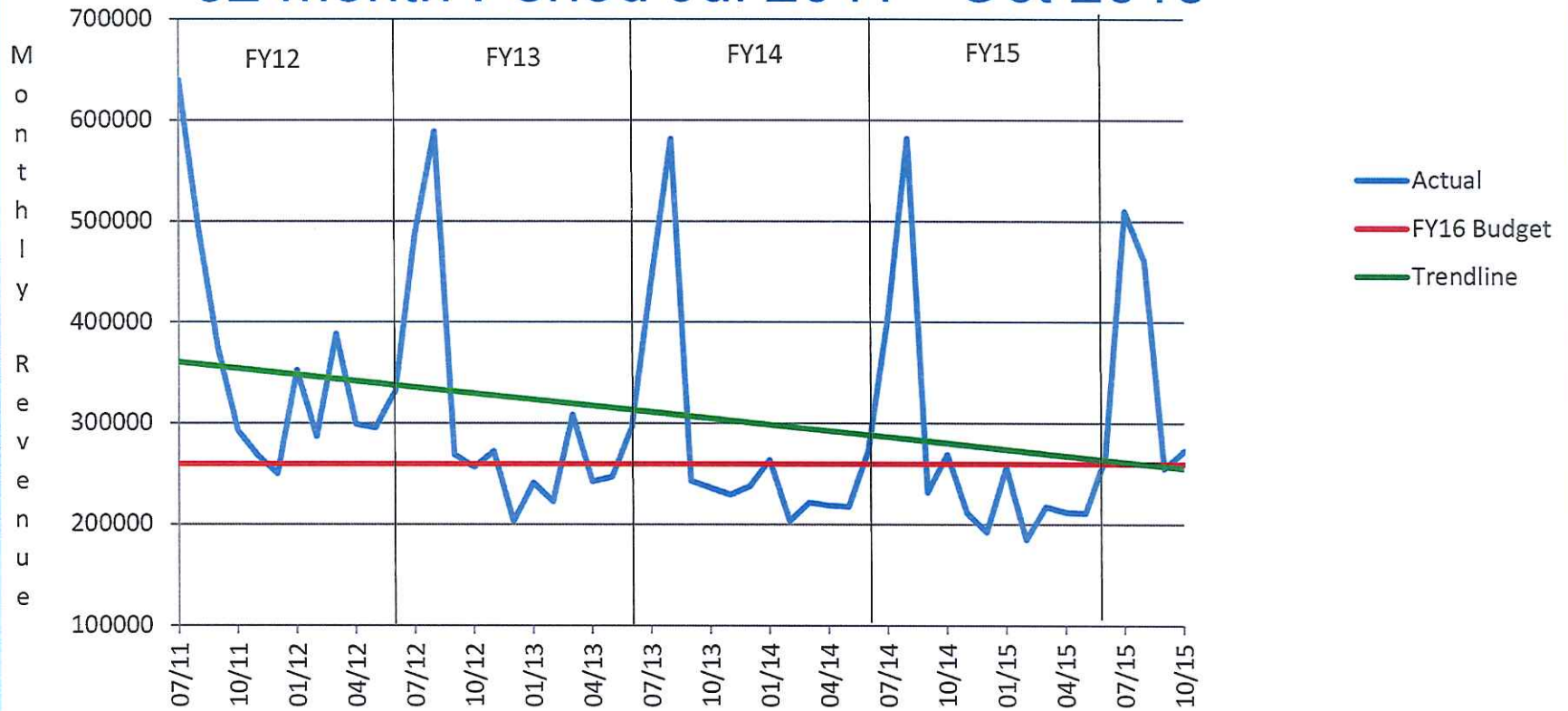
# Jefferson County Commission Table Games Revenue G/L Account 001-370-OT-000 52 month Period Jul 2011 - Oct 2015



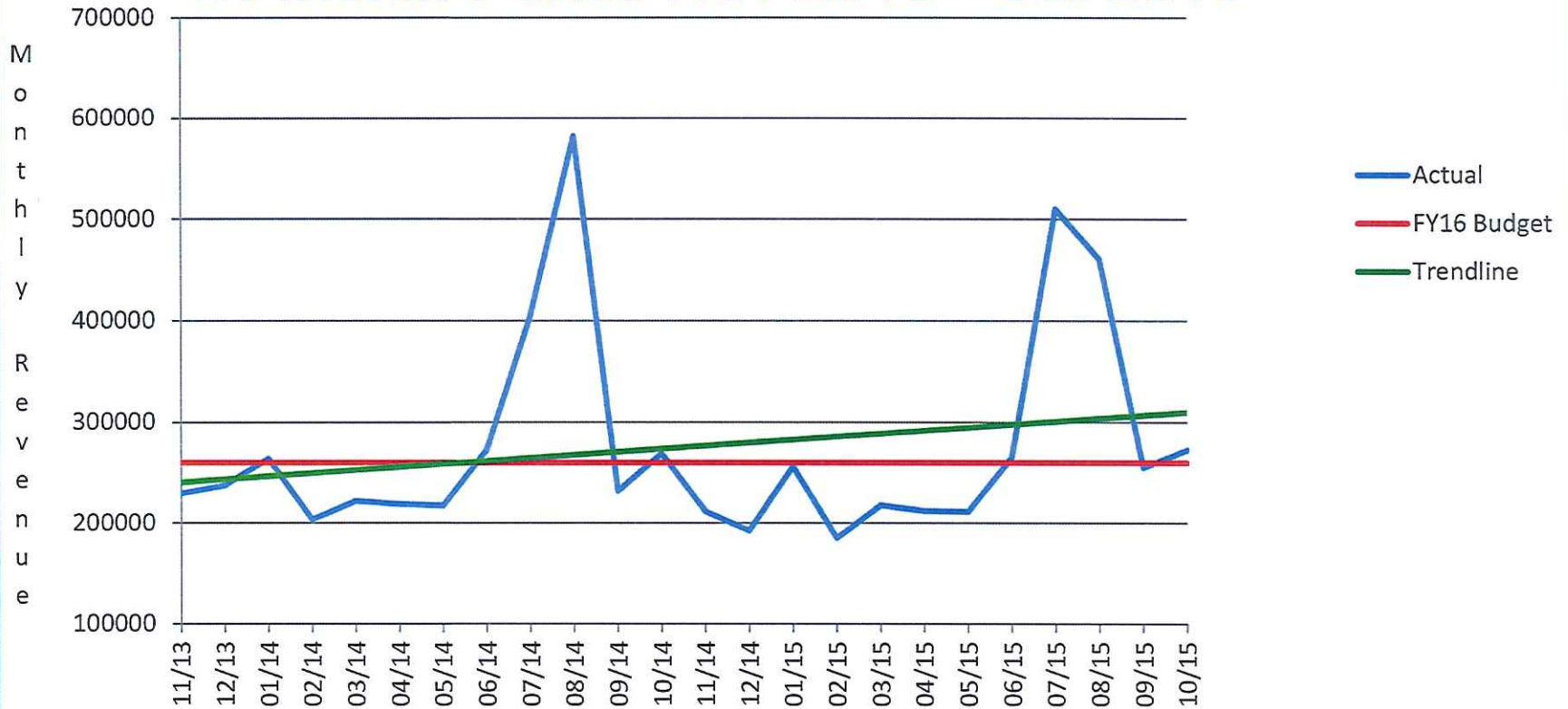
# Jefferson County Commission Table Games Revenue G/L Account 001-370-OT-000 24 month Period Nov 2013 - Oct 2015



# Jefferson County Commission Video Lottery Revenue G/L Account 001-373-OT-000 & 001 52 month Period Jul 2011 - Oct 2015



# Jefferson County Commission Video Lottery Revenue G/L Account 001-373-OT-000 & 001 24 month Period Nov 2013 - Oct 2015



Ora Ash, Director  
 West Virginia State Auditor's Office  
 200 West Main Street  
 Clarksburg, WV 26302  
 Phone: 627-2415 ext. 5114  
 Fax: 627-2417

**REQUEST FOR REVISION TO APPROVED BUDGET**

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER

**2016**  
 FY **1**  
 FUND **3**  
 REV. NO. **1 of 1**  
 PG. OF NO.

Jefferson County Commission  
 GOVERNMENT ENTITY

Person To Contact Regarding  
 Budget Revision: **Michelle Pombo**  
 Phone: **304-724-8425 ext 1008**  
 Fax: **304-725-7916**

P.O. Box 250  
 STREET OR PO BOX  
 Charles Town 25414  
 CITY ZIP CODE

COUNTY  
 Government Type

**REVENUES: (net each acct.)**

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION | PREVIOUSLY APPROVED AMOUNT | (INCREASE) | (DECREASE) | REVISED AMOUNT |
|----------------|---------------------|----------------------------|------------|------------|----------------|
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

**EXPENDITURES: (net each account category)**

(WV CODE 7-1-9)

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION | PREVIOUSLY APPROVED AMOUNT | (INCREASE) | (DECREASE) | REVISED AMOUNT |
|----------------|---------------------|----------------------------|------------|------------|----------------|
| 401            | County Commission   | 1,753,199                  | 20,972     |            | 1,774,171      |
| 440            | Engineering         | 769,844                    | 560        |            | 770,404        |
| 699            | Contingencies       | 2,094,886                  |            | 21,532     | 2,073,354      |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |
|                | #N/A                |                            |            |            |                |

NET INCREASE/(DECREASE) Expenditures

APPROVED BY THE STATE AUDITOR  
 BY: \_\_\_\_\_ Date \_\_\_\_\_  
 Director, Local Government Services Division

\_\_\_\_\_  
 AUTHORIZED SIGNATURE OF ENTITY APPROVAL DATE

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 19th day of November 2015, the following Order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) for the County of Jefferson. The following resolution was offered.

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised as shown on budget revision number #3 to the General County Fund, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by \_\_\_\_\_, and duly seconded by \_\_\_\_\_ the vote was as follows:

|                |       |
|----------------|-------|
| Dale Manuel    | _____ |
| Jane Tabb      | _____ |
| Patsy Noland   | _____ |
| Walter Pellish | _____ |
| Eric Bell      | _____ |

Whereupon, Commissioner Tabb declared said Resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said Resolution be, and the same is, hereby adopted as so stated above, and Jane Tabb, President of the Jefferson County Commission, is authorized to affix her signature to the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

\_\_\_\_\_  
Jane Tabb, President  
Jefferson County Commission

Budget Revision #3 of General Fund FY16

| Description                          | GL acct                   | Increase      | Decrease                                                         |
|--------------------------------------|---------------------------|---------------|------------------------------------------------------------------|
| Co Comm Contributions Other Gov Unit | 001-401-05-567-000-GG-000 | 20,972        | Harpers Ferry - Fire Recovery<br>Emergency Funds                 |
| Engineering/Contracted Services      | 001-440-02-230-000-GG-000 | 560           | Fund Property Safety Case 12-<br>002 Williams Mitigation Project |
| Contingency Reserve                  | 001-699-06-675-000-GG-000 |               | 21,532 FY2016 Budget Revision #3                                 |
| <b>Total</b>                         |                           | <b>21,532</b> | <b>21,532</b>                                                    |

9-17-15 minutes

- **Motion by Ms. Noland to approve the Sheriff's Commission in the amount of \$15,000. Motion seconded and unanimously approved.**
- Release of remainder of All Good Festival Bond
  - **Motion by Mr. Pellish to authorize the release of the remaining \$6,000 of the All Good Festival Surety Bond. Motion seconded and unanimously approved.**
- Appointment of Audit Committee as per the Procedures Manual for Procuring and Conducting Audits and Review of Local Government – Ms. Grove suggested the following appointees to the Audit Committee: Commissioner Eric Bell, Payroll/Finance Department employee Sally Gran, and Ms. Grove herself in the stead of the newly hired Financial Director, who would also join the Audit Committee once beginning employment with the County. The Commission provided unanimous consent on the formation of the audit committee as presented.
- Discuss keycard access to county buildings for non-employees – it was the consensus of the Commission that they were not comfortable with allowing non-employees access to county buildings after business hours; however, the Commission discussed the possibility of creating a few key cards for public use to held by the County Administrator or the Maintenance Director.

12. Greg Vaughn, Mayor, Corporation of Harpers Ferry – request for Fire Recovery Emergency Funds, Corporation of Harpers Ferry.

- **Motion by Mr. Manuel to authorize direct appropriation of \$10,166 and an invoiced amount of \$6,716 along with an in-kind donation of \$4,090 for a total of \$20,972 to the Corporation of Harpers Ferry for the purposes of fire recovery. Motion seconded and unanimously approved.**

13. Utility Work Session – representatives from the local utility providers gathered to discuss topics such as funding sources and partnership possibilities in effort to better serve the utility customers in the county.

14. Jennifer Brockman, Director of Planning and Zoning -- Action related to public hearing held on September 8, 2015 regarding landowner-initiated petition to amend the County Zoning Map for a 4.01 (combined) acreage property owned by Charles M. Carter located at 7174 Martinsburg Pike, east of Venice Way; designated as Tax District: Shepherdstown (09), Map: 7, Parcel: 23 & 32.1; from Residential-Growth (RG) to General Commercial (GC) zoning (Planning and Zoning File #Z15-02).

- **Motion by Mr. Manuel to hold a County Commission Public Hearing on the land-owner initiated petition to amend the County Zoning Map for a 4.01 (combined) acreage property owned by Charles M. Carter located at 7174 Martinsburg Pike, east of Venice Way; designated as Tax District:**

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

9-17-15  
Agenda back up



Name: Greg Vaughn

Department or Organization: Corporation of Harpers Ferry

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: September 3, 2015

If a specific date is needed, please provide reason for specific date: Emergency, request soonest available date

Date Requested – 2<sup>nd</sup> Choice: September 17, 2015

Subject (Wording to be placed on agenda): Request for Fire Recovery Emergency Funds, Corporation of Harpers Ferry

Please provide the County Commission with a description of your request or presentation, including any background information: On July 23, 2015 a fire broke out in the lower town of Harpers Ferry. Three historic structures were severely damaged. Twenty-one fire companies used 425,000 gallons of water to extinguish this fire. Harpers Ferry Water Department employees and officers of the Harpers Ferry Police Department worked around the clock to support the fire departments and ensure the safety of business owners, employees, residents and visitors to the town. The town anticipates needing additional police department overtime for the next three months to maintain the security of the burn site and additional clerical assistance to support fire recovery initiatives. The Corporation of Harpers Ferry does not have the funds to pay for these expenses without disrupting essential services to the town and to the influx of tourists who continue to arrive each day.

|                            |                                                                                                               |
|----------------------------|---------------------------------------------------------------------------------------------------------------|
| Is this a funding request? | Y/N Yes                                                                                                       |
| If so, how much?           | \$2,668 Reimbursement for overtime used-- Harpers Ferry Water Works and Harpers Ferry Police Department       |
|                            | \$5,394 water to put out fire                                                                                 |
|                            | \$4,910 Upcoming overtime, additional vehicle maintenance costs, and fuel for Harpers Ferry Police Department |
|                            | \$1,635 Emergency signs, cones, reflective tape for street closures and rerouting traffic                     |
|                            | \$6,365 Emergency clerical assistance to support fire recovery initiatives                                    |
| TOTAL                      | \$20,972                                                                                                      |

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I move that the Jefferson County Commission award \$20,972. to the Corporation of Harpers Ferry to defer the unanticipated costs of maintaining health and safety during the initial period of fire recovery.

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

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

Contact information:

Email address: [HFMayor@frontier.com](mailto:HFMayor@frontier.com) Phone Number: 304-535-2206

Corp. of Harpers Ferry  
Employee Overtime Summary  
July 23 through August 16, 2015

|                        | Hours<br>Over<br>Reg. | Overtime<br>(x1.5) hourly | Hours over<br>normal P/T | Extra Hours<br>For Exempt<br>Employees | Federal<br>Withholding | Medicare<br>Town | Social<br>Security<br>Town | WV -<br>Withholding | WV -<br>Unemployment | 403b Co.<br>Match | TOTAL              |                            |
|------------------------|-----------------------|---------------------------|--------------------------|----------------------------------------|------------------------|------------------|----------------------------|---------------------|----------------------|-------------------|--------------------|----------------------------|
| Armentrout, Michael S  | 17.00                 | 680.39                    | 0.00                     | 0.00                                   | 86.21                  | 0.59             | 37.07                      | 30.03               | 0.00                 | 79.67             | 646.04             |                            |
| Brown, John D          | 20.00                 | 0.00                      | 682.20                   | 0.00                                   | 93.01                  | 0.44             | 38.62                      | 28.68               | 0.00                 | 0.00              | 751.00             |                            |
| Chivalas, Brandon M L  | 2.00                  | 45.70                     | 0.00                     | 0.00                                   | 7.46                   | 0.06             | 2.87                       | 2.33                | 0.00                 | 0.17              | 65.20              |                            |
| Cummings, David C      | 2.00                  | 0.00                      | 32.44                    | 0.00                                   | 6.30                   | 0.47             | 2.81                       | 1.05                | 0.00                 | 0.00              | 41.00              |                            |
| Harper, Matthew G      | 13.00                 | 365.80                    | 0.00                     | 0.00                                   | 69.69                  | 5.30             | 23.03                      | 18.63               | 0.60                 | 48.37             | 628.20             |                            |
| Rebul, Matthew T       | 0.00                  | 102.16                    | 0.00                     | 0.00                                   | 29.74                  | 2.64             | 11.48                      | 9.28                | 0.00                 | 24.60             | 250.00             |                            |
| Stout, Leslie R        | 2.00                  | 39.00                     | 0.00                     | 0.00                                   | 0.00                   | 0.57             | 2.19                       | 1.89                | 0.00                 | 6.27              | 49.27              |                            |
| Styer, Christian L     | 4.00                  | 91.40                     | 0.00                     | 0.00                                   | 14.82                  | 1.33             | 6.75                       | 4.66                | 0.00                 | 12.34             | 130.30             |                            |
| Whittington, Andrew D. | 0.00                  | 0.00                      | 0.00                     | 0.00                                   | 0.00                   | 0.00             | 0.00                       | 0.00                | 0.00                 | 0.00              | -                  |                            |
| <b>TOTAL</b>           | <b>60.00</b>          | <b>1313.34</b>            | <b>814.64</b>            | <b>0.00</b>                            | <b>308.36</b>          | <b>27.96</b>     | <b>121.27</b>              | <b>80.33</b>        | <b>6.60</b>          | <b>177.36</b>     | <b>2,607.77</b>    | <b>Paid</b>                |
|                        |                       |                           |                          | <b>634.31</b>                          | <b>87.22</b>           | <b>7.76</b>      | <b>33.91</b>               | <b>27.26</b>        | <b>-</b>             | <b>72.13</b>      | <b>702.27</b>      | <b>(Non-Paid (exempt))</b> |
|                        |                       |                           |                          |                                        |                        |                  |                            |                     |                      |                   | <b>\$ 3,430.03</b> |                            |

Corp. of Harpers Ferry -  
Estimated Projected Costs of Additional Patrol for Three months

|                       | Wages | Annual    | Projected OT | Company Emp Taxes | WV - Unemp. | 403b Co. Match | OT TOTAL    | Wages Only TOTAL |
|-----------------------|-------|-----------|--------------|-------------------|-------------|----------------|-------------|------------------|
| Armontrout, Michael S | 23.11 | 48,068.80 | 4,169.80     | 3,985.49          | 216.00      | 7,050.88       | 6,114.47    | 52,220.60        |
| Solui, Matthew T      | 20.24 | 42,099.20 | 3,043.20     | 3,499.29          | 216.00      | 8,175.22       | 4,470.31    | 46,742.40        |
| Harper, Matt          | 18.76 | 39,080.00 | 3,375.00     | 3,241.69          | 216.00      | 6,720.83       | 4,148.60    | 42,375.00        |
| Average OT            |       |           |              |                   |             |                | \$ 4,801.12 |                  |

Auto per Officer for OT Projected needs

Total fuel used one month / Total hours worked that month = 1.59 gal average fuel per hour for current fleet.

Average cost of Fuels for vehicles @ 1.69 per hour for estimated 3 months of OT

191.26

Total Auto Maintenance for one month / Total hours worked one month = 1.140 average cost per hour worked for current fleet.

Average cost of Auto Maintenance @ 1.140 per hour for estimated 3 months of OT

137.47

\$ 328.73

Total Estimated Cost of Additional patrol needed

\$ 4,900.85

Estimates are based on current wages/ current fleet and possible hours needed

8/7/3015

Corp of HF - Working Paper  
"What Would it Cost to Hire Temp Help"

| Full Time Temp<br>New Hire | 3 mo.s<br>Hours | rate     | Gross       | Tax Liab  | WV Un     | Total       |
|----------------------------|-----------------|----------|-------------|-----------|-----------|-------------|
|                            | 520             | \$ 12.00 | \$ 6,240.00 | \$ 477.36 | \$ 112.32 | \$ 6,364.32 |

Corporation of Harpers Ferry  
Cost to the Town for Water Used to Extinguish July 23 2015 Fire

The amounts used for this calculation can be found in Harpers Ferry FY14 Annual Report filed with the West Virginia Public Service Commission.

|                                                   |                    |     |                   |
|---------------------------------------------------|--------------------|-----|-------------------|
| Total Operating Expense FY14                      | 513,702.00         | (a) |                   |
| Gallons Sold FY14 ( Per 1,000)                    | 40,476.00          | (b) |                   |
| Cost per 1,000 gallons (a/b)                      | 12.69              | (c) |                   |
| Estimated Gallons Used for Fire                   | <u>425.00</u>      | (d) | (425,000 gallons) |
| Cost to the Town for Water Used<br>Used (c) X (d) | <u>\$ 5,393.90</u> |     |                   |

*Note: Current Daily Production : 284,000 gallons*

QUOTE

QUOTE NO  
6099



1126 Ferris Road, Amelia, OH 45102  
4080 Industrial Lane, Beavercreek, OH 45430  
16000 Miles Road, Cleveland, OH 44128

Phone: (513) 943-6100 Fax: (513) 943-6106  
Phone: (937) 912-9590 Fax: (937) 912-9593  
Phone: (216) 283-8040 Fax: (216) 283-8041

TO: Kathryn Payne  
Harpers Ferry  
PO Box 217  
Harpers Ferry, WV 25425  
(304) 535-2206  
harpersferry1@frontier.com

| QUOTE DATE | VALID THRU | FOR                   | PAGE |
|------------|------------|-----------------------|------|
| 8/18/2015  | 9/16/2015  | Rollups, 22000, Conea | 1    |

| ITEM NO  | QUANTITY | DESCRIPTION                                              | UNIT PRICE | EXTENDED |
|----------|----------|----------------------------------------------------------|------------|----------|
| 011-1050 | 6.00ea   | 36" Reflective Roll Up - Any Legend, Black on Orange     | 100.00ea   | 600.00*  |
| 011-1091 | 6.00ea   | 48" Reflective Roll Up - Any Legend, Black on Orange     | 145.00ea   | 870.00*  |
| 013-1001 | 6.00ea   | Traffic Sign Stand, 22000                                | 100.00ea   | 600.00*  |
| 004-1120 | 10.00ea  | 28" 7lb Cone with 6" 7/4" Reflective Collars, Black Base | 15.00ea    | 150.00*  |
| 009-1166 | 1.00rl   | A&A Caution Tape, 3" x 1000'                             | 14.50rl    | 14.50*   |

FOB - Delivered  
Quotation valid for 30 days.

Thank you for the opportunity to submit this quotation. If you have any questions, please feel free to contact me on my cell phone (513) 319-6180.

Sincerely,

Jeff Blackburn

\* means item is non-taxable

Need Budget Revision.  
last week.

Approved by JCC  
10-29-2015

**MEMORANDUM**

Jefferson County, West Virginia  
Engineering Department

TO: Stephanie Grove, County Administrator

FROM: Roger Goodwin, P.E.  
Chief County Engineer *RAG*

DATE: October 29, 2015

SUBJECT: Property Safety Enforcement Agency Case 12-002 (Williams)  
Mitigation Project

COPY

It is my understanding that the County Commission provided funding in the amount of \$5,782.00 to complete the Property Safety Enforcement Agency Case 12-002 (Williams) Mitigation Project.

Attached are the following documents for signature by Jane Tabb, President of the County Commission:

1. One copy of the Notice of Award
2. One copy of the Pittsnogle, LLC Proposal with the RFP & Scope of Work.

I will issue these only after the finance director has established that the additional \$560.00 of funding approved by the County Commission is available.

Please return all documents to me once they are signed.

Thanks!

Funding Source Contingency  
001-699-06-675-000-GG-000  
*UNPambo*

## Michelle Pombo

---

**From:** Sandy McDonald <Sandy@jeffersoncountywv.org>  
**Sent:** Monday, November 09, 2015 3:33 PM  
**To:** 'Michelle Pombo'  
**Subject:** budget revision

Approved August 6 2015

9. Approval of State Budget Revision #2 of the General Fund for FY16

• **Motion by Mr. Bell to approve State Budget Revision #2 of the General Fund for FY16 as presented. Motion seconded and unanimously approved.**

*Sandy Slusher McDonald*  
Deputy County Administrator  
Jefferson County Commission  
P.O. Box 250  
Charles Town, WV 25414  
304-728-3284  
<http://www.jeffersoncountywv.org/>

**Michelle Pombo**

**From:** Sandy McDonald <Sandy@jeffersoncountywv.org>  
**Sent:** Monday, November 09, 2015 3:31 PM  
**To:** 'Michelle Pombo'  
**Subject:** budget revision

Budget Revision #2 of General Fund FY16

| Description                       | GL acct                   | Increase | Decrease |                                 |
|-----------------------------------|---------------------------|----------|----------|---------------------------------|
| → Engineering Contracted Services | 001-440-02-230-000-GG-000 | 5,222    |          | Fund Property Safety Case 12-4  |
| Engineering Salary                | 001-440-01-103-000-GG-000 | 5,430    |          | Fund accrued leave payout of    |
| Engineering Salary                | 001-440-01-103-000-GG-000 | 6,703    |          | Fund 2 mths salary of temp emp  |
| Engineering Salary                | 001-440-01-103-000-GG-000 |          | 2,476    | approved at \$30,000 by Comm    |
| Engineering Fica                  | 001-440-01-104-000-GG-000 | 599      |          | payroll savings from restructur |
| Engineering Medicare              | 001-440-01-104-001-GG-000 | 140      |          | Adjust engineering FICA         |
| Engineering Retirement            | 001-440-01-106-000-GG-000 | 571      |          | Adjust engineering Medicare     |
| Planning Salary                   | 001-439-01-103-000-GG-000 | 1,100    |          | Adjust engineering Retirement   |
| Planning FICA                     | 001-439-01-104-001-GG-000 | 68       |          | Previously approved step incre  |
| Planning Medicare                 | 001-439-01-104-001-GG-000 | 16       |          | Previously approved step incre  |
| Planning Retirement               | 001-439-01-106-000-GG-000 | 149      |          | Previously approved step incre  |
| Planning Salary                   | 001-439-01-103-000-GG-000 |          | 56,571   | Transfer Planning position to Z |
| Planning FICA                     | 001-439-01-104-001-GG-000 |          | 3,507    | Transfer Planning position to Z |
| Planning Medicare                 | 001-439-01-104-001-GG-000 |          | 820      | Transfer Planning position to Z |
| Planning Retirement               | 001-439-01-106-000-GG-000 |          | 7,637    | Transfer Planning position to Z |
| Zoning Salary                     | 001-451-01-103-000-GG-000 | 56,571   |          | Transfer Planning position to Z |
| Zoning FICA                       | 001-451-01-104-001-GG-000 | 3,507    |          | Transfer Planning position to Z |
| Zoning Medicare                   | 001-451-01-104-001-GG-000 | 820      |          | Transfer Planning position to Z |
| Zoning Retirement                 | 001-451-01-106-000-GG-000 | 7,637    |          | Transfer Planning position to Z |
| Commission Dues                   | 001-401-02-222-000-GG-000 | 2,900    |          | Budgeted in error for dues of   |
|                                   |                           |          |          | County Commissioners Assoc c    |
|                                   |                           |          |          | of WV Association of Counties   |
| HRA                               | 001-401-02-223-001-GG-000 | 83,942   |          | Change HRA budget to reflect    |
|                                   |                           |          |          | instead of \$2,000              |
| → Contingency                     | 001-699-06-675-000-GG-000 |          | 104,364  |                                 |
| Total                             |                           | 175,375  | 175,375  |                                 |

**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.**

AGENDA REQUEST FORM  
[www.jeffersoncountywv.org](http://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 -- 1<sup>st</sup> Choice: July 16, 2015

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

Subject (*Wording to be placed on agenda*): Property Safety Enforcement Agency Case 12-002 (Williams) -- Acceptance of contractor's bid to proceed with the work necessary to remediate the property.

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

Property Safety Enforcement Agency Case 12-002 (Williams)  
Jefferson County Circuit Court -- Civil Action No. 14-C-211  
111 Fairway Drive  
Lot 16, Sleepy Hollow Estates Subdivision, Jefferson County, WV  
Harpers Ferry Tax District, Map 11B, Parcel 15

The property owner failed to carry out the action necessary to bring the property into compliance with the Property Safety Enforcement Ordinance and as outlined in the County Commission's order issued on October 17, 2013. The Circuit Court then issued an order on August 28, 2014, giving the County Commission permission to carrying out the work required to bring the property into compliance

Three prices/bids were received to complete the attached scope of work, as follows:

|                                    |                         |
|------------------------------------|-------------------------|
| Remac America, Inc.                | \$5,222.00 (Low Bidder) |
| Pittsnogle, LLC                    | \$5,782.00              |
| United Wreckers & Excavators, Inc. | \$5,963.00              |

Is this a funding request? Yes.

If so, how much? \$5,222.00 (a lien will be placed on the property upon completion of the work)

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

To approve allowing staff to move forward with contracting with Remac America, Inc. to carrying out the work required for Property Safety Case 12-002 (Williams), as outlined in the attached scope of work.

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](mailto:engineering@jeffersoncountywv.org) Phone Number: 304-728-3257

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

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

**AGREEMENT**  
**&**  
**SCOPE OF WORK**

**Property Safety Enforcement Agency Case 12-002 (Williams)  
Jefferson County Circuit Court – Civil Action No. 14-C-211  
111 Fairway Drive, Lot 16, Sleepy Hollow Estates Subdivision  
Jefferson County, West Virginia**

1. Contractor shall provide all materials, labor and equipment necessary to remove all brush, trees & vegetation within 10 feet of the dwelling unit and along the fence in rear yard (inside and outside), and remove it from the property and dispose of it in a legal manner. Trees and bushes that are to remain will be indicated/marked by the Chief County Engineer.

Contractor shall also cut any overgrown brush on the property and mow the overgrown lawn; all to the satisfaction of the Chief County Engineer.

2. Contractor shall provide all materials, labor and equipment necessary to remove all refuse and debris located on the property that is located outside the dwelling/structure and dispose of it in a legal manner, all to the satisfaction of the Chief County Engineer.

3. Contractor shall provide all materials, labor and equipment necessary to board up the lower level windows and doors located as follows:

- a. Both double doors at the deck
- b. The windows at the front bay window
- c. The front door
- d. The two foundation windows left side of the front door
- e. The two foundation windows at the end on left side of the driveway
- f. The double basement door
- g. The two foundation windows at the rear of the house
- h. Secure/board up the fence gates to the rear yard to prevent access.

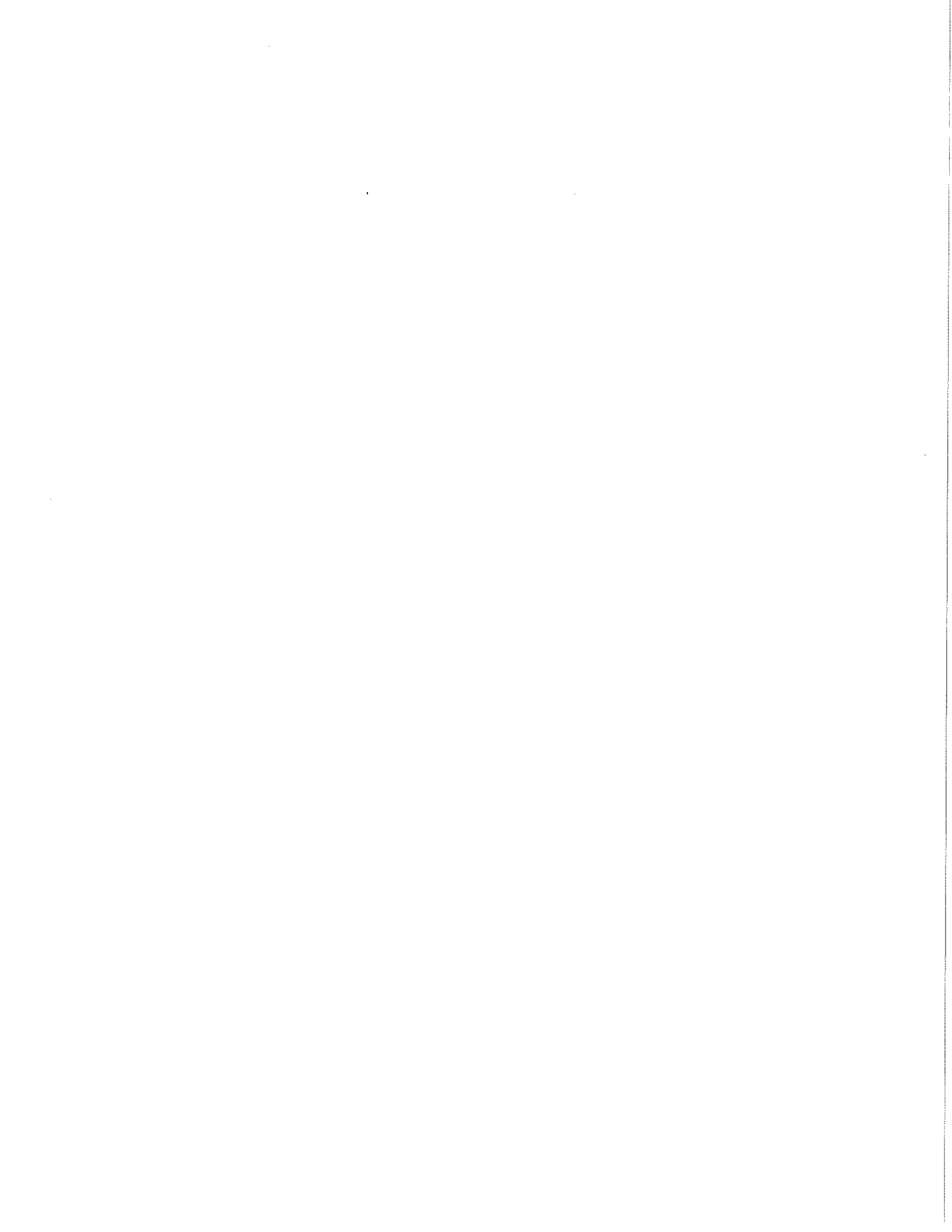
The doors and windows shall be secured using a minimum 3/8" bc plywood sheathing fastened to the window or door frame in a manner satisfactory to the Chief County Engineer. Foundation windows may need 2"x3" framing fastened to the masonry foundation (or other satisfactory fastening means) in order to have a means of securely fastening the plywood sheathing.

The plywood shall be fastened using a sufficient number and size of screws to prevent them from being easily removed without the use of tools. The plywood shall be painted on the exposed side with primer and one coat of white semi-

gloss exterior grade paint to protect it from moisture and decay.

All materials shall be new and all work shall be performed in a workman like manner such that work shall not significantly detract from the appearance of the dwelling.

4. Contractor shall provide all materials, labor and equipment necessary to perform work in a manner that results in the least disturbance to the lot and vegetation. Contractor shall seed and mulch any areas disturbed area as a result of the Contractor's work.
5. Contractor shall maintain traffic access throughout the subdivision during completion of the work and provide all temporary traffic control necessary until the work is 100% complete; including but not limited to, traffic control signs, barricades, warning lights, flagmen, etc. as deemed necessary. All temporary traffic control devices shall be in accordance with West Virginia Division of Highways standards and specifications.
6. Contractor shall provide all materials, labor and equipment necessary to clean up all trash, debris, and dirt that may be deposited on the roadway as a result of the contractor's work.
7. All Contractors submitting a proposal shall hold a current West Virginia Contractor's License and shall be in good standing with the State of West Virginia. Contractor shall provide with their written proposal a copy of the contractor's license issued by the West Virginia Contractor's Licensing Board.
8. The Contractor shall pay for and provide liability and West Virginia Worker's Compensation Insurance. Upon *Notice of Award*, the Contractor shall provide to the County Commission of Jefferson County a certificate of liability insurance in the amount of one million dollars (\$1,000,000) and a copy of the Contractor's current West Virginia Workers' Compensation Insurance certificate.
9. The Contractor agrees to save and hold harmless, and to protect the Jefferson County Commission, its agents and employees from any and all liability resulting out of any acts and/or negligence by the Contractor in the completion of the work for this project.
10. Contractor shall be responsible for safety on this project and performing work in accordance with all local, state and federal safety regulations.



Jefferson County offices will be closed Thursday, November 26<sup>th</sup> and Friday, November 27<sup>th</sup> for the Thanksgiving Holiday. We will resume normal business hours on Monday, November 30<sup>th</sup>, 2015.



HAPPY THANKSGIVING



The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, December 3, 2015, or as soon thereafter as the Commission may decide:

**Jefferson County Public Service District - One six-year term ending December 1, 2021.**

**Appointee must be willing to attend monthly meetings at the Public Service District offices and travel to Charleston or another area in the State normally a few hours from Jefferson County for a two day Board Member training class.**

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 the Monday prior to the proposed date of appointment.

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

**SPIRIT OF JEFFERSON:**

**PLEASE ADVERTISE ON:**

**November 18 and November 25**

**THANKS - JEFFERSON COUNTY COMMISSION**

The Jefferson County Commission proposes to nominate persons to potentially serve on the following Authorities, Boards, Commissions, or Committees on Thursday, December 3, 2015 or as soon thereafter as the Commission may decide:

### **Chesapeake and Ohio National Historical Park Commission**

**Per the United States Department of the Interior - National Park Service, highly qualified applicants will have the following attributes:**

- **Is a well-respected and engaged member of the community**
- **Is familiar with the Canal - at least within the area represented by the nominating body**
- **Is fairly balanced in terms of points of view represented**
- **Is willing to provide advice on park-related matters that is relevant, objective and open to the public**
- **Is willing to spend one weekday per quarter actively participating in commission meetings**
- **is willing to spend approximately 10-20 hours per month engaged in the work of the commission**
- **Is willing to serve on subcommittees and task groups associated with the business of the commission**
- **Is willing to serve as a two-way communicator with their nominating body and the broader community**

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

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

**SPIRIT OF JEFFERSON:**

**PLEASE ADVERTISE ON:**

**November 18 and November 25**



# United States Department of the Interior

NATIONAL PARK SERVICE  
C&O Canal National Historical Park  
1850 Dual Highway, Suite 100  
Hagerstown, Maryland 21740

IN REPLY REFER TO  
10.A (CHOH)

October 8, 2015

Honorable Jane M. Tabb  
County Commissioner  
124 E. Washington Street  
PO Box 250  
Charles Town, WV 25414

Received

OCT 16

Jefferson County Commission

Dear Chairman Tabb,

The Chesapeake and Ohio Canal National Historical Park Commission is being reestablished thanks to Congressional action last year. The purpose of the Commission is to meet and consult with the Secretary of the Interior or the Secretary's designee on general policies and specific matters related to the national park's administration and development. The Park was established to preserve and interpret the historic and scenic features of the Canal and to develop the potential for public recreation including such restoration as may be needed.

The Secretary of the Interior appoints two members from nominations submitted by the Governor of the Commonwealth of West Virginia. Because of the long-standing relationship between citizens of Jefferson County and the C&O Canal National Historical Park I encourage you to consider making a recommendation to Governor Earl Tomblin. I am attaching two letters that further describe the opportunities, duties and type of individual we are seeking to make a difference at the national park and the necessary information to provide about your recommended individual.

I look forward to receiving nominations from Governor Earl Tomblin. Your continued interest in the C&O Canal National Historical Park is greatly appreciated. If you have any questions about these appointments or other matters related to the Park, please contact me at 301-714-2201.

Sincerely,

Kevin D. Brandt  
Superintendent



## United States Department of the Interior

NATIONAL PARK SERVICE  
C&O Canal National Historical Park  
1850 Dual Highway, Suite 100  
Hagerstown, Maryland 21740

IN REPLY REFER TO

10.B (Management)

May 4, 2015

To Whom It May Concern:

Attached you will find two letters that were sent to the Honorable Earl Tomblin on March 19 and April 2, 2015, requesting nominations for the reestablished Chesapeake & Ohio Canal National Historical Park Federal Advisory Commission. To date we have not received any nominations from your office. The deadline for receiving these nominations is May 8, 2015. Please send them as soon as possible .

If you have any questions or need more clarification please do not hesitate to contact me at 301-714-2201.

Sincerely,

Kevin D. Brandt  
Superintendent



# United States Department of the Interior

NATIONAL PARK SERVICE  
C&O Canal National Historical Park  
1850 Dual Highway, Suite 100  
Hagerstown, Maryland 21740

IN REPLY REFER TO  
10.B (Management)

April 2, 2015

The Honorable Earl Tomblin  
Governor of West Virginia  
1900 Kanawha Blvd. E.  
Charleston, West Virginia 25305

Dear Mr. Tomblin,

In the last week I have fielded several inquiries regarding the qualifications that nominating jurisdictions should be looking for in making nominations to the C&O Canal Federal Advisory Commission. The standard language in the letter that was sent out states:

Nominations should describe and document the proposed member's qualifications for membership to the Commission, and include a resume listing his or her full name, title, address, telephone, email, and fax number. Nominations should include information that would enable the Department of the Interior to make an informed decision regarding meeting the membership requirements of the Commission, and to permit the Department to contact a potential member.

There is no further description provided on the Federal Advisory Committee Act website regarding membership requirements of the commission. So, in response to these requests for further elaboration I would suggest the following as a starting point.

Congress re-authorized the commission on September 24, 2014 for the purpose of meeting and consulting with the Secretary of the Interior or the Secretary's designee on general policies and specific matters related to the Park's administration and development.

A highly qualified nominee will have the following attributes:

- Is a well-respected and engaged member of the community
- Is familiar with the Canal – at least within the area represented by the nominating body
- Is fairly balanced in terms of points of view represented
- Is willing to provide advice on park-related matters that is relevant, objective and open to the public
- Is willing to spend one weekday per quarter actively participating in commission meetings

- Is willing to spend approximately 10-20 hours per month engaged in the work of the commission
- Is willing to serve on subcommittees and task groups associated with the business of the commission
- Is willing to serve as a two-way communicator with their nominating body and the broader community

Thank you for your support and assistance. If you have additional questions don't hesitate to contact me at 301-714-2201.

Sincerely,

*KB 4/2/15*

Kevin D. Brandt  
Superintendent



# United States Department of the Interior

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

IN REPLY REFER TO:

7.A.2 (NCR-CHOH)

March 19, 2015

Honorable Earl Tomblin  
Governor of West Virginia  
1900 Kanawha Blvd. E.  
Charleston, West Virginia 25305

Dear Mr. Tomblin:

The Chesapeake and Ohio Canal National Historical Park Commission is being reestablished thanks to Congressional action last year. Originally established by Section 6 of the Chesapeake and Ohio Canal Development Act (16 U.S.C. 410y-4) of 1971, and terminated January 8, 2011, the Commission has been extended by Public Law 113-178 and the new termination date is September 26, 2024.

The purpose of the Commission is to meet and consult with the Secretary of the Interior or the Secretary's designee on general policies and specific matters related to the Park's administration and development. The Park was established to preserve and interpret the historic and scenic features of the Canal and to develop the potential for public recreation including such restoration as may be needed.

Pursuant to the enabling legislation, the Secretary of the Interior appoints two members from nominations submitted by you. Accordingly, I invite you to nominate, within 45 days of the date of this letter, two individuals to serve as members of the Advisory Commission. Please include a resume as well as home and business addresses and telephone numbers of the individuals you nominate. Please address your nominations to National Park Service, Superintendent, Chesapeake and Ohio Canal National Historical Park, 1850 Dual Highway, Suite 100, Hagerstown, Maryland 21740.

I look forward to receiving your response in this matter of mutual interest. Your interest in the C&O Canal National Historical Park is greatly appreciated. If you have any questions about these appointments or other matters related to the Park, please contact Superintendent, Kevin D. Brandt at (301) 714-2201.

Sincerely,

Robert A. Vogel  
Regional Director

# Impact Fee Status Report

## October 2015

### Office of Impact Fees

#### Summary

Date Range: Thursday through Saturday 31 October 2015

Report Date: 2 November 2015

Process Number Range: 1500273 - 1500291

Total Applications: 19

Total Non-Exempt: 18

*Of which:*

Commercial: 0

Residential: 18

*Of which:*

County: 10

Municipal: 8

Total Exempt: 1

*Of which:*

Commercial: 0

Residential: 1

*Of which:*

County: 0

Municipal: 1

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

**Table 1. Form 100 Tallies**

|                        | Exempt | Commercial | Residential  | Total        |
|------------------------|--------|------------|--------------|--------------|
| 1 – 31 October 2015    | 1      | 0          | 18           | 19           |
| Fees collected         |        | \$0.00     | \$112,958.00 | \$112,958.00 |
| <i>Of which</i>        |        |            |              |              |
| School Impact Fee      |        |            | \$102,600.00 | \$102,600.00 |
| Law Enforcement Fee    |        | \$0.00     | \$1,610.00   | \$1,610.00   |
| Parks & Recreation Fee |        |            | \$7,884.00   | \$7,884.00   |
| EMS Fee                |        | \$0.00     | \$864.00     | \$864.00     |

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

| Description                                                             | Amount              |
|-------------------------------------------------------------------------|---------------------|
| Opening Statement Balance (1 October 2015)                              | \$66,332.01         |
| October Deposits (1 – 31 October 2015)                                  | \$112,958.00        |
| School September Transactions (withdraws via transfer on 16 Oct. 2015)  | (\$60,377.57)       |
| Law September Transactions (withdraws via transfer on 16 Oct. 2015)     | (\$806.16)          |
| Parks & Rec Sept. Transactions (withdraws via transfer on 16 Oct. 2015) | (\$4,639.12)        |
| EMS September Transactions (withdraws via transfer on 16 Oct. 2015)     | (\$509.16)          |
| Interest Earned (31 October 2015)                                       | \$29.30             |
| <b>Ending Statement Balance (31 October 2015)</b>                       | <b>\$112,987.30</b> |
| <i>Outstanding Credits (deposits through 1 November 2015)</i>           | <i>\$0.00</i>       |

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

| Description                                                       | Amount                |
|-------------------------------------------------------------------|-----------------------|
| Opening Balance (1 October 2015)                                  | \$1,637,054.93        |
| September Transactions (deposits via transfer on 16 October 2015) | \$60,377.57           |
| Interest Earned (31 October 2015)                                 | \$708.42              |
| <b>Ending Balance (31 October 2015)</b>                           | <b>\$1,698,140.92</b> |

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

| Description                                                       | Amount             |
|-------------------------------------------------------------------|--------------------|
| Opening Balance (1 October 2015)                                  | \$58,625.32        |
| September Transactions (deposits via transfer on 16 October 2015) | \$806.16           |
| Interest Earned (31 October 2015)                                 | \$25.07            |
| <b>Ending Balance (31 October 2015)</b>                           | <b>\$59,456.55</b> |

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

| Description                                                       | Amount             |
|-------------------------------------------------------------------|--------------------|
| Opening Balance (1 October 2015)                                  | \$9,171.12         |
| September Transactions (deposits via transfer on 16 October 2015) | \$4,639.12         |
| Interest Earned (31 October 2015)                                 | \$4.91             |
| <b>Ending Balance (31 October 2015)</b>                           | <b>\$13,815.15</b> |

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

| Description                                                       | Amount             |
|-------------------------------------------------------------------|--------------------|
| Opening Balance (1 October 2015)                                  | \$166,101.80       |
| Requisition 15R0118 - JCESA Mortgage (15 October 2015)            | (\$81,000.00)      |
| September Transactions (deposits via transfer on 16 October 2015) | \$509.16           |
| Interest Earned (31 October 2015)                                 | \$51.79            |
| <b>Ending Balance (31 October 2015)</b>                           | <b>\$85,662.75</b> |

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

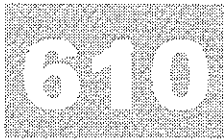
| Description                           | Amount                |
|---------------------------------------|-----------------------|
| Office of Impact Fees General Account | \$112,987.30          |
| School Impact Fee Account             | \$1,698,140.92        |
| Law Enforcement Fee Account           | \$59,456.55           |
| Parks & Recreation Impact Fee Account | \$13,815.15           |
| EMS Impact Fee Account                | \$85,662.75           |
| <b>Total Impact Fees</b>              | <b>\$1,970,062.67</b> |

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

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

| Account                               | 31 Oct. 2015<br>Account Totals | Pending Impact<br>Fee Transfers | Account Totals        |
|---------------------------------------|--------------------------------|---------------------------------|-----------------------|
| School Impact Fee Account             | \$1,698,140.92                 | \$102,626.67                    | \$1,800,767.59        |
| Law Enforcement Fee Account           | \$59,456.55                    | \$1,610.29                      | \$61,066.84           |
| Parks & Recreation Impact Fee Account | \$13,815.15                    | \$7,886.05                      | \$21,701.20           |
| EMS Impact Fee Account                | \$85,662.75                    | \$864.29                        | \$86,527.04           |
| <b>Total Impact Fees</b>              | <b>\$1,857,075.37</b>          | <b>\$112,987.30</b>             | <b>\$1,970,062.67</b> |

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



## Form 100 Transaction Summary

Jefferson County Government – Office of Impact Fees

*Impact Fee Applications Processed between dates Thursday 1 through Saturday 31 October 2015*

| Process Number                 | Date       | Applicant Name   | Trust Name       | Tax District     | Deed Book | Deed Page | Tax Map Parcel | Impact Fees Collected | Date                | Exemption Reason |  |
|--------------------------------|------------|------------------|------------------|------------------|-----------|-----------|----------------|-----------------------|---------------------|------------------|--|
| <b>Exempt Applications</b>     |            |                  |                  |                  |           |           |                |                       |                     |                  |  |
| 1500287                        | 10/27/2015 | Wheeler          | Etel             | 01 Bolivar Corp  | WB18      | 276       | 2 118          | \$0.00                | 10/27/2015          | Form 200         |  |
| <b>Category Count: 1</b>       |            |                  |                  |                  |           |           |                | <b>Category Total</b> | <b>\$0.00</b>       |                  |  |
| <b>Non-Exempt Applications</b> |            |                  |                  |                  |           |           |                |                       |                     |                  |  |
| 1500273                        | 10/05/2015 | Turner           | James and        | 09 Shepherdstown | 1141      | 456       | 5A 17          | \$6,347.00            | 10/05/2015          | N/A              |  |
| 1500274                        | 10/05/2015 | K Hovnanian      |                  | 03 Charles Town  | 1095      | 342       | 11B 351        | \$6,186.00            | 10/05/2015          | N/A              |  |
| 1500275                        | 10/08/2015 | Weaver           | Kevin            | 06 Kabletown     | 1160      | 661       | 12 2.13        | \$6,347.00            | 10/08/2015          | N/A              |  |
| 1500276                        | 10/09/2015 | Dan Ryan         |                  | 04 Harpers Ferry | 1129      | 541       | 9 152          | \$6,347.00            | 10/09/2015          | N/A              |  |
| 1500277                        | 10/16/2015 | Lutman           | David            | 04 Harpers Ferry | 969       | 368       | 8E 8.9         | \$6,347.00            | 10/16/2015          | N/A              |  |
| 1500278                        | 10/16/2015 | Lance            | R. Gregory &     | 02 Charles Town  | 1162      | 82        | 19 18.2        | \$6,347.00            | 10/16/2015          | N/A              |  |
| 1500279                        | 10/19/2015 | Marcus Homes,    |                  | 03 Charles Town  | 955       | 159       | 15 8.5         | \$6,186.00            | 10/19/2015          | N/A              |  |
| 1500280                        | 10/21/2015 | Haines           | William & Kristi | 06 Kabletown     | 1160      | 647       | 2 2.16         | \$6,347.00            | 10/21/2015          | N/A              |  |
| 1500281                        | 10/23/2015 | Charles          | Ryan Homes       | 08 Ranson Corp   | 982       | 137       | 8D 9F          | \$6,186.00            | 10/23/2015          | N/A              |  |
| 1500282                        | 10/23/2015 | Charles          | Ryan Homes       | 08 Ranson Corp   | 982       | 137       | 8D 7F          | \$6,186.00            | 10/23/2015          | N/A              |  |
| 1500283                        | 10/23/2015 | Charles          | Ryan Homes       | 08 Ranson Corp   | 982       | 137       | 8D 6F          | \$6,186.00            | 10/23/2015          | N/A              |  |
| 1500284                        | 10/23/2015 | Charles          | Ryan Homes       | 08 Ranson Corp   | 982       | 137       | 8D 5F          | \$6,186.00            | 10/23/2015          | N/A              |  |
| 1500285                        | 10/27/2015 | Heather          | Arcadia          | 03 Charles Town  | 23        | 67        | 12A 204        | \$6,186.00            | 10/27/2015          | N/A              |  |
| 1500286                        | 10/27/2015 | Heather          | Arcadia          | 03 Charles Town  | 23        | 67        | 12A 209        | \$6,186.00            | 10/27/2015          | N/A              |  |
| 1500288                        | 10/28/2015 | O'Brien          | John & Ashley    | 09 Shepherdstown | 1161      | 496       | 14 4.28        | \$6,347.00            | 10/28/2015          | N/A              |  |
| 1500289                        | 10/30/2015 | Adams            | Ryan and Amy     | 09 Shepherdstown | 1162      | 418       | 12 38          | \$6,347.00            | 10/30/2015          | N/A              |  |
| 1500290                        | 10/30/2015 | Dan Ryan         |                  | 04 Harpers Ferry | 1129      | 541       | 9 25           | \$6,347.00            | 10/30/2015          | N/A              |  |
| 1500291                        | 10/30/2015 | Capital Builders |                  | 02 Charles Town  | 1073      | 493       | 16 116         | \$6,347.00            | 10/30/2015          | N/A              |  |
| <b>Category Count: 18</b>      |            |                  |                  |                  |           |           |                | <b>Category Total</b> | <b>\$112,958.00</b> |                  |  |
| <b>TOTAL APPLICATIONS: 19</b>  |            |                  |                  |                  |           |           |                | <b>Grand Total</b>    | <b>\$112,958.00</b> |                  |  |

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

**COPY**

Michelle Mason  
Impact Fee Program Specialist

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

MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Monday, 2 November 2015  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Schools Impact Fee Account.**

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

This transfer consists of two components:

- Impact Fee Process Numbers **1500273** through **1500291**, inclusive. Within this range there were 18 non-exempt impact fee payments. This amounts to **\$102,600.00**.
- Interest earned by the Office of Impact Fees General Account in October 2015 amounts to **\$29.30**, of which **\$26.67** is attributed to fees collected for Schools.

**As per the attached invoice, the total amount of this transfer is \$102,626.67.**

**Check # 1016**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice****Number:** 15041**Date:** 11/2/2015**Bill To:**

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

**Pay To:**

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

**P.O. Number****Vendor Number****Description****Amount**

Impact Fee payments collected for month of October 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County School Impact Fees Bank Account (3107582).

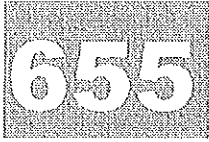
\$102,600.00

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

\$26.67

Impact Fee Process Numbers 1500273 through 1500291, inclusive. Within this range, there were 18 non-exempt impact fee payments.

**Total: \$102,626.67****Notes/Comments** Transfer of funds into School Impact Fee Account (3107582).**Check Number:** 1016



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

Account 3111776

Schools

Check Number 1016

Trace 20151102:42474.63

Date 11/2/2015

Series 1

Recipient Sheriff of Jefferson County  
Amount \$102,600.00

Account 3107582  
Signature 1 Jane Tabb  
Signature 2 Sheriff Peter Dougherty  
Signature 3 Jennifer Maghan

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

| Deposit Date                          | Process Number | Ordinance | Enact Date | Amount              |
|---------------------------------------|----------------|-----------|------------|---------------------|
| 10/6/2015                             | 1500273        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/6/2015                             | 1500274        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/9/2015                             | 1500275        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/13/2015                            | 1500276        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/19/2015                            | 1500277        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/19/2015                            | 1500278        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/21/2015                            | 1500279        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/22/2015                            | 1500280        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/26/2015                            | 1500281        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/26/2015                            | 1500282        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/26/2015                            | 1500283        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/26/2015                            | 1500284        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/28/2015                            | 1500285        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/28/2015                            | 1500286        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/29/2015                            | 1500288        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/30/2015                            | 1500289        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/30/2015                            | 1500290        | 2003-3    | 11/24/2005 | \$5,700.00          |
| 10/30/2015                            | 1500291        | 2003-3    | 11/24/2005 | \$5,700.00          |
| <b>Total amount for this withdraw</b> |                |           |            | <b>\$102,600.00</b> |
| <b>Total amount for this account</b>  |                |           |            | <b>\$102,600.00</b> |
| <b>Total amount all accounts</b>      |                |           |            | <b>\$102,600.00</b> |

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

**COPY**

Michelle Mason  
Impact Fee Program Specialist

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

MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Monday, 2 November 2015  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Law Enforcement Impact Fee Account.**

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

This transfer consists of two components:

- Impact Fee Process Numbers **1500273** through **1500291**, inclusive. Within this range there were 10 non-exempt impact fee payments. This amounts to **\$1,610.00**.
- Interest earned by the Office of Impact Fees General Account in October 2015 amounts to **\$29.30**, of which **\$0.29** is attributed to fees collected for Law Enforcement.

**As per the attached invoice, the total amount of this transfer is \$1,610.29.**

**Check # 1017**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

**Number:** 15042

**Date:** 11/2/2015

**Bill To:**

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

**Pay To:**

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

**P.O. Number**

**Vendor Number**

**Description**

**Amount**

Impact Fee payments collected for month of October 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Law Enforcement Impact Fees Bank Account (3120120).

\$1,610.00

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

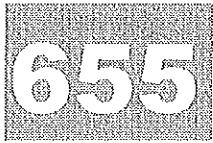
\$0.29

Impact Fee Process Numbers 1500273 through 1500291, inclusive. Within this range, there were 10 non-exempt impact fee payments.

**Total: \$1,610.29**

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

**Check Number:** 1017



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

Account 3111776

Law Enforcement

Check Number 1017

Trace 20151102:42565.8

Date 11/2/2015 Series 2

Recipient Sheriff of Jefferson County

Account 3120120

Amount \$1,610.00

Signature 1 Jane Tabb

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

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

| Deposit Date                          | Process Number | Ordinance | Enact Date | Amount     |
|---------------------------------------|----------------|-----------|------------|------------|
| 10/6/2015                             | 1500273        | 2005-1    | 3/22/2005  | \$161.00   |
| 10/6/2015                             | 1500274        | 2005-1    | 3/22/2005  | \$0.00     |
| 10/9/2015                             | 1500275        | 2005-1    | 3/22/2005  | \$161.00   |
| 10/13/2015                            | 1500276        | 2005-1    | 3/22/2005  | \$161.00   |
| 10/19/2015                            | 1500277        | 2005-1    | 3/22/2005  | \$161.00   |
| 10/19/2015                            | 1500278        | 2005-1    | 3/22/2005  | \$161.00   |
| 10/21/2015                            | 1500279        | 2005-1    | 3/22/2005  | \$0.00     |
| 10/22/2015                            | 1500280        | 2005-1    | 3/22/2005  | \$161.00   |
| 10/26/2015                            | 1500281        | 2005-1    | 3/22/2005  | \$0.00     |
| 10/26/2015                            | 1500282        | 2005-1    | 3/22/2005  | \$0.00     |
| 10/26/2015                            | 1500283        | 2005-1    | 3/22/2005  | \$0.00     |
| 10/26/2015                            | 1500284        | 2005-1    | 3/22/2005  | \$0.00     |
| 10/28/2015                            | 1500285        | 2005-1    | 3/22/2005  | \$0.00     |
| 10/28/2015                            | 1500286        | 2005-1    | 3/22/2005  | \$0.00     |
| 10/29/2015                            | 1500288        | 2005-1    | 3/22/2005  | \$161.00   |
| 10/30/2015                            | 1500289        | 2005-1    | 3/22/2005  | \$161.00   |
| 10/30/2015                            | 1500290        | 2005-1    | 3/22/2005  | \$161.00   |
| 10/30/2015                            | 1500291        | 2005-1    | 3/22/2005  | \$161.00   |
| <b>Total amount for this withdraw</b> |                |           |            | \$1,610.00 |
| <b>Total amount for this account</b>  |                |           |            | \$1,610.00 |
| <b>Total amount all accounts</b>      |                |           |            | \$1,610.00 |

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

**COPY**

Michelle Mason  
Impact Fee Program Specialist

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

MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Monday, 2 November 2015  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Parks & Recreation Impact Fee Account.**

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

This transfer consists of two components:

- Impact Fee Process Numbers **1500273** through **1500291**, inclusive. Within this range there were 18 non-exempt impact fee payments. This amounts to **\$7,884.00**.
- Interest earned by the Office of Impact Fees General Account in October 2015 amounts to **\$29.30**, of which **\$2.05** is attributed to fees collected for Parks & Recreation.

**As per the attached invoice, the total amount of this transfer is \$7,886.05.**

**Check # 1018**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

**Number:** 15043

**Date:** 11/2/2015

**Bill To:**

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

**Pay To:**

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

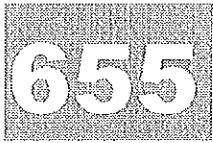
**P.O. Number**

**Vendor Number**

| <b>Description</b>                                                                                                                                                                                                    | <b>Amount</b>     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Impact Fee payments collected for month of October 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Parks & Recreation Impact Fees Bank Account (3122808). | \$7,884.00        |
| Interest earned by the Office of Impact Fees General Account October 2015.                                                                                                                                            | \$2.05            |
| Impact Fee Process Numbers 1500273 through 1500291, inclusive. Within this range, there were 18 non-exempt impact fee payments.                                                                                       |                   |
| <b>Total:</b>                                                                                                                                                                                                         | <b>\$7,886.05</b> |

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

**Check Number:** 1018



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

Account 3111776

Parks & Rec

Check Number 1018

Trace 20151102:42610.44

Date 11/2/2015

Series 3

Recipient Sheriff of Jefferson County

Account 3122808

Amount \$7,884.00

Signature 1 Jane Tabb

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

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

| Deposit Date | Process Number | Ordinance | Enact Date | Amount   |
|--------------|----------------|-----------|------------|----------|
| 10/6/2015    | 1500273        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/6/2015    | 1500274        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/9/2015    | 1500275        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/13/2015   | 1500276        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/19/2015   | 1500277        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/19/2015   | 1500278        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/21/2015   | 1500279        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/22/2015   | 1500280        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/26/2015   | 1500281        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/26/2015   | 1500282        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/26/2015   | 1500283        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/26/2015   | 1500284        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/28/2015   | 1500285        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/28/2015   | 1500286        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/29/2015   | 1500288        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/30/2015   | 1500289        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/30/2015   | 1500290        | 2005-2    | 5/12/2005  | \$438.00 |
| 10/30/2015   | 1500291        | 2005-2    | 5/12/2005  | \$438.00 |

**Total amount for this withdraw** \$7,884.00

**Total amount for this account** \$7,884.00

**Total amount all accounts** \$7,884.00

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

**COPY**

Michelle Mason  
Impact Fee Program Specialist

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

MEMORANDUM

TO: Stephanie Grove, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Monday, 2 November 2015  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's EMS Impact Fee Account.**

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

This transfer consists of two components:

- Impact Fee Process Numbers **1500273** through **1500291**, inclusive. Within this range there were 18 non-exempt impact fee payments. This amounts to **\$864.00**.
- Interest earned by the Office of Impact Fees General Account in October 2015 amounts to **\$29.30**, of which **\$0.29** is attributed to fees collected for EMS.

**As per the attached invoice, the total amount of this transfer is \$864.29.**

**Check # 1019**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice****Number:** 15044**Date:** 11/2/2015**Bill To:**

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

**Pay To:**

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

**P.O. Number****Vendor Number****Description****Amount**

Impact Fee payments collected for month of October 2015 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County EMS Impact Fees Bank Account (3122816).

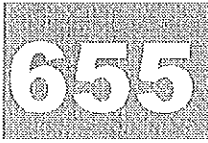
\$864.00

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

\$0.29

Impact Fee Process Numbers 1500273 through 1500291, inclusive. Within this range, there were 18 non-exempt impact fee payments.

**Total: \$864.29****Notes/Comments** Transfer of funds into EMS Impact Fee Account (3122816).**Check Number:** 1019



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

Account 3111776

Fire & EMS

Check Number 1019

Trace 20151102:42644.9

Date 11/2/2015

Series 4

Recipient Sheriff of Jefferson County

Account 3122816

Amount \$864.00

Signature 1 Jane Tabb

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

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

| Deposit Date                          | Process Number | Ordinance | Enact Date | Amount   |
|---------------------------------------|----------------|-----------|------------|----------|
| 10/6/2015                             | 1500273        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/6/2015                             | 1500274        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/9/2015                             | 1500275        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/13/2015                            | 1500276        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/19/2015                            | 1500277        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/19/2015                            | 1500278        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/21/2015                            | 1500279        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/22/2015                            | 1500280        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/26/2015                            | 1500281        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/26/2015                            | 1500282        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/26/2015                            | 1500283        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/26/2015                            | 1500284        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/28/2015                            | 1500285        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/28/2015                            | 1500286        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/29/2015                            | 1500288        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/30/2015                            | 1500289        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/30/2015                            | 1500290        | 2005-3    | 5/12/2005  | \$48.00  |
| 10/30/2015                            | 1500291        | 2005-3    | 5/12/2005  | \$48.00  |
| <b>Total amount for this withdraw</b> |                |           |            | \$864.00 |
| <b>Total amount for this account</b>  |                |           |            | \$864.00 |
| <b>Total amount all accounts</b>      |                |           |            | \$864.00 |



West Virginia Mountain AIRS  
DBA WV 211 Collaborative  
P.O. Box 211  
Mannington, WV 26582  
304-376-3102  
www.wv211.org



Received

NOV 02 2015

Jefferson County Commission

October 15, 2015

Ms. Jane Tabb  
PO Box 250  
Charles Town, WV 25414

Dear Honorable Commissioners:

I would like to take this opportunity to tell you about a statewide program that provides FREE information and referral to your constituents to programs and services in your communities that can help them resolve some of the challenges facing our families and individuals today.

WV 211 is a free, 24/7 service that accesses and links individuals and families with programs and services in their community to meet the needs and challenges of everyday life. From parenting classes for new parents to hospice and end of life issues, we include most all social service programs from birth through death.

Accessible simply by dialing 2-1-1 from any land or mobile phone, a caller is connected with an operator in our call center located in Weirton, WV. Through the generosity of Luttamus Communications, operators answer our calls 24/7 and offer compassionate referrals to existing programs throughout the state. With three-tiered redundancy, the call center ensures that our calls are answered even in times of severe weather or disasters. We also are afforded remote access to our callers in extreme conditions.

To support this work we also built and maintained a database of services that currently has over 5000 records of organizations and programs in West Virginia. All 55 counties services and programs are represented with details about their programs, operating hours, eligibility and contact information.

The database is supported by five partners who also answer calls from the 2-1-1 line and three technology contractors that work specifically on the database.

We would like the opportunity to present to your commission more information about WV 211 to include a reflection of your county, its call demographics and need. To arrange this presentation we request that you call 304-376-3102 or email robin.wv211@gmail.com to confirm a date.

Sincerely,

Robin AR Smith, CIRS, LSW, MGM  
Executive Director, WV 211



*Proud sponsors of WV 211 Collaborative*



# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

October 30, 2015

Jefferson, County Of  
Jefferson County Commission  
100 E Washington St  
Charles Town, WV 25414-1072

Received

NOV 04 2015

Received

NOV 04 2015

Jefferson County Commission

Dear County Official:

Jefferson County Commission

I am pleased to notify you that on October 30, 2015, the Department of the Interior (Interior) issued payments to eligible local governments under the Payments in Lieu of Taxes (PILT) program. The PILT program compensates local jurisdictions for Federal lands administered by agencies within the Department and on behalf of the U.S. Forest Service and the U.S. Army Corps of Engineers. The PILT payments may be used for any governmental purpose, including important community services such as emergency response, public schools, and roads. Since counties and other local jurisdictions are prohibited from taxing Federal lands, annual PILT payments help to defray costs associated with maintaining services that support these lands within their boundaries.

The Payments in Lieu of Taxes Act, 31 U.S.C. 6901-6907, as amended, authorized the program. The PILT Act prescribes the formula used to compute the annual payments based on per acre and population variables, which are annually adjusted for inflation and census data. Prior year Federal payments under certain revenue sharing programs are deducted in formulating the payment amounts. These amounts are reported by your State through an annual reporting process. A provision in the PILT Act provides that temporary payments be made to compensate for recent additions to the National Park System and National Forest Wilderness areas.

Congress appropriated funding for the 2015 program through two legislative vehicles. On December 16, 2014, the President signed the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235) which appropriated \$372 million in discretionary funding for PILT. In addition, on December 19, 2014, the President signed the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act (NDAA) for Fiscal Year 2015 (Public Law 113-291) which appropriated \$70 million in mandatory funding. Of the \$70 million, \$33 million was available for June 2015 payments and \$37 million became available on October 1, 2015. The Continuing Appropriations Act, 2016 (P.L. 114-53) directed that \$37 million be applied to the Fiscal Year (FY) 2015 PILT program. Since the \$37 million was included in the baseline for sequestration issued in the February 2, 2015, OMB Report to Congress on the Joint Committee Reductions for Fiscal Year 2016, these funds are subject to a 6.8 percent reduction for sequestration. The Department issued \$34,484,000 in payments to local governments in October 2015.

For October 2015, your county is entitled to a PILT payment of \$516.00. In addition, your county should have received a PILT payment in June for \$6,055.00. Your county's total payment for the FY 2015 PILT Payment program is \$6,571.00. If you provided current bank routing and account numbers for your county to our Interior Business Center office or to SAM (System of Awards Management), an electronic funds transfer for only the October payment amount was posted to your account on or about October 30, 2015. If this information was not available, a check was mailed to your county's address of record from the U.S. Treasury. Should you require further information, points of contact are provided in the list of Frequently Asked Questions at [www.doi.gov/pilt](http://www.doi.gov/pilt). The website also includes information on how to register in SAM to expedite receipt of future PILT payments. Please contact the PILT Program Manager, Ms. Dionna Kiernan, at (202) 513-7783, if you have any questions.

Sincerely,

Kristen J. Sarri  
Principal Deputy Assistant Secretary  
Policy, Management and Budget

## Sandy McDonald

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**From:** fberrymorgan@aol.com  
**Sent:** Thursday, November 05, 2015 2:39 PM  
**To:** commissionerpnoland@gmail.com; dmanuel@frontiernet.net;  
vinemont@frontiernet.net; walterpellish@mac.com; ebell@jeffersoncountywv.org  
**Cc:** sandy@jeffersoncountywv.org  
**Subject:** Fwd: Shepherdstown Battlefield site inclusion into Antietam Park

Greetings, Sandy and Commissioners.  
With this I am copying you with my letter of today emailed to Senator Manchin.  
Thank you for your consideration; I urge your support of this endeavor, sincerely,  
Frances B. Morgan

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

From: fberrymorgan <fberrymorgan@aol.com>  
To: mary\_jo\_brown <mary\_jo\_brown@manchin.senate.gov>  
Sent: Thu, Nov 5, 2015 2:34 pm  
Subject: Shepherdstown Battlefield site inclusion into Antietam Park

Hello Mary Jo,

I am forwarding to you a copy (below) of a letter I sent today to Senator Manchin's office via his "contact the Senator" button on the website. Since I had a separate email address for you, I am sending this copy to you so that you'll have my letter as well.

Thank you Mary Jo,  
Sincerely,  
Frances Morgan

Dear Senator Manchin,

I am writing to ask you to sponsor legislation to expand the boundaries of Antietam National Battlefield Park to include as much as possible of the site of the historic Civil War Battle of Shepherdstown. The benefits of this park expansion would redound to all the residents of Jefferson County in the future in many forms including widening the appeal of heritage tourism to Shepherdstown as well as obtaining "drop-down" heritage tourism traffic from the many thousands who are already in the habit of visiting Antietam at various times during the year.

It has been a long difficult road to preserve the Battle of Shepherdstown site, at least in part, and I want to thank you for your prior encouragement and support during difficult times (especially during the economic downturn when preservation conversations had become as unpopular as could be!).

We are all proud of what we have here in Jefferson County: Harpers Ferry, Charles Town, the Washington homes and other historic structures, the Niagara Movement heritage and Storer College, the rivers, the mountains, the equine industry, the fine fertile farm ground such as my grandfather's farm near Summit Point where I reside. But park expansion touching the Shepherdstown area, which is also a visual treasure, thanks to decades of care and attention by many citizens, and which one might say is also already a site drawing national even international attention at least from the arts and letters vantage point, could – and I believe, will – provide economic multipliers that will boost Jefferson County's economy going forward.

Please sponsor this important legislation Senator Manchin, and as always, you have my respect and admiration for the work that you do on behalf of West Virginia's citizens.

# Jefferson County Public Service District

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## Jefferson County Public Service District Regular Board Meeting September 8, 2015

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Tuesday, September 8, 2015 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Peter Appignani; Treasurer, Bill Strider; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; Operations Manager, Joseph Freeze; District Legal Counsel, Jim Kelsh; from Thrasher Engineering, Wayne Morgan; from Dunn Engineering, Fred Hypes; and Liaison for the County Commission, Commissioner Jane Tabb. Mr. Weese was absent from the meeting.

### CALL TO ORDER

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

### Approval of agenda

The Board made no changes to the agenda.

### Public Comments

None.

### OLD BUSINESS

#### Review Minutes of August 3 regular board meeting

The minutes of the August 3, 2015 regular board meeting were approved as presented.

**Action: Motion made by Mr. Strider and seconded by Mr. Appignani to accept the August 3, 2015 regular board meeting minutes as presented. Approved 2-0.**

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

- Consider approval of Resolution #12

Ms. Lawton stated the Infrastructure and Jobs Development Council (IJDC) full council approved the Districts request for a grant of \$39,183.37 to cover the project overrun costs at their August 5<sup>th</sup> meeting which the Board now needs to approve the twelfth withdraw to pay the contractor this overrun. Mr. Appignani read the resolution for payment #12 as follows:

RESOLUTION OF THE PUBLIC SERVICE BOARD OF THE JEFFERSON COUNTY PUBLIC SERVICE DISTRICT APPROVING INVOICES RELATING TO ENGINEERING AND OTHER SERVICES FOR THE CAVALAND & GLEN HAVEN WATER SYSTEM IMPROVEMENTS PROJECT AND AUTHORIZING PAYMENT THEREOF IN THE AMOUNT OF \$39,183.37.

**Action: Motion by Mr. Appignani and seconded by Mr. Strider to adopt the resolution as read totaling \$39,183.37. Approved 2-0.**

#### Discuss sewer collection and transmission project

- Review funding proposals submitted for sewer transmission project development costs; select preferred funding source and terms; authorize Staff, bond counsel, and a board member to move forward to close on funding as soon as practical

The Board tabled this discussion until next month.

**Action: Motion made by Mr. Strider and seconded by Mr. Appignani to table the item until next month. Approved 2-0.**

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

Mr. Kelsh stated the project will be discussed at the September 29<sup>th</sup> West Virginia Infrastructure and Jobs Development Council (IJDC) technical review and funding committee and the IJDC full council on October 7<sup>th</sup>.

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

Discuss status of Local Powers Act amendment and lobbying

- Consider engagement letter with Bowles Rice for Local Power Act amendment drafting and lobbying

The Board discussed Mr. Kelsh moving forward to draft legislation for 2016 regular legislative session to amend the Local Powers Act for the District to have the ability to charge Capital Improvement Fees if the Public Service Commission denies the request. However, since there is a possibility this will be discussed at the September 17<sup>th</sup> County Commission utilities meeting, Mr. Strider suggested tabling this discussion until after that meeting.

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

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

Ms. Lawton stated that the District will need an estimated \$77,000 in payments to cover the disbursements for sewer and \$3,200 for water.

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

**NEW BUSINESS**

Discuss the ownership of the Highland Farms wastewater treatment plant site

Ms. Lawton received a request from Michael Briel, Counsel for the McGinnis family, who own the property adjacent to the Highland Farms parcel the District owns. Dan McGinnis was in the audience to discuss purchasing the property from the District. Mr. McGinnis does not wish to build on the property, but to simply clean up the area and is willing to work with the District to accomplish that. The Board would like to retain the property and will make a final decision at next months meeting after Counsel has reviewed the existing deed.

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

Discuss the September 17<sup>th</sup> Utility Meeting to be held by the County Commission

The Jefferson County Commission has scheduled a meeting with all local utilities to discuss water and wastewater infrastructure throughout the County. District staff, Counsel, and engineers will attend.

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

Update on Status of Current Public Service Commission Cases

2015 sewer rate case – Mr. Kelsh filed the petition to the PSC on August 13<sup>th</sup>. He sent a corrected notice to the newspapers since his calculations were incorrect.

2012 sewer rate case – The final strategic plan was filed with the PSC. Comments were filed against the final plan, but since the case is closed the PSC is not required to take action.

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

Discussion of any Expenses over Budget

There were no items over budget this month.

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

Disbursements

**Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve disbursements for Public Service District water expenses in the amount of \$14,602.89. Approved 2-0.**

**Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve disbursements for the Public Service District sewer expenses in the amount of \$236,833.55. Approved 2-0.**

Approve transfer of \$1,758.00 from the Renewal & Replacement account to the Sewer Operating account for new transducers at pump station 2-13

Approve transfer of \$32,816.25 from the Series 2013A Bond account to the Sewer Operating account for strategic plan expenses

Approve transfer of \$5,112.39 from the Sewer Security Deposit account to the Sewer Operating account for security deposit refunds

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to approve transfer of \$1,758.00 from the Renewal & Replacement account to the Sewer Operating account for new transducers at pump station 2-13; approve transfer of \$32,816.25 from the Series 2013A Bond account to the Sewer Operating account for strategic plan expenses; approve transfer of \$5,112.39 from the Sewer Security Deposit account to the Sewer Operating account for security deposit refunds. Approved 2-0.

General Manager's Report

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

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

Other staff reports

None discussed.

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

Correspondence

None discussed.

Public Comment

None.

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to convene in executive session for the purpose of discussing possible litigation. Approved 2-0.

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to return to public session. Approved 2-0.

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to adjourn. Approved 2-0.

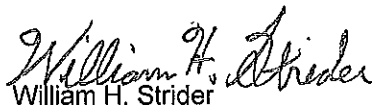
There being no further business at this time, the meeting was adjourned at 7:39PM.

The next regular meeting is scheduled for Monday, October 5, 2015 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Peter L. Appignani  
Chairman



William H. Strider  
Treasurer

# Jefferson County Public Service District

## Jefferson County Public Service District Regular Board Meeting October 5, 2015

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, October 5, 2015 in the meeting room at the Districts office in Kearneysville. Those in attendance included:; Treasurer, Bill Strider; Secretary, Richard Weese; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; District Legal Counsel, Jim Kelsh; from Thrasher Engineering, Wayne Morgan; and Liaison for the County Commission, Commissioner Jane Tabb. Mr. Appignani was absent from the meeting.

### **CALL TO ORDER**

Treasurer Bill Strider called the meeting to order at 7:00PM.

### **Approval of agenda**

The Board made no changes to the agenda.

### **Public Comments**

None.

### **OLD BUSINESS**

#### **Review Minutes of September 8 regular board meeting**

The minutes of the September 8, 2015 regular board meeting were approved as presented.

**Action: Motion made by Mr. Weese and seconded by Mr. Strider to accept the September 8, 2015 regular board meeting minutes as presented. Approved 2-0.**

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

- **Consider approval of Engagement Letter with CoxHollida & Professionals for a A-133 Single Audit**

Ms. Lawton stated the project is complete and the final payment was made to the contractor. She informed the Board that the last step to close the project is a final accounting of the money paid to the District since federal money was part of the funding package. Chuck Young from CoxHollida & Professionals will perform an A-133 single audit.

**Action: Motion made by Mr. Weese and seconded by Mr. Strider to approve the engagement letter with CoxHollida & Professionals to perform the A-133 single audit. Approved 2-0.**

#### **Discuss sewer collection and transmission project**

- **Review funding proposals submitted for sewer transmission project development costs; select preferred funding source and terms; authorize Staff, bond counsel, and a board member to move forward to close on funding as soon as practical**
- **Consider approval of Engagement Letter with CoxHollida & Professionals for revised Rule 42 Exhibit on the June 30, 2015 numbers**
- **Consider amendment to engineering agreement with Thrasher Engineering**

Mr. Kelsh discussed with the Board the proposal from Bank of Charles Town for a \$660,000 loan for the sewer project. He stated a revised Rule 42 will also need to be submitted using June 30, 2015 numbers.

**Action: Motion made by Mr. Strider and seconded by Mr. Weese to approve the loan proposal from Bank of Charles Town for \$660,000. Approved 2-0.**

**Action: Motion made by Mr. Strider and seconded by Mr. Weese to approve the engagement letter with CoxHollida & Professionals for the revised Rule 42 exhibit using the June 30, 2015 numbers. Approved 2-0.**

Wayne Morgan from Thrasher Engineering requested a revision to the original agreement for the sewer collection project to increase the cost by \$37,500 due to additional work needed to be done by the engineers.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve the Amendment #1 for the Thrasher Engineering agreement for a price increase of \$37,500. Approved 2-0.

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

▪ Consider amendment to engineering agreement with Thrasher Engineering

Ms. Lawton stated the project was approved at the September 29<sup>th</sup> West Virginia Infrastructure and Jobs Development Council (IJDC) technical review and funding committee and will go to the IJDC full council on October 7<sup>th</sup>. Wayne Morgan from Thrasher Engineering requested the Board consider the amendment to the engineering agreement to reduce the project costs by \$369,400.00.

**Action:** Motion made by Mr. Weese and seconded by Mr. Strider to approve the amendment to the engineering agreement with Thrasher Engineering to reduce the project costs \$369,400.00. Approved 2-0.

Mr. Kelsh informed the Board that he spoke with Greg Isaacs of Crews and Associates and his firm has offered to explore funding options for this project different from what the Water Development Authority could offer to the Board.

**Action:** Motion made by Mr. Weese and seconded by Mr. Strider to approve the preliminary engagement agreement with Crews & Associates to explore funding options for the project. Approved 2-0.

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

Ms. Lawton stated that the District will need an estimated \$95,000 in payments to cover the disbursements for sewer and \$8,600 for water.

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

Discuss the ownership of the Highland Farms wastewater treatment plant site

Last month the District received a request from the McGinnis family, who own the property adjacent to the Highland Farms parcel the District owns about purchasing the property from the District. Mr. McGinnis does not wish to build on the property, but to simply clean up the area and is willing to work with the District to accomplish that. Mr. Kelsh has drafted a letter in response to Mr. McGinnis's request and will send to his Counsel. The Board does not wish to sell the property, but will cooperate to clean it up.

**Action:** Motion made by Mr. Weese and seconded by Mr. Strider to approve the letter drafted by Mr. Kelsh and submit to Mr. Briel, Counsel for Mr. McGinnis. Approved 2-0.

Charles Town Utility Board – to open a dialogue

Mr. Strider stated that at the July 6<sup>th</sup> Board meeting, the Board voted to not consider any formal agreements with other utilities until its sewer transmission project is constructed. Per the July 6<sup>th</sup> motion, the Board agreed this item is not eligible to discuss at this time. Mr. Strider stated that there will be another opportunity for public comment toward the end of the meeting.

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

## NEW BUSINESS

Consider renewal of membership for the National Association of Clean Water Agencies (NACWA)

Last year the Board voted to not renew the membership due to financial concerns, however, NACWA chose to "grant" the membership so the District could remain members for another year. This year, NACWA is willing to renew the Districts membership by reducing the cost to \$805.00 after Ms. Lawton requested a 50% reduction. Mr. Weese offered to pay the Districts renewal membership for 2016.

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

Update on Status of Current Public Service Commission Cases

2015 sewer rate case – Mr. Kelsh stated there have been several protest letters submitted to the PSC. Mr. Kelsh will file a response to the petitions to intervene in the case.

Jacquelyn Milliron et al v. Jefferson County PSD, Case No. 15-1478-PSWD-C - The initial PSC staff memorandum is due by October 13<sup>th</sup>.

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

Discussion of any Expenses over Budget

There were no items over budget this month.

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

Disbursements

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve disbursements for Public Service District water expenses in the amount of \$11,632.73. Approved 2-0.

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve disbursements for the Public Service District sewer expenses in the amount of \$212,223.36. Approved 2-0.

Approve transfer of \$5,962.50 from the Renewal & Replacement account to the Sewer Operating account for new pump at pump station 4-7

Approve transfer of \$5,024.99 from the Renewal & Replacement account to the Sewer Operating account to replace the Digit control valves & cylinders

Approve transfer of \$4,188.35 from the Sewer Security Deposit account to the Sewer Operating account for security deposit refunds

Approve transfer of \$245.59 from the Water Security Deposit account to the Water Operating account for security deposit refunds

**Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve transfer of \$5,962.50 from the Renewal & Replacement account to the Sewer Operating account for new pump at pump station 4-7; approve transfer of \$5,024.99 from the Renewal & Replacement account to the Sewer Operating account to replace the Digit control valves & cylinders; approve transfer of \$4,188.35 from the Sewer Security Deposit account to the Sewer Operating account for security deposit refunds; approve transfer of \$245.59 from the Water Security Deposit account to the Water Operating account for security deposit refunds. Approved 2-0.

General Manager's Report

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

NPDES Permit – Ms. Lawton and staff worked with Dunn engineers to renew the Districts main NPDES permit.

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

Other staff reports

None discussed.

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

Correspondence

None discussed.

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

Public Comment

Pete Kubic, Vice Chairman of Charles Town Utility Board (CTUB), made the comment that the CTUB attended the Jefferson County Commission meeting a few weeks ago where they presented a conclusion which summarized what Charles Town recognizes as benefit for sound county sewer utility service. Mr. Kubic read that summary to the Board. Mr. Kubic requested the Board consider opening negotiations with the CTUB counsel, Mr. Hoy Shingleton, along with the Districts counsel and continue discussions in this venture.

Fred Blackmer expressed his concern with the July 6<sup>th</sup> motion discussed by Mr. Strider. Mr. Blackmer thought the motion was towards the District not working with City of Charles Town at this time, but after tonight's meeting he thinks it was made clear it was for all utilities, which he thought was wrong.

Todd Milliron asked if the July 6<sup>th</sup> motion had to be a unanimous vote to be valid since it was a 2-1 vote. Mr. Kelsh responded by informing Mr. Milliron that a unanimous vote is not required.

Jacquelyn Milliron requested the District continue to explore ways to cut the budget and reduce spending. Ms. Milliron also stated she was disheartened to learn the District is not willing to work with any other utilities at this time.

Heidi Parker stated the District should work towards consolidation.

Jane Arnett, Manager of Charles Town Utility Board, commented that with the Senate Bill 245 funding, the rates will not increase for the District customers relating to the Charles Town upgrade.

Sarah Smith was upset with a comment made by Ms. Lawton in response to a question on how customers can lower bills. The response given by Ms. Lawton was that rate payers could use less water. Ms. Smith thinks Ms. Lawton doesn't have empathy for the rate payers.

**Action: Motion made by Mr. Weese and seconded by Mr. Strider to convene in executive session for the purpose of discussing litigation personnel matters, and contract negotiations. Approved 2-0.**

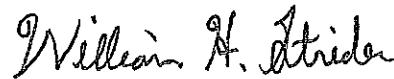
**Action: Motion made by Mr. Weese and seconded by Mr. Strider to return to public session. Approved 2-0.**

**Action: Motion made by Mr. Weese and seconded by Mr. Strider to adjourn. Approved 2-0.**


There being no further business at this time, the meeting was adjourned at 8:03PM.

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

Respectfully Submitted,



William H. Strider  
Treasurer



Richard Weese  
Secretary

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

**Week Ending Date**

**FY16  
October 24, 2015**

|                                                         |                            |
|---------------------------------------------------------|----------------------------|
| <b>To be Deposited on:</b>                              | <b>October 30, 2015</b>    |
| <b>Amount Played</b>                                    | <b>58,971,480.41</b>       |
| <b>Amount Won</b>                                       | <b>52,927,695.50</b>       |
| <b>Amount Promo</b>                                     | <b>268,989.00</b>          |
| <b>MWAP Contribution</b>                                | <b><u>2,011.96</u></b>     |
| <b>Adjusted Gross Terminal Revenue</b>                  | <b><u>5,772,783.95</u></b> |
| <b>Administrative Costs @ 4%</b>                        | <b>230,911.36</b>          |
| <b>Excess Lottery Fund @ 4%</b>                         | <b><u>0.00</u></b>         |
| <b>Net Terminal Revenue</b>                             | <b><u>5,541,872.59</u></b> |
| <b>Surcharge @ 10%</b>                                  | <b>0.00</b>                |
| <b>State Share Excess @ 58% &amp; 10% of 42%</b>        | <b>0.00</b>                |
| <b>Track Share of Capital Reinvestment @ 90% of 42%</b> | <b><u>0.00</u></b>         |
| <i>Track Share of Capital Reinvestment @ 96%</i>        | <i>0.00</i>                |
| <i>Track Share of Capital Reinvestment @ 4%</i>         | <i>0.00</i>                |
| <b>Adjusted Net Terminal Revenue</b>                    | <b><u>5,541,872.59</u></b> |
| <b>Racetrack @ 46.50% / 42%</b>                         | <b>2,576,970.75</b>        |
| <b>Lottery Fund @ 30% / 0%</b>                          | <b>1,662,561.83</b>        |
| <b>Excess Lottery Fund @ 0% / 41%</b>                   | <b>0.00</b>                |
| <b>Excess Lottery Fund @ 12.85% / 9.55%</b>             | <b>712,130.60</b>          |
| <b>Race Track Purses @ 90% of 7% / 4%</b>               | <b>349,137.97</b>          |
| <b>Employee Pension Fund @ 1% / .5%</b>                 | <b>55,418.72</b>           |
| <b>Greyhound Development @ 90% of .75%</b>              | <b>37,407.64</b>           |
| <b>Thoroughbred Development @ 90% of .75%</b>           | <b>37,407.64</b>           |
| <b>County/Municipality @ 2%</b>                         | <b><u>110,837.44</u></b>   |
|                                                         | <b><u>5,541,872.59</u></b> |

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<br>ADJ. NET<br>REVENUE | TO<br>JEFFERSON<br>COUNTY | TO<br>FIVE<br>CITIES | BOLIVAR<br>7.93% | CHARLES<br>TOWN<br>39.90% | HARPERS<br>FERRY<br>2.17% | RANSON<br>33.68% | SHEPHERDS<br>TOWN<br>16.32% |
|----------------------------|------------------------------|---------------------------|----------------------|------------------|---------------------------|---------------------------|------------------|-----------------------------|
| 4 days ending:<br>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             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 07/25/15                   | \$ 109,356.88                | \$ 109,356.88             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/01/15                   | \$ 119,089.60                | \$ 119,089.60             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/08/15                   | \$ 115,689.52                | \$ 115,689.52             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/15/15                   | \$ 108,726.48                | \$ 108,726.48             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/22/15                   | \$ 108,922.12                | \$ 108,922.12             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/29/15                   | \$ 117,576.80                | \$ 73,285.10              | \$ 44,291.70         | \$ 3,512.33      | \$ 17,672.39              | \$ 961.13                 | \$ 14,917.44     | \$ 7,228.41                 |
| 09/05/15                   | \$ 111,781.52                | \$ 55,890.76              | \$ 55,890.76         | \$ 4,432.14      | \$ 22,300.41              | \$ 1,212.83               | \$ 18,824.01     | \$ 9,121.37                 |
| 09/12/15                   | \$ 126,546.60                | \$ 63,273.30              | \$ 63,273.30         | \$ 5,017.57      | \$ 25,246.05              | \$ 1,373.03               | \$ 21,310.45     | \$ 10,326.20                |
| 09/19/15                   | \$ 108,466.12                | \$ 54,233.06              | \$ 54,233.06         | \$ 4,300.68      | \$ 21,638.99              | \$ 1,176.86               | \$ 18,265.69     | \$ 8,850.84                 |
| 09/26/15                   | \$ 104,879.20                | \$ 52,439.60              | \$ 52,439.60         | \$ 4,158.46      | \$ 20,923.40              | \$ 1,137.94               | \$ 17,661.66     | \$ 8,558.14                 |
| 10/03/15                   | \$ 106,209.88                | \$ 53,104.94              | \$ 53,104.94         | \$ 4,211.22      | \$ 21,188.87              | \$ 1,152.38               | \$ 17,885.74     | \$ 8,666.73                 |
| 10/10/15                   | \$ 100,582.52                | \$ 50,291.26              | \$ 50,291.26         | \$ 3,988.10      | \$ 20,066.21              | \$ 1,091.32               | \$ 16,938.10     | \$ 8,207.53                 |
| 10/17/15                   | \$ 106,097.60                | \$ 53,048.80              | \$ 53,048.80         | \$ 4,206.77      | \$ 21,166.47              | \$ 1,151.16               | \$ 17,866.84     | \$ 8,657.56                 |
| 10/24/15                   | \$ 110,837.44                | \$ 55,418.72              | \$ 55,418.72         | \$ 4,394.70      | \$ 22,112.07              | \$ 1,202.59               | \$ 18,665.02     | \$ 9,044.34                 |
| Subtotal                   | \$ 1,876,047.76              | \$ 1,394,055.62           | \$ 481,992.14        | \$ 38,221.97     | \$ 192,314.86             | \$ 10,459.24              | \$ 162,334.95    | \$ 78,661.12                |

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

**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 | 7/25/2015  | 109,356.88 |
| 7/30/2011  | 144,510.28 | 8/4/2012   | 132,931.16 | 8/3/2013   | 116,180.80 | 8/2/2014   | 117,145.12 | 8/1/2015   | 119,089.60 |
| 8/6/2011   | 151,495.28 | 8/11/2012  | 134,212.88 | 8/10/2013  | 120,078.64 | 8/9/2014   | 114,374.60 | 8/8/2015   | 115,689.52 |
| 8/13/2011  | 117,350.38 | 8/18/2012  | 110,241.90 | 8/17/2013  | 124,888.56 | 8/16/2014  | 114,105.32 | 8/15/2015  | 108,726.48 |
| 8/20/2011  | 71,614.12  | 8/25/2012  | 66,209.90  | 8/24/2013  | 89,882.12  | 8/23/2014  | 116,097.04 | 8/22/2015  | 108,922.12 |
| 8/27/2011  | 63,432.14  | 9/1/2012   | 67,133.42  | 8/31/2013  | 58,913.18  | 8/30/2014  | 60,280.02  | 8/29/2015  | 73,285.10  |
| 9/3/2011   | 80,837.76  | 9/8/2012   | 74,029.40  | 9/7/2013   | 67,758.74  | 9/6/2014   | 61,420.28  | 9/5/2015   | 55,890.76  |
| 9/10/2011  | 84,845.80  | 9/15/2012  | 61,838.04  | 9/14/2013  | 53,374.22  | 9/13/2014  | 51,364.96  | 9/12/2015  | 63,273.30  |
| 9/17/2011  | 66,748.62  | 9/22/2012  | 56,996.90  | 9/21/2013  | 54,277.94  | 9/20/2014  | 50,664.54  | 9/19/2015  | 54,233.06  |
| 9/24/2011  | 68,929.80  | 9/29/2012  | 61,611.40  | 9/28/2013  | 54,881.50  | 9/27/2014  | 50,127.22  | 9/26/2015  | 52,439.60  |
| 10/1/2011  | 68,871.64  | 10/6/2012  | 62,715.20  | 10/5/2013  | 55,950.74  | 10/4/2014  | 53,531.28  | 10/3/2015  | 53,104.94  |
| 10/8/2011  | 70,866.90  | 10/13/2012 | 60,710.18  | 10/12/2013 | 55,837.92  | 10/11/2014 | 51,127.00  | 10/10/2015 | 50,291.26  |
| 10/15/2011 | 75,262.66  | 10/20/2012 | 62,333.08  | 10/19/2013 | 61,327.20  | 10/18/2014 | 56,414.64  | 10/17/2015 | 53,048.80  |
| 10/22/2011 | 68,757.72  | 10/27/2012 | 58,073.54  | 10/26/2013 | 52,854.06  | 10/25/2014 | 49,890.20  | 10/24/2015 | 55,418.72  |
| 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 |

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**4,124,906.80**

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**3,580,645.18**

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**3,261,565.02**

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**3,148,372.80**

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**1,394,055.62**

## Table Game Revenue

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

| Date                   | Amount            | Date                   | Amount            |
|------------------------|-------------------|------------------------|-------------------|
| July, 2014             | 78,639.07         | July, 2015             | 75,674.79         |
| August, 2014           | 84,726.51         | August, 2015           | 70,064.73         |
| September, 2014        | 71,967.51         | September, 2015        | 64,845.44         |
| 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         |                        |                   |
| <b>Total 2014-2015</b> | <b>899,128.89</b> | <b>Total 2015-2016</b> | <b>210,584.96</b> |

**Table Game Revenue Distribution - Jefferson County School Board**

| <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       |
|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|
| July, 2011             | 425,154.03          | July, 2012             | 415,990.92          | July, 2013             | 297,823.08          | July, 2014             | 235,917.21          |
| August, 2011           | 412,421.76          | August, 2012           | 399,737.49          | August, 2013           | 334,283.25          | August, 2014           | 254,179.53          |
| September, 2011        | 331,125.75          | September, 2012        | 382,597.20          | September, 2013        | 242,573.22          | September, 2014        | 215,902.53          |
| October, 2011          | 372,821.82          | October, 2012          | 379,446.06          | October, 2013          | 243,198.27          | October, 2014          | 198,771.06          |
| November, 2011         | 363,356.61          | November, 2012         | 403,331.79          | November, 2013         | 239,561.82          | November, 2014         | 213,139.98          |
| December, 2011         | 421,529.79          | December, 2012         | 440,033.75          | December, 2013         | 238,851.93          | December, 2014         | 230,391.72          |
| January, 2012          | 413,438.04          | January, 2013          | 397,951.05          | January, 2014          | 225,281.43          | January, 2015          | 220,039.98          |
| February, 2012         | 428,310.03          | February, 2013         | 381,857.07          | February, 2014         | 225,512.70          | February, 2015         | 198,788.34          |
| March, 2012            | 455,536.38          | March, 2013            | 447,100.86          | March, 2014            | 234,604.53          | 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          |
| <b>Total 2011-2012</b> | <b>4,808,702.50</b> | <b>Total 2012-2013</b> | <b>4,608,334.13</b> | <b>Total 2013-2014</b> | <b>2,995,460.18</b> | <b>Total 2014-2015</b> | <b>2,697,386.67</b> |

| <u>Date</u>     | <u>Amount</u> |
|-----------------|---------------|
| July, 2015      | 227,024.37    |
| August, 2015    | 210,194.19    |
| September, 2015 | 194,536.32    |

**Total 2015-2016 631,754.88**

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

|                                                         |                                  |
|---------------------------------------------------------|----------------------------------|
| <b>Week Ending Date</b>                                 | <b>FY16<br/>October 31, 2015</b> |
| <b>To be Deposited on:</b>                              | November 6, 2015                 |
| <b>Amount Played</b>                                    | <b>61,190,674.46</b>             |
| <b>Amount Won</b>                                       | <b>54,983,048.79</b>             |
| <b>Amount Promo</b>                                     | <b>265,260.00</b>                |
| <b>MWAP Contribution</b>                                | <b><u>2,402.84</u></b>           |
| <b>Adjusted Gross Terminal Revenue</b>                  | <b><u>5,939,962.83</u></b>       |
| <b>Administrative Costs @ 4%</b>                        | <b>237,598.51</b>                |
| <b>Excess Lottery Fund @ 4%</b>                         | <b><u>0.00</u></b>               |
| <b>Net Terminal Revenue</b>                             | <b><u>5,702,364.32</u></b>       |
| <b>Surcharge @ 10%</b>                                  | <b>0.00</b>                      |
| <b>State Share Excess @ 58% &amp; 10% of 42%</b>        | <b>0.00</b>                      |
| <b>Track Share of Capital Reinvestment @ 90% of 42%</b> | <b><u>0.00</u></b>               |
| <i>Track Share of Capital Reinvestment @ 96%</i>        | <i>0.00</i>                      |
| <i>Track Share of Capital Reinvestment @ 4%</i>         | <i>0.00</i>                      |
| <b>Adjusted Net Terminal Revenue</b>                    | <b><u>5,702,364.32</u></b>       |
| <b>Racetrack @ 46.50% / 42%</b>                         | <b>2,651,599.41</b>              |
| <b>Lottery Fund @ 30% / 0%</b>                          | <b>1,710,709.32</b>              |
| <b>Excess Lottery Fund @ 0% / 41%</b>                   | <b>0.00</b>                      |
| <b>Excess Lottery Fund @ 12.85% / 9.55%</b>             | <b>732,753.80</b>                |
| <b>Race Track Purses @ 90% of 7% / 4%</b>               | <b>359,248.95</b>                |
| <b>Employee Pension Fund @ 1% / .5%</b>                 | <b>57,023.64</b>                 |
| <b>Greyhound Development @ 90% of .75%</b>              | <b>38,490.96</b>                 |
| <b>Thoroughbred Development @ 90% of .75%</b>           | <b>38,490.96</b>                 |
| <b>County/Municipality @ 2%</b>                         | <b><u>114,047.28</u></b>         |
|                                                         | <b><u>5,702,364.32</u></b>       |

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<br>ADJ. NET<br>REVENUE | TO<br>JEFFERSON<br>COUNTY | TO<br>FIVE<br>CITIES | BOLIVAR<br>7.93% | CHARLES<br>TOWN<br>39.90% | HARPERS<br>FERRY<br>2.17% | RANSON<br>33.68% | SHEPHERDS<br>TOWN<br>16.32% |
|----------------------------|------------------------------|---------------------------|----------------------|------------------|---------------------------|---------------------------|------------------|-----------------------------|
| 4 days ending:<br>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             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 07/25/15                   | \$ 109,356.88                | \$ 109,356.88             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/01/15                   | \$ 119,089.60                | \$ 119,089.60             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/08/15                   | \$ 115,689.52                | \$ 115,689.52             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/15/15                   | \$ 108,726.48                | \$ 108,726.48             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/22/15                   | \$ 108,922.12                | \$ 108,922.12             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/29/15                   | \$ 117,576.80                | \$ 73,285.10              | \$ 44,291.70         | \$ 3,512.33      | \$ 17,672.39              | \$ 961.13                 | \$ 14,917.44     | \$ 7,228.41                 |
| 09/05/15                   | \$ 111,781.52                | \$ 55,890.76              | \$ 55,890.76         | \$ 4,432.14      | \$ 22,300.41              | \$ 1,212.83               | \$ 18,824.01     | \$ 9,121.37                 |
| 09/12/15                   | \$ 126,546.60                | \$ 63,273.30              | \$ 63,273.30         | \$ 5,017.57      | \$ 25,246.05              | \$ 1,373.03               | \$ 21,310.45     | \$ 10,326.20                |
| 09/19/15                   | \$ 108,466.12                | \$ 54,233.06              | \$ 54,233.06         | \$ 4,300.68      | \$ 21,638.99              | \$ 1,176.86               | \$ 18,265.69     | \$ 8,850.84                 |
| 09/26/15                   | \$ 104,879.20                | \$ 52,439.60              | \$ 52,439.60         | \$ 4,158.46      | \$ 20,923.40              | \$ 1,137.94               | \$ 17,661.66     | \$ 8,558.14                 |
| 10/03/15                   | \$ 106,209.88                | \$ 53,104.94              | \$ 53,104.94         | \$ 4,211.22      | \$ 21,188.87              | \$ 1,152.38               | \$ 17,885.74     | \$ 8,666.73                 |
| 10/10/15                   | \$ 100,582.52                | \$ 50,291.26              | \$ 50,291.26         | \$ 3,988.10      | \$ 20,066.21              | \$ 1,091.32               | \$ 16,938.10     | \$ 8,207.53                 |
| 10/17/15                   | \$ 106,097.60                | \$ 53,048.80              | \$ 53,048.80         | \$ 4,206.77      | \$ 21,166.47              | \$ 1,151.16               | \$ 17,866.84     | \$ 8,657.56                 |
| 10/24/15                   | \$ 110,837.44                | \$ 55,418.72              | \$ 55,418.72         | \$ 4,394.70      | \$ 22,112.07              | \$ 1,202.59               | \$ 18,665.02     | \$ 9,044.34                 |
| 10/31/15                   | \$ 114,047.28                | \$ 57,023.64              | \$ 57,023.64         | \$ 4,521.98      | \$ 22,752.43              | \$ 1,237.41               | \$ 19,205.56     | \$ 9,306.26                 |
| Subtotal                   | \$ 1,990,095.04              | \$ 1,451,079.26           | \$ 539,015.78        | \$ 42,743.95     | \$ 215,067.29             | \$ 11,696.65              | \$ 181,540.51    | \$ 87,967.38                |

Benchmark Goal @ 2%             \$    912,063.48

Remainder until 1% / 1% Split     \$             -

**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 | 7/25/2015  | 109,356.88 |
| 7/30/2011  | 144,510.28 | 8/4/2012   | 132,931.16 | 8/3/2013   | 116,180.80 | 8/2/2014   | 117,145.12 | 8/1/2015   | 119,089.60 |
| 8/6/2011   | 151,495.28 | 8/11/2012  | 134,212.88 | 8/10/2013  | 120,078.64 | 8/9/2014   | 114,374.60 | 8/8/2015   | 115,689.52 |
| 8/13/2011  | 117,350.38 | 8/18/2012  | 110,241.90 | 8/17/2013  | 124,888.56 | 8/16/2014  | 114,105.32 | 8/15/2015  | 108,726.48 |
| 8/20/2011  | 71,614.12  | 8/25/2012  | 66,209.90  | 8/24/2013  | 89,882.12  | 8/23/2014  | 116,097.04 | 8/22/2015  | 108,922.12 |
| 8/27/2011  | 63,432.14  | 9/1/2012   | 67,133.42  | 8/31/2013  | 58,913.18  | 8/30/2014  | 60,280.02  | 8/29/2015  | 73,285.10  |
| 9/3/2011   | 80,837.76  | 9/8/2012   | 74,029.40  | 9/7/2013   | 67,758.74  | 9/6/2014   | 61,420.28  | 9/5/2015   | 55,890.76  |
| 9/10/2011  | 84,845.80  | 9/15/2012  | 61,838.04  | 9/14/2013  | 53,374.22  | 9/13/2014  | 51,364.96  | 9/12/2015  | 63,273.30  |
| 9/17/2011  | 66,748.62  | 9/22/2012  | 56,996.90  | 9/21/2013  | 54,277.94  | 9/20/2014  | 50,664.54  | 9/19/2015  | 54,233.06  |
| 9/24/2011  | 68,929.80  | 9/29/2012  | 61,611.40  | 9/28/2013  | 54,881.50  | 9/27/2014  | 50,127.22  | 9/26/2015  | 52,439.60  |
| 10/1/2011  | 68,871.64  | 10/6/2012  | 62,715.20  | 10/5/2013  | 55,950.74  | 10/4/2014  | 53,531.28  | 10/3/2015  | 53,104.94  |
| 10/8/2011  | 70,866.90  | 10/13/2012 | 60,710.18  | 10/12/2013 | 55,837.92  | 10/11/2014 | 51,127.00  | 10/10/2015 | 50,291.26  |
| 10/15/2011 | 75,262.66  | 10/20/2012 | 62,333.08  | 10/19/2013 | 61,327.20  | 10/18/2014 | 56,414.64  | 10/17/2015 | 53,048.80  |
| 10/22/2011 | 68,757.72  | 10/27/2012 | 58,073.54  | 10/26/2013 | 52,854.06  | 10/25/2014 | 49,890.20  | 10/24/2015 | 55,418.72  |
| 10/29/2011 | 60,507.98  | 11/3/2012  | 56,545.30  | 11/2/2013  | 57,543.54  | 11/1/2014  | 52,242.34  | 10/31/2015 | 57,023.64  |
| 11/5/2011  | 70,673.88  | 11/10/2012 | 56,110.96  | 11/9/2013  | 54,666.76  | 11/8/2014  | 52,819.26  | 11/7/2015  | 55,832.08  |
| 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 |

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**4,124,906.80**

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**3,580,645.18**

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**3,261,565.02**

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**3,148,372.80**

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**1,506,911.34**

## Table Game Revenue

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

| Date                   | Amount            | Date                   | Amount            |
|------------------------|-------------------|------------------------|-------------------|
| July, 2014             | 78,639.07         | July, 2015             | 75,674.79         |
| August, 2014           | 84,726.51         | August, 2015           | 70,064.73         |
| September, 2014        | 71,967.51         | September, 2015        | 64,845.44         |
| 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         |                        |                   |
| <b>Total 2014-2015</b> | <b>899,128.89</b> | <b>Total 2015-2016</b> | <b>210,584.96</b> |

**Table Game Revenue Distribution - Jefferson County School Board**

| <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       |
|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|
| July, 2011             | 425,154.03          | July, 2012             | 415,990.92          | July, 2013             | 297,823.08          | July, 2014             | 235,917.21          |
| August, 2011           | 412,421.76          | August, 2012           | 399,737.49          | August, 2013           | 334,283.25          | August, 2014           | 254,179.53          |
| September, 2011        | 331,125.75          | September, 2012        | 382,597.20          | September, 2013        | 242,573.22          | September, 2014        | 215,902.53          |
| October, 2011          | 372,821.82          | October, 2012          | 379,446.06          | October, 2013          | 243,198.27          | October, 2014          | 198,771.06          |
| November, 2011         | 363,356.61          | November, 2012         | 403,331.79          | November, 2013         | 239,561.82          | November, 2014         | 213,139.98          |
| December, 2011         | 421,529.79          | December, 2012         | 440,033.75          | December, 2013         | 238,851.93          | December, 2014         | 230,391.72          |
| January, 2012          | 413,438.04          | January, 2013          | 397,951.05          | January, 2014          | 225,281.43          | January, 2015          | 220,039.98          |
| February, 2012         | 428,310.03          | February, 2013         | 381,857.07          | February, 2014         | 225,512.70          | February, 2015         | 198,788.34          |
| March, 2012            | 455,536.38          | March, 2013            | 447,100.86          | March, 2014            | 234,604.53          | 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          |
| <b>Total 2011-2012</b> | <b>4,808,702.50</b> | <b>Total 2012-2013</b> | <b>4,608,334.13</b> | <b>Total 2013-2014</b> | <b>2,995,460.18</b> | <b>Total 2014-2015</b> | <b>2,697,386.67</b> |

| <u>Date</u>     | <u>Amount</u> |
|-----------------|---------------|
| July, 2015      | 227,024.37    |
| August, 2015    | 210,194.19    |
| September, 2015 | 194,536.32    |

**Total 2015-2016 631,754.88**

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

**Week Ending Date**

FY16

November 7, 2015

**To be Deposited on:**

November 16, 2015

|                                                         |                            |
|---------------------------------------------------------|----------------------------|
| <b>Amount Played</b>                                    | <b>58,749,825.89</b>       |
| <b>Amount Won</b>                                       | <b>52,622,797.19</b>       |
| <b>Amount Promo</b>                                     | <b>309,161.00</b>          |
| <b>MWAP Contribution</b>                                | <b><u>2,025.69</u></b>     |
| <br>                                                    |                            |
| <b>Adjusted Gross Terminal Revenue</b>                  | <b><u>5,815,842.01</u></b> |
| <br>                                                    |                            |
| <b>Administrative Costs @ 4%</b>                        | <b>232,633.68</b>          |
| <br>                                                    |                            |
| <b>Excess Lottery Fund @ 4%</b>                         | <b><u>0.00</u></b>         |
| <br>                                                    |                            |
| <b>Net Terminal Revenue</b>                             | <b><u>5,583,208.33</u></b> |
| <br>                                                    |                            |
| <b>Surcharge @ 10%</b>                                  | <b>0.00</b>                |
| <br>                                                    |                            |
| <b>State Share Excess @ 58% &amp; 10% of 42%</b>        | <b>0.00</b>                |
| <br>                                                    |                            |
| <b>Track Share of Capital Reinvestment @ 90% of 42%</b> | <b><u>0.00</u></b>         |
| <i>Track Share of Capital Reinvestment @ 96%</i>        | <i>0.00</i>                |
| <i>Track Share of Capital Reinvestment @ 4%</i>         | <i>0.00</i>                |
| <br>                                                    |                            |
| <b>Adjusted Net Terminal Revenue</b>                    | <b><u>5,583,208.33</u></b> |
| <br>                                                    |                            |
| <b>Racetrack @ 46.50% / 42%</b>                         | <b>2,596,191.87</b>        |
| <br>                                                    |                            |
| <b>Lottery Fund @ 30% / 0%</b>                          | <b>1,674,962.53</b>        |
| <br>                                                    |                            |
| <b>Excess Lottery Fund @ 0% / 41%</b>                   | <b>0.00</b>                |
| <br>                                                    |                            |
| <b>Excess Lottery Fund @ 12.85% / 9.55%</b>             | <b>717,442.25</b>          |
| <br>                                                    |                            |
| <b>Race Track Purses @ 90% of 7% / 4%</b>               | <b>351,742.12</b>          |
| <br>                                                    |                            |
| <b>Employee Pension Fund @ 1% / .5%</b>                 | <b>55,832.08</b>           |
| <br>                                                    |                            |
| <b>Greyhound Development @ 90% of .75%</b>              | <b>37,686.66</b>           |
| <br>                                                    |                            |
| <b>Thoroughbred Development @ 90% of .75%</b>           | <b>37,686.66</b>           |
| <br>                                                    |                            |
| <b>County/Municipality @ 2%</b>                         | <b><u>111,664.16</u></b>   |
| <br>                                                    |                            |
|                                                         | <b><u>5,583,208.33</u></b> |

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<br>ADJ. NET<br>REVENUE | TO<br>JEFFERSON<br>COUNTY | TO<br>FIVE<br>CITIES | BOLIVAR<br>7.93% | CHARLES<br>TOWN<br>39.90% | HARPERS<br>FERRY<br>2.17% | RANSON<br>33.68% | SHEPHERDS<br>TOWN<br>16.32% |
|----------------------------|------------------------------|---------------------------|----------------------|------------------|---------------------------|---------------------------|------------------|-----------------------------|
| 4 days ending:<br>07/04/15 | \$ 89,446.56                 | \$ 89,446.56              | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| Week ending:<br>07/11/15   | \$ 119,132.68                | \$ 119,132.68             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 07/18/15                   | \$ 112,706.24                | \$ 112,706.24             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 07/25/15                   | \$ 109,356.88                | \$ 109,356.88             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/01/15                   | \$ 119,089.60                | \$ 119,089.60             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/08/15                   | \$ 115,689.52                | \$ 115,689.52             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/15/15                   | \$ 108,726.48                | \$ 108,726.48             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/22/15                   | \$ 108,922.12                | \$ 108,922.12             | \$ -                 | \$ -             | \$ -                      | \$ -                      | \$ -             | \$ -                        |
| 08/29/15                   | \$ 117,576.80                | \$ 73,285.10              | \$ 44,291.70         | \$ 3,512.33      | \$ 17,672.39              | \$ 961.13                 | \$ 14,917.44     | \$ 7,228.41                 |
| 09/05/15                   | \$ 111,781.52                | \$ 55,890.76              | \$ 55,890.76         | \$ 4,432.14      | \$ 22,300.41              | \$ 1,212.83               | \$ 18,824.01     | \$ 9,121.37                 |
| 09/12/15                   | \$ 126,546.60                | \$ 63,273.30              | \$ 63,273.30         | \$ 5,017.57      | \$ 25,246.05              | \$ 1,373.03               | \$ 21,310.45     | \$ 10,326.20                |
| 09/19/15                   | \$ 108,466.12                | \$ 54,233.06              | \$ 54,233.06         | \$ 4,300.68      | \$ 21,638.99              | \$ 1,176.86               | \$ 18,265.69     | \$ 8,850.84                 |
| 09/26/15                   | \$ 104,879.20                | \$ 52,439.60              | \$ 52,439.60         | \$ 4,158.46      | \$ 20,923.40              | \$ 1,137.94               | \$ 17,661.66     | \$ 8,558.14                 |
| 10/03/15                   | \$ 106,209.88                | \$ 53,104.94              | \$ 53,104.94         | \$ 4,211.22      | \$ 21,188.87              | \$ 1,152.38               | \$ 17,885.74     | \$ 8,666.73                 |
| 10/10/15                   | \$ 100,582.52                | \$ 50,291.26              | \$ 50,291.26         | \$ 3,988.10      | \$ 20,066.21              | \$ 1,091.32               | \$ 16,938.10     | \$ 8,207.53                 |
| 10/17/15                   | \$ 106,097.60                | \$ 53,048.80              | \$ 53,048.80         | \$ 4,206.77      | \$ 21,166.47              | \$ 1,151.16               | \$ 17,866.84     | \$ 8,657.56                 |
| 10/24/15                   | \$ 110,837.44                | \$ 55,418.72              | \$ 55,418.72         | \$ 4,394.70      | \$ 22,112.07              | \$ 1,202.59               | \$ 18,665.02     | \$ 9,044.34                 |
| 10/31/15                   | \$ 114,047.28                | \$ 57,023.64              | \$ 57,023.64         | \$ 4,521.98      | \$ 22,752.43              | \$ 1,237.41               | \$ 19,205.56     | \$ 9,306.26                 |
| 11/07/15                   | \$ 111,664.16                | \$ 55,832.08              | \$ 55,832.08         | \$ 4,427.48      | \$ 22,277.00              | \$ 1,211.56               | \$ 18,804.24     | \$ 9,111.80                 |
| Subtotal                   | \$ 2,101,759.20              | \$ 1,506,911.34           | \$ 594,847.86        | \$ 47,171.43     | \$ 237,344.29             | \$ 12,908.21              | \$ 200,344.75    | \$ 97,079.18                |

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

**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 | 7/25/2015  | 109,356.88 |
| 7/30/2011  | 144,510.28 | 8/4/2012   | 132,931.16 | 8/3/2013   | 116,180.80 | 8/2/2014   | 117,145.12 | 8/1/2015   | 119,089.60 |
| 8/6/2011   | 151,495.28 | 8/11/2012  | 134,212.88 | 8/10/2013  | 120,078.64 | 8/9/2014   | 114,374.60 | 8/8/2015   | 115,689.52 |
| 8/13/2011  | 117,350.38 | 8/18/2012  | 110,241.90 | 8/17/2013  | 124,888.56 | 8/16/2014  | 114,105.32 | 8/15/2015  | 108,726.48 |
| 8/20/2011  | 71,614.12  | 8/25/2012  | 66,209.90  | 8/24/2013  | 89,882.12  | 8/23/2014  | 116,097.04 | 8/22/2015  | 108,922.12 |
| 8/27/2011  | 63,432.14  | 9/1/2012   | 67,133.42  | 8/31/2013  | 58,913.18  | 8/30/2014  | 60,280.02  | 8/29/2015  | 73,285.10  |
| 9/3/2011   | 80,837.76  | 9/8/2012   | 74,029.40  | 9/7/2013   | 67,758.74  | 9/6/2014   | 61,420.28  | 9/5/2015   | 55,890.76  |
| 9/10/2011  | 84,845.80  | 9/15/2012  | 61,838.04  | 9/14/2013  | 53,374.22  | 9/13/2014  | 51,364.96  | 9/12/2015  | 63,273.30  |
| 9/17/2011  | 66,748.62  | 9/22/2012  | 56,996.90  | 9/21/2013  | 54,277.94  | 9/20/2014  | 50,664.54  | 9/19/2015  | 54,233.06  |
| 9/24/2011  | 68,929.80  | 9/29/2012  | 61,611.40  | 9/28/2013  | 54,881.50  | 9/27/2014  | 50,127.22  | 9/26/2015  | 52,439.60  |
| 10/1/2011  | 68,871.64  | 10/6/2012  | 62,715.20  | 10/5/2013  | 55,950.74  | 10/4/2014  | 53,531.28  | 10/3/2015  | 53,104.94  |
| 10/8/2011  | 70,866.90  | 10/13/2012 | 60,710.18  | 10/12/2013 | 55,837.92  | 10/11/2014 | 51,127.00  | 10/10/2015 | 50,291.26  |
| 10/15/2011 | 75,262.66  | 10/20/2012 | 62,333.08  | 10/19/2013 | 61,327.20  | 10/18/2014 | 56,414.64  | 10/17/2015 | 53,048.80  |
| 10/22/2011 | 68,757.72  | 10/27/2012 | 58,073.54  | 10/26/2013 | 52,854.06  | 10/25/2014 | 49,890.20  | 10/24/2015 | 55,418.72  |
| 10/29/2011 | 60,507.98  | 11/3/2012  | 56,545.30  | 11/2/2013  | 57,543.54  | 11/1/2014  | 52,242.34  | 10/31/2015 | 57,023.64  |
| 11/5/2011  | 70,673.88  | 11/10/2012 | 56,110.96  | 11/9/2013  | 54,666.76  | 11/8/2014  | 52,819.26  | 11/7/2015  | 55,832.08  |
| 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 |

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**4,124,906.80**

**3,580,645.18**

**3,261,565.02**

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**3,148,372.80**

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**1,506,911.34**

## Table Game Revenue

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

| Date                   | Amount            | Date                   | Amount            |
|------------------------|-------------------|------------------------|-------------------|
| July, 2014             | 78,639.07         | July, 2015             | 75,674.79         |
| August, 2014           | 84,726.51         | August, 2015           | 70,064.73         |
| September, 2014        | 71,967.51         | September, 2015        | 64,845.44         |
| 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         |                        |                   |
| <b>Total 2014-2015</b> | <b>899,128.89</b> | <b>Total 2015-2016</b> | <b>210,584.96</b> |

**Table Game Revenue Distribution - Jefferson County School Board**

| <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       | <u>Date</u>            | <u>Amount</u>       |
|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|
| July, 2011             | 425,154.03          | July, 2012             | 415,990.92          | July, 2013             | 297,823.08          | July, 2014             | 235,917.21          |
| August, 2011           | 412,421.76          | August, 2012           | 399,737.49          | August, 2013           | 334,283.25          | August, 2014           | 254,179.53          |
| September, 2011        | 331,125.75          | September, 2012        | 382,597.20          | September, 2013        | 242,573.22          | September, 2014        | 215,902.53          |
| October, 2011          | 372,821.82          | October, 2012          | 379,446.06          | October, 2013          | 243,198.27          | October, 2014          | 198,771.06          |
| November, 2011         | 363,356.61          | November, 2012         | 403,331.79          | November, 2013         | 239,561.82          | November, 2014         | 213,139.98          |
| December, 2011         | 421,529.79          | December, 2012         | 440,033.75          | December, 2013         | 238,851.93          | December, 2014         | 230,391.72          |
| January, 2012          | 413,438.04          | January, 2013          | 397,951.05          | January, 2014          | 225,281.43          | January, 2015          | 220,039.98          |
| February, 2012         | 428,310.03          | February, 2013         | 381,857.07          | February, 2014         | 225,512.70          | February, 2015         | 198,788.34          |
| March, 2012            | 455,536.38          | March, 2013            | 447,100.86          | March, 2014            | 234,604.53          | 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          |
| <b>Total 2011-2012</b> | <b>4,808,702.50</b> | <b>Total 2012-2013</b> | <b>4,608,334.13</b> | <b>Total 2013-2014</b> | <b>2,995,460.18</b> | <b>Total 2014-2015</b> | <b>2,697,386.67</b> |

| <u>Date</u>     | <u>Amount</u> |
|-----------------|---------------|
| July, 2015      | 227,024.37    |
| August, 2015    | 210,194.19    |
| September, 2015 | 194,536.32    |

**Total 2015-2016 631,754.88**