

Minutes

Jefferson County Commission

Thursday, September 2, 2021

A meeting of the Jefferson County Commission was held on Thursday, September 2, 2021 during the second quarterly session at 9:30 a.m. The meeting was held via GoToWebinar. Present were, Steve Stolipher, President, Tricia Jackson, Vice President, Clare Ath, Caleb Hudson, and Jane Tabb. Also present were Stephanie Grove, County Administrator; Sandy McDonald, Deputy County Administrator, and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, September 2, 2021 meeting is available on the Jefferson County Commission website.)

PLEDGE OF ALLEGIANCE

Commissioner Stolipher led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Stolipher to approve the August 19, 2021 Regular Meeting Minutes as presented/with noted correction. Motion seconded and unanimously approved.

Motion by Mr. Stolipher to approve the August 24, 2021 Special Session Minutes as presented/with noted corrections. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#	VENDOR NAME	AMOUNT
85151	ATLANTIC OCCUPSYCH INC.	1,300.00
85152	DR. ROBERT E JONES III	1,000.00
85153	GUTTMAN OIL CO	3,922.86
TOTAL		6,222.86

Motion by Mr. Stolipher to approve the Accounts Payable for August 26, 2021 in the amount of \$6,222.86. Motion seconded and unanimously approved.

CHECK#	VENDOR NAME	AMOUNT
85155	AHA-ARTS & HUMANITIES ALLIANCE	1,624.27
85156	ALICE N PAINTER	2,539.64
85157	ALLAN THOMAS	6,187.30
85158	AMERICAN FAMILY LIFE INSURANCE COMPANY ICU	2,606.00
85159	AMERIGAS	2,246.11
85160	AT&T	265.08
85161	AWVA-ASSOCIATION OF WV ASSESSORS	100.00
85162	BUREAU OF CHILD SUPPORT	561.24
85163	CITY OF CHARLES TOWN	48.00
85164	CLARE ATH	564.00
85165	COLONIAL LIFE	95.68
85166	DALE GOTTSCHALK	10.90
85167	DARYLL WIMER	3.77
85168	DEBBIE LOWE	650.49
85169	DELTA DENTAL OF WV	6,220.54
85170	DODSON SEPTIC SERVICE LLC	285.00
85171	EFTPS IRS TAXES	101,359.57
85172	EMPOWER RETIREMENT	5,741.93
85173	GUTTMAN OIL CO	4,012.49
85174	HIGHMARK WV	200,096.85
85175	JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	2,405.14
85176	JEFFERSON COUNTY SOLID WASTE AUTHORITY	87.75
85177	JEFFERSON CO CONVENTION AND VISITORS BUREAU	40,606.73
85178	JEFF CO DEPUTY SHERIFF'S ASSOC	1,320.00
85179	JEFF CO PARKS & RECREATION COMMISSION	36,577.32
85180	JEFFERSON SECURITY BANK	4,219.00
85181	LANGUAGE LINE SERVICES	98.93
85182	NATIONAL VISION ADMIN.	1,693.62
85183	NICOLE NOBREGA	1,305.96
85184	NATIONWIDE RETIREMENT SOLUTIONS	834.00
85185	OLD CHARLES TOWN LIBRARY	1,500.00
85186	RICE TIRES CO	130.74
85187	RONALD DANTZIC	56.32
85188	SHENTEL	1,807.00

85189		SPIRIT OF JEFFERSON		125.40
85190		SSC-SOUTHERN STATES		150.80
85191		STATE TAX DEPARTMENT		822.22
85192		THE HARTFORD		3,565.40
85193		THE HARTFORD		2,273.30
85194		THE JOURNAL		208.00
85195		TODD FAGAN		329.69
85196		TRAVIS STELY		331.77
85197		US POSTAL SERVICE		20,000.00
85198		WV DEPUTY SHERIFF RETIREMENT SYSTEM		18,121.09
85199		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		44,146.59
85200		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		166.49
85201		XEROX FINANCIAL SERVICES		249.81
85202	FG/009	SHERIFF OF JEFFERSON CO		4,533.40
85203	SG/010	JEFFERSON DAY REPORT		38,750.00
85204	BS/011	SHERIFF OF JEFFERSON CO		8,993.13
85205	AM/053	AXION STAFFING GROUP		1,254.83
TOTAL				571,883.29

Motion by Mr. Stolipher to approve the Accounts Payable for September 2, 2021 in the amount of \$571,883.29. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
912	AV/56	CARLSON SOFTWARE		\$ 195.00
122	IP/249	TISCHLERBISE INC		\$ 1,010.00
114	IP/249	TISCHLERBISE INC		\$ 540.00
145	IP/249	TISCHLERBISE INC		\$ 485.00
137	IP/249	TISCHLERBISE INC		\$ 660.00
TOTAL				\$ 2,890.00

Motion by Mr. Stolipher to approve the Manual Checks for August 27, 2021 in the amount of \$2,890.00. Motion seconded and unanimously approved.

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
754	HD/8	SHERIFF OF JEFFERSON CO		\$ 2,103.25
913	AV/56	DLT SOLUTIONS		\$ 678.15
914	AV/56	MONROE SYSTEM FOR BUSINESS		\$ 491.90
TOTAL				3,273.30

Motion by Mr. Stolipher to approve the Manual Checks for September 3, 2021 in the amount of \$3,273.30. Motion seconded and unanimously approved.

PAYROLL APPROVAL

Motion by Mr. Stolipher to approve the Payroll for August 19, 2021 in the amount of \$262,249.17. Motion seconded and unanimously approved.

Motion by Mr. Stolipher to approve the Payroll for September 2, 2021 in the amount of \$277,020.21. Motion seconded and unanimously approved.

PRESENTATIONS

1. Matthew Harvey, Prosecuting Attorney and Tom Hansen, Sheriff – presentation of Proclamation honoring Ed Boober.
 - **Motion by Mr. Stolipher to accept the Proclamation honoring former sheriff Ed Boober, as presented. Motion seconded and unanimously approved.**

2. Matthew Harvey, Prosecuting Attorney – discussion of staffing needs and approval to hire a new employee.
 - **Motion by Mr. Stolipher to hire Lisa Driscoll as a part-time Victim Advocate at \$18.50/hr. until December 1, 2021 at which time the employee will be full-time at a salary of 43,900.00. Motion seconded and unanimously approved.**

3. Angela Banks, Assessor – presented the following Exonerations and Apportionments for approval:

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Carolyn Davenport	PP	CT	301453	\$18.20

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 301453 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Rebecca DeLauter	PP	CT	301336	\$189.48

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 301336 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Marilyn Cavallaro	PP	RC	313793	\$175.76

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 313793 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Brian & Diane Petrenick	PP	KD	310833	\$19.43

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 310833 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Russell & Sherry Dorsey	PP	MD	311978	\$174.90

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 311978 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Thomas J. & Christie L. Kave	PP	MD	312448	\$242.92

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 312448 as presented by the Assessor. Motion seconded and unanimously approved.**

4. Jacki Shadle, Clerk of the County Commission – requested approval to hire a voter & elections clerk and an assistant clerk.

- **Motion by Ms. Tabb to hire Michael Kevin Carden as a deputy clerk in the Voter Registration/Elections office at a salary of \$35,000, effective September 7, 2021 and Cornelia Hamm as a deputy clerk in the Recording office at a salary of \$32,000, effective January 10, 2022. Motion seconded and unanimously approved.**

5. Sheriff’s Office – requested approval of Promotional Raises and Grant application documents.

- **Motion by Mr. Stolipher to approve the promotional raises within the Sheriff’s Department as follows: \$900 each for Corporals Grantham, Mahony, and O’Shea; \$1,400 each for Sergeants Armel and Forman; and \$1,900 each to Lieutenants Holz and Sell and Captain Colbert. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to approve the Governor’s Highway Safety Program grant application up to \$148,000 and the budget resolution up to \$250,000 and authorize the President of the Commission to sign the associated documents. Motion seconded and unanimously approved.**

6. Michelle Gordon, Finance Director

- a. Creation of new bank account for County Administration Impact Fee
 - **Motion by Mr. Stolipher to approve the creation of a new, interest bearing checking account for the County Administration Impact Fee. Motion seconded and unanimously approved.**
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- b. Discussion of ARPA part-time employee, one-time premium pay stipend
 - **Motion by Mr. Stolipher to approve the part-time employee, one-time premium pay with eligibility criteria as presented/as amended effective 08/05/2021 with a pay date of 09/10/2021. Motion seconded and unanimously approved.**
- c. Schedule monthly meeting for review of American Rescue Plan Act (ARPA) Submissions
 - It was the consensus of the Commission to meet the second Wednesday of each month, beginning on October 13, 2021, to review and discuss the ARPA submissions.

7. Becky Burns, Office Manager – request to refund permit fees and impact fees.

- a. **Motion by Ms. Tabb to approve a partial refund of the building permit fee for Tiffany Lawrence & Karl Morris in the amount of \$596.31; a full refund of the impact fee in the amount of \$6,700.00; and to close the permit application on file. Motion seconded and unanimously approved.**
- b. **Motion by Ms. Tabb to approve a partial refund of the building permit fee for Denise Alford in the amount of \$368.03; a full refund of the impact fee in the amount of \$6,700.00; and to close the permit application file. Motion seconded and unanimously approved.**

8. Roger Goodwin, Chief County Engineer – requested the adoption of the Impact Fee Ordinances setting new fee.

- **Motion by Mr. Stolipher to adopt “An Ordinance Providing for the Imposition of A Public Schools Impact Fee on All New Residential Development,” effective September 3, 2021. Motion seconded and passes on a vote of 3-1 with Ms. Tabb opposing and Ms. Ath unrecorded.**

- **Motion by Mr. Stolipher to adopt “An Ordinance Providing for the Imposition of A Public Parks and Recreation Impact Fee on All New Residential Development,’ effective September 3, 2021. Motion seconded and unanimously approved.**
 - **Motion by Mr. Stolipher to adopt “An Ordinance Providing for the Imposition of A Law Enforcement Impact Fee on All New Residential Development,’ effective September 3, 2021. Motion seconded and unanimously approved.**
 - **Motion by Mr. Stolipher to adopt “An Ordinance Providing for the Imposition of An Emergency Medical Services (EMS) Impact Fee on All New Residential Development,’ effective September 3, 2021. Motion seconded and unanimously approved.**
 - **Motion by Mr. Stolipher to adopt “An Ordinance Providing for the Imposition of A County Administrative Facilities Impact Fee on All New Residential Development,’ effective September 3, 2021. Motion seconded and unanimously approved.**
9. Jeffrey A. Polczynski, Director, Emergency Communications – requested approval to hire two full-time public safety dispatchers.
- **Motion by Mr. Stolipher to hire Kaitlyn Dunn as a full-time public safety dispatcher at a salary of \$41,600.00, effective September 20, 2021. Motion seconded and unanimously approved.**
 - **Motion by Mr. Stolipher to hire Amanda Jackson as a full-time public safety dispatcher at a salary of \$37,751.00, effective September 20, 2021. Motion seconded and unanimously approved.**
10. Steve Allen, Director, Jefferson County Homeland Security and Emergency Management – requested the approval to hire Deputy Director/Planner/Program Manager.
- **Motion by Mr. Stolipher to approve the hire of Dick W. Myers for the position of Deputy Director/Planner/Program Manager for Homeland Security and Emergency Management at the rate of \$51,163.00 annually (Grade 5) and the understanding that if the candidate has a 6 month satisfactory performance, the salary will increase to \$52,163.00 annually. Motion seconded and unanimously approved.**

11. Renewal of Lease of Agricultural Land owned by the Jefferson County Commission – Commissioner Tabb recused herself and left the room during this discussion and vote.

- **Motion by Mr. Stolipher to renew the agricultural lease with Lyle C. Tabb & Sons, effective until January 1, 2023 and to amend the original lease agreement to state the five-year lease term no longer needs to be reviewed annually by the County Commission. Motion seconded and passes 3-1 with Commissioner Jackson opposing.**

12. Public Comment – provided by the following: Christine Marshall.

13. Nathan Cochran, Assistant Prosecuting Attorney

- a. Report by counsel as previously assigned by Commission: creation of Jefferson County Fire Board, Jefferson County Emergency Ambulance Service Board, and organization of Jefferson County Emergency Services Agency; including potential structure, financial issues and matters related thereto.
 - b. Discussion of legal issues regarding proposed solar text amendment including bonding, comprehensive plan, and related matters, including Jefferson County Civil Action No.'s 2021-C-33 through 37 and Jefferson County Civil Action No.'s 2021-C-46 through 50
 - c. Report by Counsel on Opioid Case (Jefferson County Commission v. Perdue Phamaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170)
 - d. Review and Confirmation of March 5, 2020 Amendments to ESA Ordinance and Bylaws.
- **Motion by Mr. Stolipher to allow Ms. Tabb to re-sign the Jefferson County Emergency Services Agency Ordinance and Bylaws, as adopted on March 5, 2020. Motion seconded and unanimously approved.**
 - **Motion by Mr. Stolipher to enter into Executive Session to receive legal advice regarding the solar facilities text amendment; issues concerning the Jefferson County Emergency Services Agency; an update on the opioid case; and a presentation of the Organization of County Public Safety Department. Motion seconded and unanimously approved.**
 - **Motion by Mr. Hudson to come out of Executive Session. Motion seconded and unanimously approved.**

NEW BUSINESS

14. Consent Access to BCN Telecom Project Sites

- **Motion by Mr. Stolipher to allow access to BCN Telecom Project Sites as necessary. Motion seconded and unanimously approved.**

15. Discussion of masks and vaccinations

- **Motion by Mr. Stolipher to not impose a mask or vaccination mandate on county employees or within county buildings. Motion seconded and passes on a vote of 4-1 with Commissioner Tabb opposing.**

16. Discussion of potential amendment of Jefferson County Comprehensive Plan to include provision for solar facilities.

- **Motion by Ms. Jackson to request the Planning Commission to consider amending the Comprehensive Plan to clarify solar facilities be recognized as a principal permitted use throughout the rural and residential districts as quickly as possible, as allowed under 8a-3-11. Motion seconded and passes on a vote of 3-1 with Ms. Tabb opposing and Mr. Stolipher abstaining.**

COUNTY ADMINISTRATOR REPORTS

- Presentation of the Organization of County Public Safety Documents including Jefferson County Homeland Security and Emergency Management and 911 Communications – this topic was discussed in Executive Session.
- County Complex Project – there were no updates regarding this topic.

17. The Commission adjourned at 12:38 p.m. on a motion by Mr. Stolipher. Motion was seconded and unanimously approved.

Steve Stolipher, PRESIDENT

Respectfully submitted
Jessica Carroll
Executive Administrative Assistant