

The WV INDEPENDENT Observer

JEFFERSON COUNTY, WEST VIRGINIA

MARCH 2023

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THIS PAPER WANTS TO BE RECYCLED.



The AMP at Sam Michael's Park is ready to kick off another season of family-friendly entertainment for Jefferson County residents.

TO OUR READERS — The Jefferson County Commission held budget presentations at the end of February — videos of these sessions are posted on the Commission website (JeffersonCountyWV.org) on the 2023 meeting archive page. Reports from the County Assessor indicate that property tax revenues are up, but so are expenses for required functions, so there will be a lot of pencil-sharpening and discussion over the next month — including funding for parks & recreation (above), libraries and other public services for a growing population. Residents are encouraged to submit comments to the Commissioners about budget priorities (The Observer has links to Commissioner email addresses and the budget session videos at WeAreTheObserver.com).

The transition to a County ambulance department has officially begun, as of March 1. This new department will comprise roughly 20 percent of the County budget in the upcoming budget year (July 2023 to June 2024). The costs to set up the department have exceeded the initial estimate by approximately \$200,000 and the County Commission recently approved a salary increase for all of the ESA staff to assist with retention and recruiting. The remaining federal ARPA funding from the Federal government will cover these expenses for the upcoming budget year. After that, the Commissioners may have tougher decisions to make on how to adequately fund emergency services.

Steve Pearson
EDITOR IN CHIEF

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// COMMUNITY

TRACKING HAZARDOUS MATERIAL IN JEFFERSON COUNTY

Trains, Trucks & Local Storage Pose Risks

By Steve Pearson

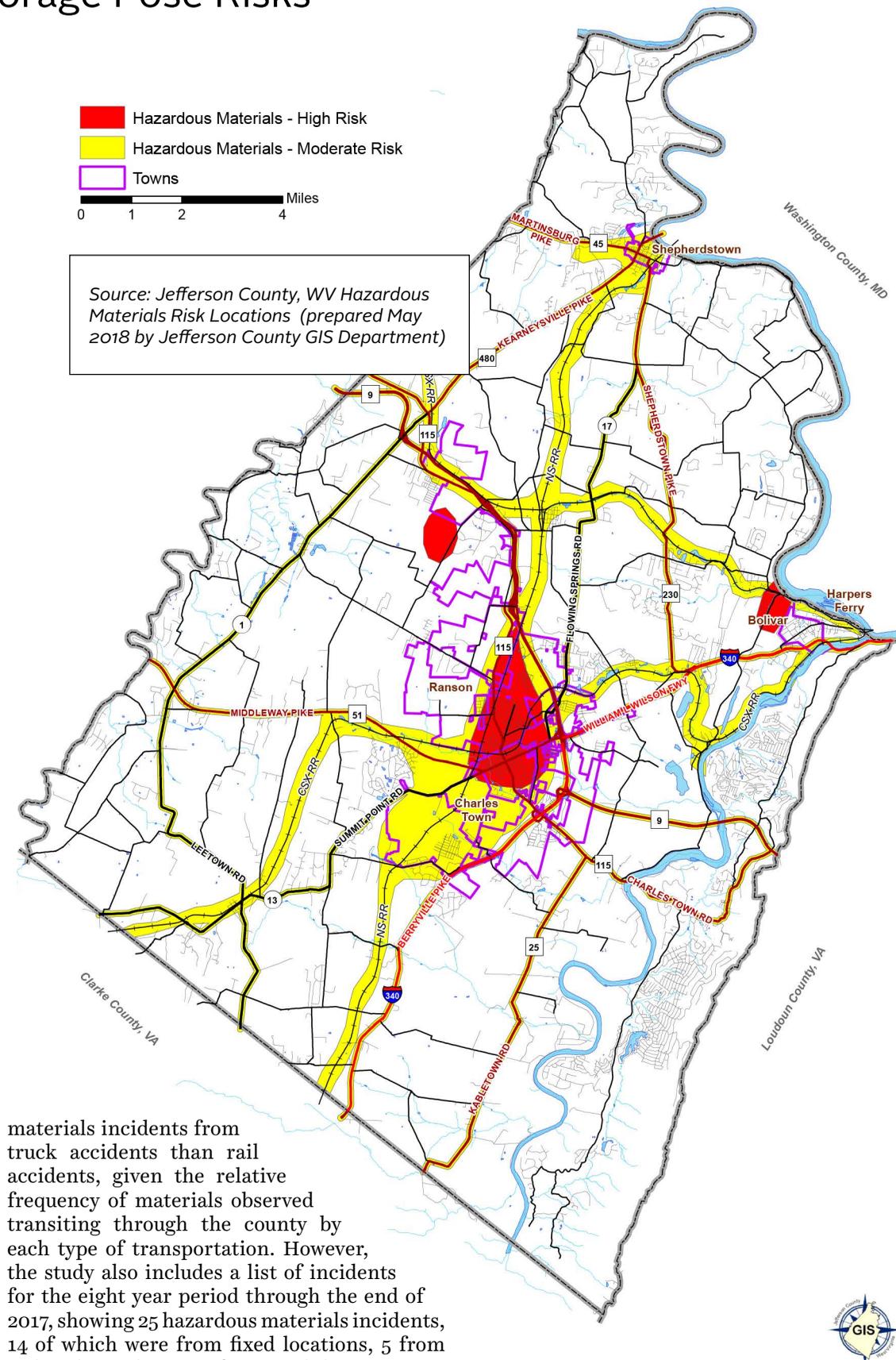
IF THE RECENT TRAIN DERAILMENT in Ohio has prompted you to consider how potential hazards are managed in Jefferson County, the first stop is the office of Homeland Security and Emergency Management (HSEM), which oversees the county's system of preparation, response, recovery and mitigation. HSEM is not the first responder to incidents, but this office organizes the planning and pre-incident coordination that brings together multiple departments to practice and develop response plans before incidents occur.

HSEM's list of potential hazards is long, including many types of natural disasters that come with living almost anywhere. Terrorism, violent disturbance, and dam failures are also on the list, but not common in the county. Wildfires and invasive species are common and definitely on the list. Hazardous materials are in a unique class — many are tied to some productive economic activity, but all are dangerous if misused or discharged into the environment without safeguards. As it's described in the *HSEM 2018 Hazard Mitigation Plan*, a hazardous material is any “substance or material which, because of its chemical, physical or biological nature, poses a threat to life, health, or property if released from a confined setting.”

How Dangerous Is It?

HSEM classifies hazardous materials into four categories: Extremely Hazardous Substances (acutely toxic, cause irreversible damage or death), Hazardous Substances (threat to human health or the environment), Hazardous Chemicals (can cause fire/explosion, burns, or cancer), and Toxic Chemicals (chronic/long-term toxicity). HSEM also looks at the types and quantities of hazardous materials stored in the county and moving through the county (known as a “Commodity Flow Study”). The most recent such study was compiled in 2016 and counted roughly four dozen specific locations within the county. The majority of the locations on this list are related to the distribution or retailing of petroleum products (i.e., gas stations). Water treatment facilities are also on the list (due to chlorine and other chemicals used for disinfecting drinking water). There are a small number of industrial facilities in the county. Truck and rail represent the bulk of the risk from hazardous materials moving through the county.

HSEM's 2018 hazard plan indicates that the county is likely to see more hazardous



materials incidents from truck accidents than rail accidents, given the relative frequency of materials observed transiting through the county by each type of transportation. However, the study also includes a list of incidents for the eight year period through the end of 2017, showing 25 hazardous materials incidents, 14 of which were from fixed locations, 5 from railroad accidents, 2 from mobile sources, 2 unknown, 1 pipeline, and 1 aircraft incident.

Locating The Risk

The map on page 4 shows the concentration of hazardous materials risk in Jefferson County. The red areas indicate fixed locations: the area centered around Ranson indicates the concentration of automobile service & repair stations; the area to the west of Harpers Ferry includes a water treatment plant and the Halltown Paper facility; the area northwest of Ranson includes the USDA research agricultural research facility south of Route 9. (This map predates the construction of the Rockwool factory near Kearneysville). The yellow areas overlay the three railroad lines in the county — the Norfolk Southern Railway that runs north-south through Charles Town, Ranson and Shepherdstown, and the two CSX lines which run east-west (passing through Harpers Ferry, Shenandoah Junction, and Ranson).

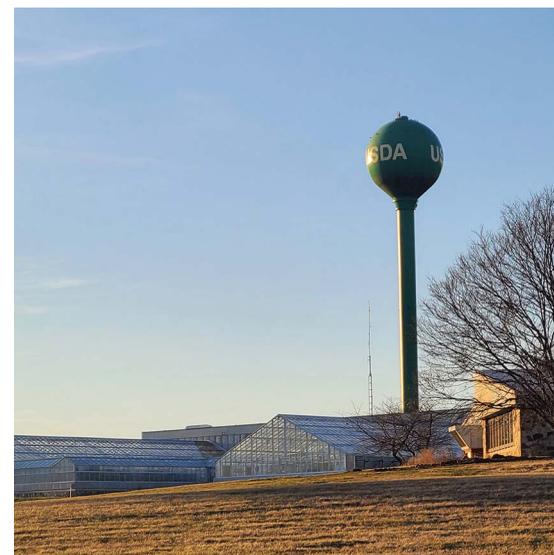
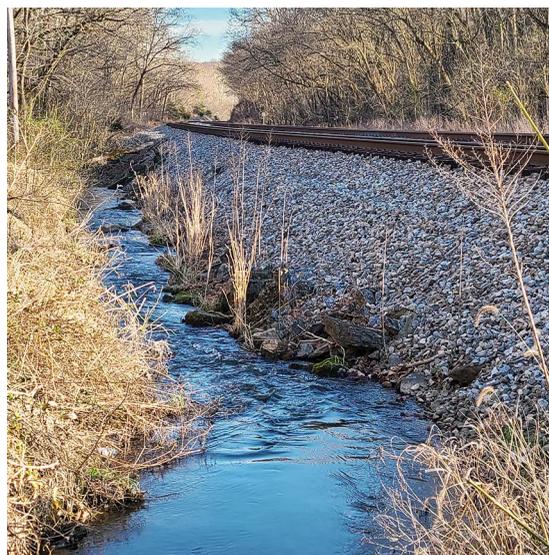
While the County has not recorded any serious hazardous materials incidents in the last decade, the HSEM 2018 plan notes that “spills into waterways and those that reach the groundwater are of particular concern due to the threat they impose to drinking water and subsequently public health, the environment, and fauna in the area.” The plan also noted the cascading impact of rail incidents, with the possibility of trains blocking access for both evacuation and emergency response.

How You Can Get Involved

HSEM relies on the Local Emergency Planning Committee (LEPC) to help execute its mission to inform and prepare the community. The LEPC includes many members from first responder and public health organizations, but also includes business owners, educators, community groups, and other residents. The LEPC meetings are open to the public. For information, email LEPC@JeffersonCountyWV.org or call 304-728-3290.



Norfolk Southern (above) completed an extensive maintenance project on its entire line in Jefferson County during the summer of 2022. The CSX line that runs west from Harpers Ferry runs alongside Elk Branch (below), part of the Elk Run watershed that supplies drinking water to Harpers Ferry. The CSX line that runs south from Harpers Ferry runs along the Shenandoah River, a source of water for Charles Town. Agricultural facilities (such as the USDA research facility below) use chemicals that are classified as hazardous.





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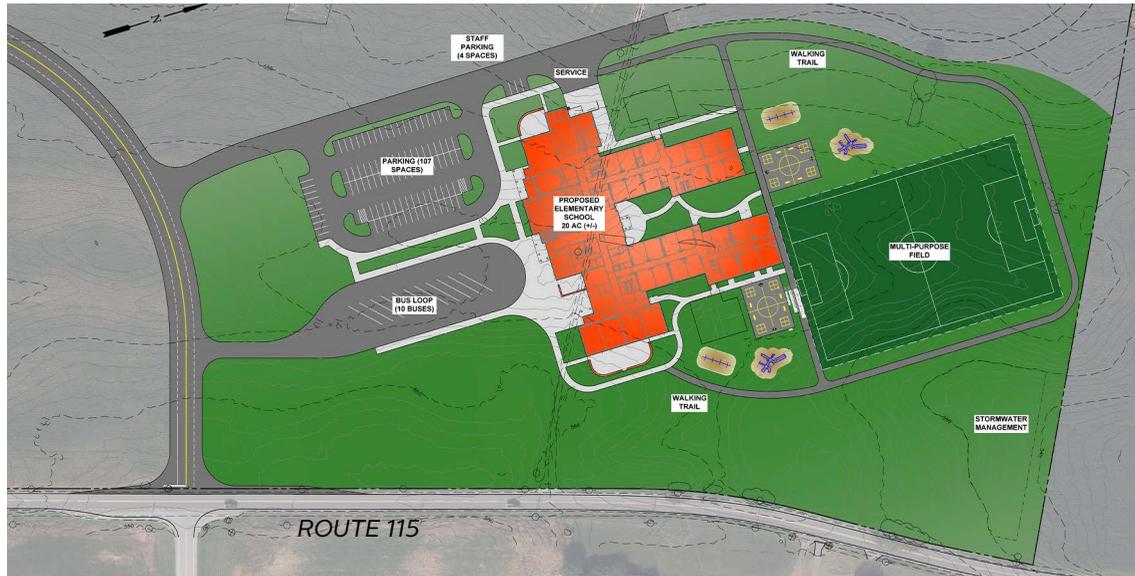
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// SCHOOLS

CONSTRUCTION COSTS UP FOR SCHOOL BUILDINGS

Jefferson County Schools Considers How to Fund Gap



The new Ranson Elementary School site (shown to the left) is 1.5 miles north of the current school (map is oriented with North to the right) on Route 115. The surrounding area is currently used for agriculture, but is nearby to the expanding Fairfax Crossing development. The architect's rendering (above) shows the front of the elementary school building with a canopy over the bus loading area.

By Steve Pearson

JEFFERSON COUNTY SCHOOLS (JCS) received three sealed bids for the construction of the new Ranson Elementary School on February 9, 2023. The lowest bid was \$31,059,000 — \$8.77 million above the construction cost estimate of \$22,291,705 that had been approved by the West Virginia School Building Authority (SBA) in December 2022. Other project costs have increased by \$600,000, for a total funding gap of approximately \$9.5 million. Joyce White, Deputy Superintendent of Operations, had noted the expectation of construction cost increases during her presentations to the

school board last November. At that time she noted that the cost increases could be as high as 50 percent.

The Ranson project bid results were presented to the school board at its February 27 meeting. Randy Jones of the ZMM firm, the architect for the project, gave an overview of other school projects in West Virginia that had recently bid. He noted that construction costs of school building had been in the range of \$294 to \$300 per square foot for projects that had been bid in early 2021. Since then, projects similar in size to the Ranson project have been getting bids that have ranged from \$363 to \$535 per square foot.

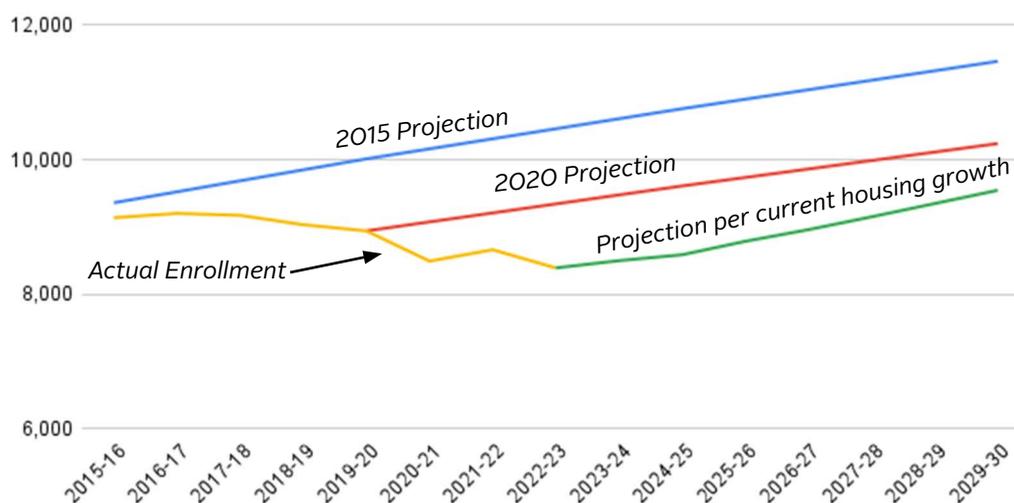
More Funding From The State

Jones noted that other districts had been successful in obtaining additional funding from the SBA for these projects. Several board members also mentioned that they had had conversations with the state's Superintendent of Schools and were hopeful that JCS could receive additional funding, particularly since the original grant was low, as a percentage of the project, compared to other projects funded by the SBA during the same cycle.

White presented several options to proceed with the current bid (see page 7, right column) proposing \$2 million in project cost reductions and requests for additional state

ENROLLMENT FALLS BELOW PROJECTIONS — UPTICK AHEAD?

THE TWO MOST RECENT enrollment projections were prepared in 2015 and 2020 using housing growth data collected by the Office of Impact Fees that was analyzed by the TischlerBise consulting firm to project future enrollment trends for Jefferson County Schools. TischlerBise breaks down the data by housing type and size and applies a “pupil generation rate” calculated using survey data collected by the US Census bureau for the local region. Both the 2015 and 2020 projections showed steady enrollment growth, but were based on assumptions of housing growth that did not happen — until the last two years (see The Observer, February 2023). If the recent uptick in housing growth continues, the calculations used by TischlerBise project a gradual rise in school enrollment, reaching 9,500 by the 2029-30 school year.



funding. For the cost reductions, all of the changes would be on the exterior features, so there would be no change in the interior design. White also presented a sixth option to reduce the project cost by \$3 million, but that would require a redesign and rebid of the project per the requirements of the SBA. The school board voted unanimously to direct White to notify the SBA that JCS intends to proceed with the low bid and for the staff to negotiate with the SBA on additional funding. With an April 10 deadline to accept the bid, both Superintendent Gibson and White remarked that they expected the discussions with the SBA to proceed quickly.

Shepherdstown Project Still To Bid

The status of the Shepherdstown Elementary School project was not discussed at the February 27 meeting. The SBA is still reviewing proposed changes to utility services (from a connection to the Shepherdstown water and sewer system to an on-site well and septic system) and has not yet approved JCS to put that project out for bid. Left unsaid was the expectation that the board will be discussing a similar cost increase on that project in a few months.



The new Shepherdstown Elementary School site (shown above) is 1.7 miles south of downtown Shepherdstown on Shepherdstown Pike. The elementary school entrance will be at the north end of the parcel (near the Covenant Church). The site also has space for a future middle school and a park. The architect's rendering (left) shows the front of the elementary school building with a canopy over the bus loading area.

OPTIONS TO BRIDGE THE GAP

JCS STAFF PRESENTED 5 options for proceeding with the current construction bid and addressing the funding gap for the Ranson Elementary School project. A sixth option that would require redesign and rebidding was also presented, but the funding requirements of that option would remain speculative pending the outcome of another round of bidding (with the assumption that construction costs will continue to rise, so that there might not in fact be any cost savings from the reductions in project scope).

OPTION 1: No changes to project design & ask SBA to fund 100% of the gap. *\$11.5 million new state funds + zero additional JCS funds*

OPTION 2: Reduce project costs by \$2 million & ask SBA to fund 50% of the gap. *\$4.75 million new state funds + \$4.75 million additional JCS funds*

OPTION 3: Reduce project costs by \$2 million & ask SBA to fund 40% of the gap (equivalent to additional 50% of original SBA grant). *\$3.75 million new state funds + \$5.75 million additional JCS funds*

OPTION 4: Reduce project costs by \$2 million & ask SBA to fund 16% of the gap (equivalent to additional 40% of original SBA grant). *\$1.5 million new state funds + \$8 million additional JCS funds*

OPTION 5: Reduce project costs by \$2 million & no additional funds from SBA. *Zero new state funds + \$9.5 million additional JCS funds*

OPTION 6: Reduce projects costs by \$3 million – Requires redesign & rebidding of project. *Zero new state funds + \$8.5 million additional JCS funds (estimate, pending re-bid results)*

The sources of the additional JCS funds are identified as follows: Bond interest/reserve (options 2-3-4-5): \$1.25 million; Board designated funds (options 2-3-4-5): \$3 million; FY22 Carryover: \$0.5 million (option 2), \$1 million (option 3), \$2 million (option 4), \$3 million (option 5) FY23 Carryover: zero (option 2), \$0.5 million (option 3), \$1.7 million (option 4), \$2.2 million (option 5)

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// ENVIRONMENT

ROCKWOOL COMMITS TO IMPROVING STORMWATER MANAGEMENT



A water retention basin is visible in front of the Rockwool manufacturing facility in Ranson.

ROCKWOOL AND THE NON-PROFIT organization Jefferson County Foundation, Inc. released a joint statement on February 24 to announce that they have resolved two legal challenges that had been pending before the West Virginia Environmental Quality Board (EQB) concerning the stormwater permitting at ROCKWOOL's stone wool manufacturing facility in Ranson. As part of the resolution of these legal challenges, ROCKWOOL has voluntarily committed to additional studies, inspections, and drainage improvements that will further strengthen stormwater handling and control at the facility.

Dr. Christine Wimer, President of the Jefferson County Foundation, remarked in the statement that "the Foundation and co-appellants appealed ROCKWOOL's stormwater permits because we were concerned that the

DEP's permitting process and ROCKWOOL's resulting permits were not adequately protective of the waters of the Eastern Panhandle of West Virginia and surrounding region. After several years of litigation, and with the changes ROCKWOOL has voluntarily agreed to make to its stormwater handling system, we feel the water protections are significantly improved. We would like to thank ROCKWOOL for respecting our concerns and working with us to resolve these matters."

Paul Espinosa, public affairs manager for ROCKWOOL, remarked in the statement that "At ROCKWOOL, we are constantly looking for ways to improve and upgrade our facilities as part of our deep-rooted commitment to environmental protection. We greatly appreciate how the Foundation worked with us in improving

what was already a state-of-the-art stormwater handling system at our Ranson facility. For more than 80 years, ROCKWOOL has partnered with the communities in which we operate, and we look forward to continued collaboration with the Foundation in the future."👊

*The Foundation's website is
JeffersonCountyFoundation.org.*

ROCKWOOL's website is Rockwool.com.

ROCKWOOL'S COMMITMENTS

In the agreement, ROCKWOOL committed to:

- Complete improvements to control stormwater flow around the factory within one year
- Hire a qualified engineer with experience on projects in karst terrain to survey and report on drainage patterns and submit the findings of this engineering report to the WV Department of Environmental Protection
- Perform annual leak location inspections at its membrane-lined water retention ponds
- Perform annual camera inspections of the piping network that carries stormwater to an on-site pond
- Develop a contingency plan for controlling stormwater overflow
- Make other technical improvements around the facility to minimize the risks from stormwater runoff that might be contaminated



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LEGISLATION TO REGULATE PFAS



Bipartisan support, including from Jefferson County elected officials, characterizes the introduction of the "PFAS Protection Act" in both the WV House of Delegates (bill 3189) and Senate (bill 485)

The proposed legislation would require the Department of Environmental Protection (DEP) to identify sources of PFAS in water sources and address sources of PFAS for certain public water systems with action plans; require facilities using PFAS chemicals to monitor and report their use; provide information disclosure provisions; require the Secretary of the DEP to propose changes to statutes and rules and to update numeric public water supply human health criteria; and require the DEP to implement permit modifications to require monitoring. The Observer received letters from community members (printed below) about the legislation.

LETTER: FOREVER CHEMICALS

According to West Virginia Public Radio, PFAS "forever chemicals" have been found in 130 of the state's drinking water supplies. The network reported that the eastern panhandle is a "PFAS 'hot zone,' with unsafe levels found in 21 raw water supplies." A federal study from last year found the toxins in a third of the state water systems tested, especially along the Ohio River and in the Eastern Panhandle. These chemicals never go away naturally, and they cause a long list of serious health problems — including cancer, liver damage, decreased fertility, and increased risk of asthma and thyroid disease.

A bill in the legislature now, Senate Bill 485 (also House Bill 3189), would take some important steps to start dealing with the problem. It has strong bipartisan support and a dozen co-sponsors from both parties. We need to let our legislators know that this bill is important to the health of West Virginians!

— Charlotte Baker-Shenk (Shepherdstown) February 11, 2023

LETTER: WATER IS LIFE

All cultures believe in the sanctity and necessity of water. In our state, a bipartisan effort to save our West Virginia waters from the deadly and pervasive PFAS (forever chemicals) is before our legislature. According to West Virginia Public Radio, 130 of our drinking water supplies are impacted by PFAS. Unfortunately, my neck of the woods, the Eastern Panhandle, is a 'hot spot' for infected water that will make many of us sick. Even more shocking, author David Andrews, one of the authors of an article in the journal Environmental Research, reported that PFAS levels in our wild freshwater fish "often exceeded an astounding 8,000 parts per trillion." That's more than a hundred times the allowable limit for PFAS in drinking water.

PFAS never goes away naturally, and it causes a long list of severe health problems. It stays in the body forever, hence the name, 'forever chemicals.' Thankfully, Senate Bill 485, and House Bill 3189 are moving ahead and would take some critical steps to start dealing with the problem. It has strong bipartisan support and a dozen co-sponsors from both parties. Please get in touch with your representatives now and express your support. Water is Life.

— Jan Hafer (Shepherdstown) February 10, 2023

Tracking The Legislature

The House of Delegates voted overwhelmingly on February 24 to support this legislation (82 yea, 9 nay, 9 absent – local Delegates Clark, Espinosa, and Hardy voted for Bill 3189, Delegate Ridenour voted against). The Senate version of this bill (number 485) has been reported out of the Agriculture and Natural Resources Committee and is currently in the Finance Committee. Both local senators – Barrett and Rucker – along with 11 others are sponsors on the Senate version of the bill. 🗳️

Visit WeAreTheObserver.com/PFAS-legislation-2023 for links to contact legislators & the Governor's office.

“What youth found and must find outside, the man of life's afternoon must find within himself.”

—C.G. Jung
("Two Essays on Analytical Psychology", 1917)



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WV LEGISLATURE UPDATES

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WV LEGISLATURE HEADS INTO FINAL WEEKS

By Susan Benzinger

Susan Benzinger is a retired tax attorney and active volunteer in Jefferson County. During her 2022 campaign for WV State Delegate campaign she became very familiar with the issues facing West Virginia and offered to share updates on the state legislature during the 2023 session with The Observer.



Photo: Carol M. Highsmith - Library of Congress

THE REGULAR SESSION of West Virginia's Legislature lasts for only 60 days, so our state senators and delegates are now headed towards the final days of the session. With adjournment scheduled for midnight on March 11, we can expect to see a flurry of activity in the next several days.

Over 2,200 bills have been introduced (roughly similar to the count in the 2021 and 2022 sessions). Some bills have worked their way through the normal process (including committee review and public hearings) and some have been voted on with rules suspended (thus no committee review or public hearings). Bills that have passed or will pass by session end will go to the Governor for his signature (282 bills were signed in 2021 and 280 were signed in 2022).

Budget & Tax Cuts

The State budget and income tax cuts have been a contentious topic (again) this year. Both houses have now passed budget bills (House

Bill 2526 and Senate Bill 424) with reductions in personal income taxes. The Senate's bill also includes a tax credit (a rebate) of personal property taxes and business equipment and inventory taxes.

The Senate appears to be attempting an end-run around the voters' rejection of constitutional amendment 2 last November (that amendment proposed permitting the legislature to reduce taxes on personal and business property). Neither the House or Senate bills appear to answer the question of how the state can afford to balance the budget on a long-term basis, raising the real possibility that these tax cuts and rebates will be short-lived. The House and Senate are continuing to discuss (along with the Governor) to work out the differences between the two bills.

Public Employee Benefits

PEIA – the Public Employees Insurance Agency – which provides health insurance to approximately 200,000 teachers, state employees, and retirees – is the subject of several bills this session.

PEIA was intended to be self-sustaining by splitting premiums between the State and plan participants to cover costs. However, costs have consistently exceeded premiums paid and the Legislature has had to provide additional funds to make up the difference. Even the rainy-day fund established by Governor Justice after the teachers' strike in 2018 has not covered costs. It is projected to run out of funds in 2024, with estimates of future shortfalls of \$204 million in 2025, \$283.5 million in 2026, and \$376.5 million in 2027.

Enter Senate Bill 268. This bill would increase premiums for both the State and plan participants and either eliminate coverage for spouses who are eligible for insurance with their own employer or charge a higher premium to allow the spouse to continue coverage. It leaves open the possibility that premiums will rise by over 50 percent to avoid or reduce the estimated shortfalls.

Separate from the funding concerns, some hospitals have announced they will no longer accept PEIA insured patients because of the low reimbursement rate paid by PEIA. Legislation has been introduced this session to increase reimbursement rates.

The difficulty in recruiting and retaining teachers, as well as public safety and public service employees, in West Virginia has been a high-profile topic for the past several

years and the uncertainty around this key benefit does not help the situation.

Education

On the education front, many bills have been introduced. Senate Bill 619 would allow teachers to teach intelligent design, also known as creationism, in place of or as an alternative to evolution. The hearing on this bill had two witnesses – a 15 year-old who requested that this bill be brought and the American Civil Liberties Union. No scientists, teachers or other members of the public testified.

Additional bills that are working their way through the Legislature include allowing charter school teachers to be part of the State Teachers' Retirement System, raises for school service personnel and teachers, expanding eligibility for Hope Scholarships, and allowing students at micro schools and learning pods to participate in extracurricular activities and athletics in secondary schools.

A House Joint Resolution to amend the State's constitution requiring that six of the nine members of the State Board of Education be elected in a partisan manner (currently all nine are appointed by the Governor) was also passed.

Completed Bills

The Legislature has passed and sent several bills to the Governor. He has signed a bill to provide additional funding for building out broadband. He has also signed several bills for lands under the jurisdiction of the Division of Natural Resources including Adopt-A-Trail Program; Adopt-A-Stream Program; a program to dispose of obsolete lands; and a program to lease pore space (open spaces in soil or rock) to store carbon dioxide underneath state forests, natural scenic areas, and wildlife management areas (but not under State Parks).

TRACK BILLS AND VOTES

To check on any of the bills or how our delegation is voting, go to www.wvlegislature.gov/Bill_Status/bill_status.cfm.

There is a list of options including "passed in one chamber" which has the vote count by legislator, passed bills, and actions by the Governor.

// GOVERNMENT

EMS BEGINS OPERATIONS AS NEW DEPARTMENT



AS OF 8 AM ON MARCH 1, the Jefferson County Commission officially takes on responsibility for ambulance services. For now, the new department will keep the name of the existing agency — Jefferson County Emergency Services Agency. It will be the same people working the day and night shifts (plus a few new hires) that have been staffing the ambulances all along. At the most recent County Commission meeting, Mike Sine, who was named Interim Director of the Emergency Services Agency in February, emphasized that operationally — what happens when a resident calls 911 — the transition will be seamless.

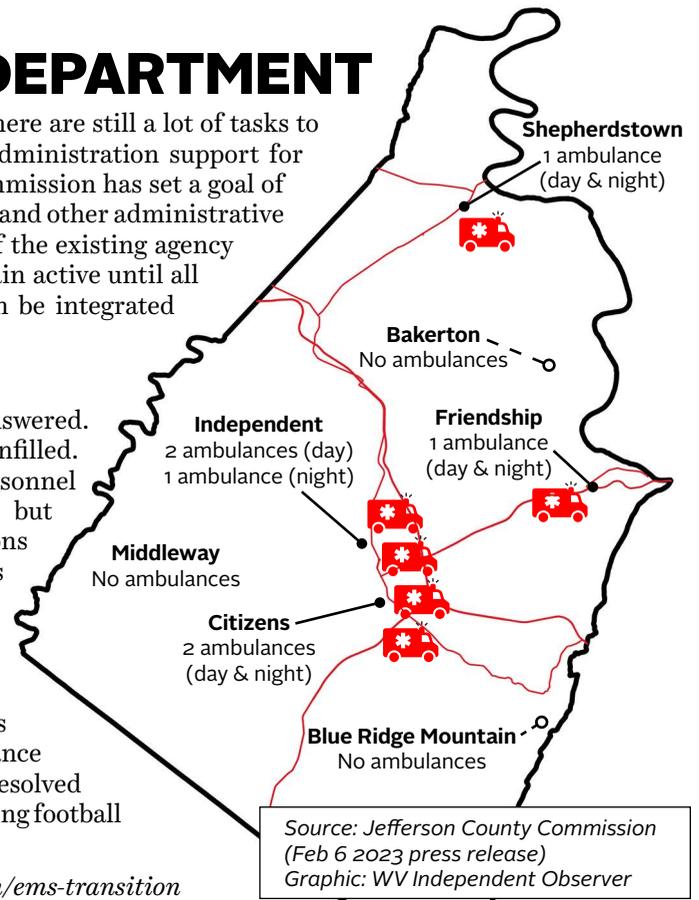
The ambulances are ready to go (see image for the new look) and leases have been signed with the four volunteer fire companies

where ambulances will be stationed. There are still a lot of tasks to be completed to fully transition the administration support for personnel and billing. The County Commission has set a goal of fully transitioning the benefits, billing, and other administrative activities by July 1, but the structure of the existing agency (with its independent board) will remain active until all of the necessary support activities can be integrated into the new department.

Questions Remain

Still, many questions remain unanswered. Currently, 8 medic positions remain unfilled. The department has supervisory personnel who can take on some of that load, but competing with surrounding jurisdictions which offer better pay and benefits is an ongoing challenge. Residents of the mountain and south county have concerns about how timely ambulance responses will be (see map). Shepherd University's athletic conference has specific requirements for ambulance coverage, and the County has not yet resolved that issue with the University with a spring football game waiting on the answer.

More updates at WeAreTheObserver.com/ems-transition



(Map, right) Jefferson County purchased 10 ambulances from the local volunteer fire companies. All of this equipment has been updated with new markings (JCESA). The county did not purchase the two ambulances owned by the Middleway volunteer company, which is in the process of selling them to another jurisdiction. The county purchased only 1 ambulance from the Shepherdstown volunteer company, which is keeping its other ambulance.

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PERSPECTIVE // NATURE

BALD EAGLES IN CLARKE COUNTY

By Doug Pifer

Doug Pifer is an artist, naturalist, and writer. He has a Master's Degree in Journalism from Penn State and has been an editor and art educator. His illustrations have appeared in various books and magazines and he has been a contributor to *The Observer* for several years. He lives with his wife and assorted animals on 5.7 acres in a historic farmhouse near Shepherdstown, West Virginia.

TOM "KIMO" O'CONNOR, a superb wildlife photographer, asked if I would like to write about bald eagles in Clarke County. Attached was his stunning photo of an eagle peering down from a lichen covered branch. That stern eagle eye seemed to pierce through me! Immediately, I answered that I'd love to do a collaborative essay featuring his photos.

Kimo has been photographing wildlife for the past ten years using Canon cameras and lenses. A pair of eagles, which he's named "Samson and Delilah, have an enormous nest high in a sycamore tree located near his property along the Shenandoah River. Kimo says, "I mostly shoot 100-400 mm, sometimes 500 and 600 mm. All my pictures are taken in Clarke County. It's a wildlife paradise there."

(A) Entitled "Mr. Lincoln," this photo captures the spirit of the male eagle "Samson." (B) An adult eagle's eye is about the same size as a human eye, but shaped much differently. The flattened back of the eye allows it to magnify the images it sees, as if the eagle were using binoculars or a telescope. (C) Established mates tend to wander from the vicinity of their nest after their young fledge. Courtship and pair bonding start in late fall. Courting eagles perform acrobatic dives with interlocked talons, vocalize, and face each other with billing displays as shown here. (D) Eagles replace their feathers gradually throughout the year. Young birds take four or five years to acquire the pure white head and tail of maturity. During their third and fourth year they are a patchwork of colors, with many white feathers on the back, chest and wing linings. (E) Young eagles fledge in late June and spend much of their first year learning the skills necessary to catch their prey. This youngster wears dark juvenile plumage. Its eye looks cloudy because it is "blinking." The third eyelid (nictitating membrane) snapped shut the moment this photo was taken. Photo credit: Tom "Kimo" O'Connor.



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EXPLORE // ACTIVITIES & ENTERTAINMENT

MAR 2 (THU) – APOLLO 5 VOCAL ENSEMBLE – This British vocal group, comprised of a soprano, mezzo-soprano, two tenors and a bass, will perform a repertoire spanning renaissance, classical, and contemporary choral works to folk, jazz, and pop · 7 pm · St. James Church 49 Crosswinds Drive Charles Town · \$25 (\$10 student) · Web: Apollo5.co.uk/current-season

MAR 2 (THU) – BLACK ANTIETAM – Dr. Emilie Amt will discuss her research on the experiences African Americans had after the battle at Antietam · Hosted by Shepherd University's George Tyler Moore Center · 9 pm · Robert C. Byrd Center CHE (auditorium), 213 North King St, Shepherdstown · FREE · Web: Shepherd.edu/CivilWar (events)

MAR 3 (FRI) – SHEPHERDSTOWN FILM SOCIETY – The Father (2010, directed by Kenneth Lonergan) A single mother's life is thrown into turmoil after her struggling, rarely seen younger brother returns to town · 6:00 pm · Robert C. Byrd Center CHE (auditorium), 213 North King St, Shepherdstown · FREE · Web: Shepherd.edu/lifelonglearning

MAR 4 (SAT) – FAMILY MOVIE NIGHT – At the Shepherdstown Opera House · 7:30 pm · 131 West German St, Shepherdstown · FREE · Web: OperaHouseLive.com (sign up for updates) → See Ad Below

MAR 5 (SUN) – PARLOR CONCERT – Violinists Chris Jusell & Hannah Rose Nicholas, presented by Appalachian Chamber Music Festival · 3 pm · Happy Retreat, 600 Mordington Ave, Charles Town · \$25 · Web: HappyRetreat.org

MAR 7 (TUE) – PORTRAITS OF PERSISTENCE – Artist Rhonda Smith created linoleum print portraits of six Storer College Students, inspired in part by Prof. Dawne Raines Burke's book An American Phoenix: A History of Storer College from Slavery to Desegregation 1865-1955. Smith & Burke will discuss the artwork and history of Storer at 7:00 pm on Mar 7 (exhibit runs through April 1, hours on website) · Scarborough Library, 301 North King St, Shepherdstown · FREE · Web: Shepherd.edu/library

MAR 9 (THU) – SHEPHERD UNIVERSITY MUSIC – Tula Ruggiero (harp), and Ray Irving (bass) will present an eclectic program, featuring a premier performance of a work by Shepherd alumnus composer Walker Williams · 7:30 pm · Frank Center (Shipley Recital Hall) 260 W Campus Dr, Shepherdstown · FREE · Web: Shepherd.edu/music

MAR 10 (FRI) – ART SHOW & AUCTION – Friends of Shepherdstown Library's annual fundraiser featuring locally-created art · Reception & show 5 - 7 pm (no charge to attend) · Shepherdstown Public Library 145 Higbee Ln, Shepherdstown · Online auction Mar 9 - 14 at BiddingBowl.com/FOSL

MAR 10/11/12 (FRI/SAT/SUN) – PETER PAN JR. – Performance by Apollo Youth Theater Company · Fri 7:30, Sat 1:00 & 7: 30, Sun 2:30 · Apollo Civic Theater, 128 East Martin St, Martinsburg · \$22/adult, discounts for veterans, seniors, students · Web: ApolloCivicTheatre.org

MAR 14 & 15 (TUE & WED) – SPEAK STORY SERIES – Connie Regan-Blake is one of America's most celebrated storytellers and has entertained audiences in 47 states, 18 countries, and 6 continents · 7:30 pm · Shepherdstown Opera House, 131 West German St, Shepherdstown · \$15 · Web: SpeakStorySeries.com

MAR 19 (SUN) – SHEPHERDSTOWN FARMERS MARKET – OPENING DAY · 9 am - 1 pm · Behind the Market House (old library) 100 East German St, Shepherdstown · Web: ShepherdstownFarmersMarketWV.com → Ad on page 12

MAR 24 (FRI) – SHEPHERD UNIVERSITY MUSIC – The Shepherd Symphonic Band will perform band songs and dances from concert band literature · 7:30 pm · Frank Center (Theater) 260 W Campus Dr, Shepherdstown · \$15 (\$10 senior/youth, free for SU student/faculty) · Web: Shepherd.edu/music

MAR 25 (SAT) – CHAMBER CHOIR CONCERT – Winchester Music Viva performs classics & contemporary pieces in concert hosted by Friends of Music · 7:30 pm · Trinity Church, 208 West German St, Shepherdstown · \$35 · Web: FriendsWV.org



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March 31 (Friday) – 7:30 pm
April 1 (Saturday) – 7:30 pm
April 2 (Sunday) – afternoon matinee (TBD)

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PSC SEEKS COMMENT ON PROPOSED SALE OF JEFFERSON COUNTY WATER & SEWER SYSTEMS

>>> PAGE 16 <<<



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SUPPORTING LOCAL MERCHANTS & RESTAURANTS

The Jefferson County Convention and Visitor Bureau issued a hearty thanks to the community for supporting the activities and the local merchants during **Frostyfest** held at the end of January. Annette Gavin Bates, head of the CVB, also thanked the towns of Bolivar, Charles Town, Harpers Ferry, and Shepherdstown for their support of the festival, along with the lead sponsors – Shepherd University, Jefferson County Chamber of Commerce, Jefferson County Parks and Recreation, and Jefferson Arts Council.

Bates remarked that “We are thrilled Frostyfest exceeded our goal of supporting our merchants and bringing people into the county during one of the slowest periods of the year. We hope that this will be an annual event for many years to come.” Proceeds from the events were donated to Boys and Girls Club of the Eastern Panhandle, Jefferson County Parks and Recreation, and CASA. **The CVB’s next event is Restaurant Week**, which will run March 5 through 11. *Details & updates on the CVB Facebook page: @VisitJeffersonCountyWV. See ad on next page.*



JEFFERSON COUNTY Frostyfest

ICE SKATING

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Admission Includes:
 1 hour of skating
 Skate rentals
 Skate aids for those needing a little help.

Admission Prices:
 Adult and Children 12 and older: \$10
 Children 5 years and under: \$5
 Shepherd University students: \$5

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Net proceeds will go towards CASA

Many thanks to our sponsors
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ART EXHIBIT & ENTRY DEADLINE

The **2023 Berkeley Arts Council Annual Members Exhibit** is now open at the Berkeley Art Works, 116 North Queen Street in Martinsburg. The exhibit features 42 works by 26 artists. Media such as photography, quilting, sculpture, collage, and various forms of painting are on display through April 1, 2023.



The Berkeley Arts Council

We Amplify the Arts

Gallery hours are 11 am to 5 pm (Wed-Fri) and 11 am to 4 pm (Sat). The Arts Council is currently accepting entries for its **Art & Earth Juried Exhibit – deadline for entry is midnight on March 6** and the exhibit will be on display from April 5 through May 13. *Details at BerkeleyArtsWV.org.*

DRIVE-THRU RABIES VACCINE CLINIC

The **Animal Welfare Society of Jefferson County** will hold a **Rabies Clinic** for dogs and cats on April 1 (Sat), at the Loyal Order of the Moose Pavilion, 77 Universal Forest Product Rd., Ranson, 8 to 10 am (to reduce traffic congestion, please do not arrive earlier than 7:45). Pets must be 4 months or older to receive the vaccine. The vaccination cost is \$10 cash or check for each pet.

This clinic will be **drive-thru only** and all customers and pets will stay in their cars for registration; Customers will take their pets out of the car for the vaccination under the pavilion. All individuals are requested to wear face masks per CDC guidelines for medical facilities. All dogs must be on a leash and cats must be in carriers. No Feral Cats allowed. If your pet has been previously vaccinated, you must bring the Rabies Certificate to receive a three (3) year vaccination and certificate, otherwise, the vaccination will be valid for 1 year only. If this is a pet's first Rabies vaccine or they are overdue, the vaccine will be valid for one year. *More info online (www.awsjc.org) or by phone (304-725-0589).*



ANIMAL WELFARE SOCIETY
 JEFFERSON COUNTY

EXPLORE // EVENT SPOTLIGHTS

RESOURCE EXPO FOR DIFFERENTLY ABLED ADULTS

The Arc of the Eastern Panhandle is a regional non-profit organized by parents and community leaders who believe their disabled loved ones deserve to be included in their communities and to pursue fulfillment and happiness.

The group will host a “Discover the PossAbilities Expo” in partnership with UniCare on March 11, 2 to 4 pm in the Storer Ballroom (3rd floor) at the Shepherd University Student Center, 210 North King St, Shepherdstown. The building is accessible and parking is available in a nearby lot and on the street.

This wellness expo will explore optimizing the possibilities with differently abled adults, students, wellness experts, service providers, and families. The event will include a “snack-and-chat” which will allow for networking and meeting service providers. For information, visit ArcEasternPanhandle.org or contact *Carolyn Vigil* at 703-629-6997.



March 5-11, 2023

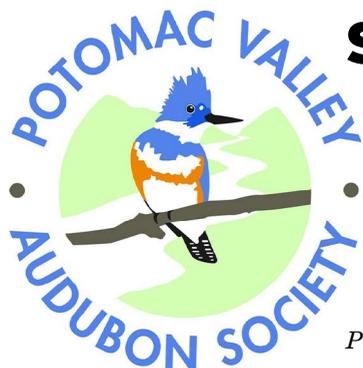
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Jefferson County
CONVENTION AND VISITORS BUREAU

MORE EVENTS >>> PAGE 13



SUMMER NATURE CAMPS

Registration is open for the **summer day camps** offered by the **Potomac Valley Audubon Society (PVAS)**. Each session runs for a week (5 days) and there are multiple sessions for kids from kindergarten to 12th grade between June 5 and July 28. Camps will be held at the Society’s nature preserves in Jefferson and Berkeley counties, the sessions are limited to a dozen campers. Each will be led by a Lead Counselor and a Counselor in Training. Info and registration at PotomacAudubon.org (education).

SUMMER THEATER CAMPS

The Black Box Youth Playhouse in Shepherdstown will be offering summer camps for kids interested in theater (both on stage and behind the scenes).

The camps are scheduled for July, split into three age groups (4-6, 6-9 and 8-18, plus a technical camp for ages 12-18). Details and registration at BlackBoxYouth.org.



GARDENING 101 CLASSES



WVU Jefferson County Extension Office will offer two sessions on gardening basics this month. The March 4 session will cover setting up a garden, soil testing, and critter control. The March 11 session will cover seed starting and selection, composting, and pest management. Both sessions will be held at Hospice of the Panhandle’s Education Center, 330 Hospice Lane, Kearneysville. Doors open at 8:30 am and the program runs from 9 to noon. Cost for each day is \$5 (cash only, pay at the door). Proceeds benefit the Berkeley-Jefferson Extension Master Gardener Association. Register by phone (304-728-7413) or online (Rebrand.ly/G101-2023). More info at extension.wvu.edu/Jefferson.

ENGAGE // WATER & SEWER QUESTIONS

STRONG ARGUMENTS AGAINST PROPOSED SALE OF JEFFERSON COUNTY WATER & SEWER SYSTEMS



WEST VIRGINIA AMERICAN WATER, a subsidiary of American Water (a company listed on the NY Stock Exchange) is seeking to acquire several locally-owned water and sewer systems operated in Jefferson County. The WV Public Service Commission’s own staff is recommending that the Commission deny the proposed acquisition, stating in a brief filed on February 8 that “the proposed acquisition should be denied because the failure to provide timely notice of the rate impact to affected customers results in a denial of opportunity to seek intervention and participate in the case, and an ultimate denial of due process.”

The staff of the WV Consumer Advocate Division (CAD) are similarly objecting to the proposed acquisitions of the various water and sewer systems including Jefferson Utilities, Inc., noting that the current water customers of JUI receive good service and highlighting testimony from a PSC staff engineer that “it would be more effective in the long-term for Charles Town to own and operate the sewer systems.”

Harm to Local Ratepayers

The concerns of both the PSC staff and CAD focus on the potential harm to the local ratepayers, which the CAD estimates at an additional \$1 million in utility expenses each year. The PSC staff brief notes “the proposed acquisition of Jefferson Utilities, Inc., [JUI] by West Virginia-American Water Company [WVAWC] under the terms insisted upon by them contains terms and conditions that are not reasonable and result in a significant adverse effect on the public in this state by creating an ownership and operating structure that will, solely and directly as a result of the nature and structure of the transaction, increase rates to West Virginia ratepayers, and cause JUI customers to pay WVAWC a return on the previous investment by JUI ratepayers through a monthly surcharge to fund the JUI plant that WVAWC will use to service the same ratepayers.”

The PSC has scheduled a hearing on March 16 at 9:30 am to be held in the Commission’s hearing room in Charleston. The PSC is also continuing to accept public comment on this case (for links to the comment site and other case documents, visit the online version of this article at WeAreTheObserver.com).

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