

**REGULAR MEETING AGENDA
JEFFERSON COUNTY COMMISSION
FOURTH QUARTERLY SESSION – OCTOBER – DECEMBER 2023
THURSDAY, NOVEMBER 16, 2023
6:00 P.M.
County Commission Meeting Room
Old Charles Town Library
200 E. Washington Street, Charles Town, WV**

CALL TO ORDER

PRAYER – Pastor Danny Ortiz

PLEDGE OF ALLEGIANCE

1. 6:00 p.m. Appointment of Charles Town District Commissioner

APPROVAL OF MINUTES

- September 7, 2023 Regular Meeting
- September 21, 2023 Regular Meeting
- September 28, 2023 Special Meeting
- October 5, 2023 Regular Meeting
- October 12, 2023 Special Meeting
- October 19, 2023 Regular Meeting
- November 2, 2023 Regular Meeting

APPROVAL OF REQUISITIONS

- October 5, 2023
- October 19, 2023
- November 2, 2023
- November 16, 2023

APPROVAL OF ACCOUNTS PAYABLE

- September 14, 2023
- September 21, 2023
- September 28, 2023
- October 5, 2023
- October 12, 2023
- October 19, 2023
- November 2, 2023
- November 16, 2023

APPROVAL OF MANUAL CHECKS

- September 15, 2023
- September 22, 2023
- September 29, 2023
- October 6, 2023
- October 13, 2023
- October 20, 2023
- November 3, 2023
- November 17, 2023

APPROVAL OF PAYROLL

- September 15, 2023
- September 29, 2023
- October 13, 2023
- October 27, 2023
- November 9, 2023

ANNOUNCEMENTS

Report if there are changes in the agenda if applicable

PUBLIC COMMENT

****You may participate in public comment during the virtual meeting by raising your hand. Please submit comments via email to info@jeffersoncountywv.org. Your name will be included in the minutes and any written comments submitted will be published in the following agenda under Correspondence & Information.**

PRESENTATIONS

2. 6:30 p.m. Angela Banks, Assessor
 - Exonerations
 - Acknowledgement of the Assessor's Certificate of Compliance
 - Acknowledgement of the Assessor's Additional Duties
3. 6:45p.m. Tom Hansen, Sheriff
 - Deputy Leave
 - Grant Award
4. 7:00 p.m. Rebecca Hall, Victim Assistance Program, Prosecuting Attorney's Office
 - VOCA Federal Grant Contract 2023-2024 Approval and Signature
5. 7:05 p.m. Nikki Painter, Chief Deputy Clerk, County Clerk's Office (for Probate)
 - Fiduciary Quarterly Review of Estates opened, Waivers of Final Settlement and Accountings recorded since last Quarterly Review in July
6. 7:20 p.m. Roger Goodwin, Chief County Engineer
 - Approval to advertise for Building Inspector position
 - Complete Release of Letter of Credit #5105724 for George and Edna C. Enos – Anglers Ridge Subdivision ((File #05-06)
 - Complete Release of Performance Bond #71484952 for Twin Oaks Subdivision, LLC – Morgan's Grove Market Early Grading Permit (File #S12-06)
 - Complete Release of Cash in Escrow Account for Beallair Homes, LLC – Beallair Subdivision, Phase 3, Commercial Lot 1 & Residue (File #08-21-SD)
 - Complete Release of Letter of Credit #281 for Bank of Charles Town – Old Route 340 Business Center (File #S05-09)
 - Complete Construction Bond Release for Lutman Land Development, LLC – Milton's Landing Subdivision, Lots 1-16, Lots 18-50 & SWM Lot 17 (File #22-21-SD)
 - Complete Construction Bond Release for River Riders, Inc. – River Riders Snow Tubing Hill (File #22-9-RR)
 - Approval of West Virginia Department of Economic Development & Jefferson County Commission – Agreement/Contract Extension #2 for Hill Top House Hotel Tourism Development District (TDD) project services
 - Complete Construction Bond Release for Summit Point Automotive Research

Center, LLC – Summit Point Tactical Training Center, Phase III (File #S12-04)
- Complete release of construction bond security for Jefferson Asphalt Products Company – Jefferson Asphalt Products Company, Phase I and Phase II (File #S11-12)

7. 7:45 p.m. Jeffrey Polczynski, Director, Jefferson County Emergency Communications
- Motorola Solutions – Maintenance and Lifecycle Services Contract– Radio System SUA
- Appointment Request – Full-Time Public Safety Dispatcher
- Appointment Request – 5 Full-Time Public Safety Dispatchers
8. 8:00 p.m. Mike Sine, Director, Jefferson County Emergency Services
- New Hires – 2 Part-time, 1 Full-time
- Move/Transfer 2 Existing PT employees to FT
- Discussion – Shepherdstown Fire Department Ambulance
- Update on service delivery related to road construction
- Update on new ambulance and related projects
9. 8:20 p.m. Luke Seigfried, County Planner
- Quarterly Status Report of the 2045 Comprehensive Plan Update
10. 8:30 p.m. Nathan Cochran, Assistant Prosecuting Attorney
 - a. Report by counsel on opioid case and consideration of recent developments in the case (Jefferson County Commission v. Purdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170, MDL 17-md-02804-DAP In Re: National Prescription Opiate Litigation; State of West Virginia ex rel. Patrick Morrissey, Attorney General v. Walgreens Boots Alliance, Inc., et al., Civil Action No. 20-C-82 PNM (W. Va. Cir.Ct. Putnam County) (the "West Virginia AG Action"), pending within In re: Opioid Litigation, Civil Action No. 21-C-9000 (W. Va. Cir. Ct. Kanawha County) and related matters.
 - b. Discussion of legal issues and potential action regarding proposed Solar Text Amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA22-01. Discussion of Jefferson County Circuit Court Civil Action No.'s 2021-C- 33 through 37 and Jefferson County Circuit Court Civil Action No.'s 2021-C-46 through 50, Jefferson County Circuit Court Civil Action No. CC-19-2022-C-6, Jefferson County Circuit Court Civil Action No. 2022-C-81, Jefferson County Circuit Court Civil Action No. 2022-C-103, 2022-C-14 and 2023-C-112, WV Supreme Court No.'s 21-0727, 21-0728, and 21- 0731 and WV Intermediate Court of Appeals No. to be assigned (appeal of Jefferson County Circuit Court Civil Action No. 2022-C-141).
 - c. Consider matters involving or affecting the construction planning, or purchase, sale or lease of property.
 - d. Discussion of wage issue regarding Deputy Sheriffs.

NEW BUSINESS

11. Report from Legal Counsel on Jefferson County Circuit Court Civil Action No. CC-19-2022-C-112
12. Approval of creation/opening of county bank account for Fund 40 Opioid Settlement revenues
13. Approval of creation/opening of county bank account for Fund 41 County Fire Protection Fund

COUNTY ADMINISTRATOR REPORTS

- Ambulance Fee Billing
- TIF Attorney update
- ESA Transition Update
- Approval of the Blue Ridge and Citizens Fire Department 990s for Yearly Allocation (\$85,000)

- Appointment to the Jefferson County Audit Committee
- Internal Budget Revision for the Circuit Clerk's Office
- County Commission Personnel Matter

Requested Motions:

Motion to approve the County Administrator to move forward with discussion and proposal creation of a new way to handle ambulance fee billing, in cooperation with the Tax Office and ESA.

Motion to approve the Ambulance Fee Billing delinquent accounts printing in the amount of \$6,516.00 for 25,000 mailings through Progressive Printing.

14. ADJOURN

CORRESPONDENCE AND INFORMATION

Harpers Ferry-Bolivar PSD Minutes from September 7, 2023 Regular Meeting

Impact Fee Status Report for October 2023

Public Comment received from the following: David Tabb

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.