

## **Minutes**

### **Jefferson County Commission**

**Thursday, December 1, 2016**

---

A meeting of the Jefferson County Commission was held on Thursday, December 1, 2016 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 Dale Manuel, Patricia Noland, Peter Onoszko, 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, December 1, 2016 meeting is available through the Jefferson County Commission Office.)

#### **PLEDGE OF ALLEGIANCE**

Commissioner Onoszko led the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

**Motion by Ms. Tabb to approve the November 14, 2016 General Election Canvass Minutes as presented. Motion seconded and unanimously approved.**

**Motion by Mr. Manuel to approve the November 17, 2016 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.**

**Motion by Ms. Tabb to approve the November 21, 2016 Certification of the General Election Results as presented. Motion seconded and unanimously approved.**

#### **APPROVAL OF PURCHASE ORDERS**

**Motion by Ms. Noland to approve the Purchase Orders for December 1, 2016 to include Purchase Order No. 52337 in the amount of \$45,480.00. Motion seconded and unanimously approved.**

#### **PAYROLL APPROVAL**

**Motion by Ms. Tabb to approve the Payroll for November 17, 2016 in the amount of \$260,460.71. Motion seconded and unanimously approved.**

**APPROVAL OF ACCOUNTS PAYABLE**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
077424	428	ACCURATE SYSTEMS INC		\$ -	\$ 4,200.00	\$ 4,200.00
077425	402	APPLE VALLEY OFF.PRODUCT		\$ -	\$ 274.59	\$ 274.59
077426	424	BOLAND SERVICES		\$ -	\$ 270.00	\$ 270.00
077426	425	BOLAND SERVICES		\$ -	\$ 166.00	\$ 166.00
077426	425	BOLAND SERVICES		\$ -	\$ 125.00	\$ 125.00
077426	425	BOLAND SERVICES		\$ -	\$ 136.00	\$ 136.00
077426	425	BOLAND SERVICES		\$ -	\$ 898.00	\$ 898.00
077427	402	CTWV-APA CHARLES TOWN AP		\$ -	\$ 35.00	\$ 35.00
077428	405	NATHAN COCHRAN		\$ -	\$ 329.40	\$ 329.40
077429	424	J.C.EHRLICH		\$ -	\$ 31.00	\$ 31.00
077429	425	J.C.EHRLICH		\$ -	\$ 615.00	\$ 615.00
077430	712	EASTERN PANHANDLE		\$ -	\$ 600.00	\$ 600.00
077430	712	EASTERN PANHANDLE		\$ -	\$ 1,025.70	\$ 1,025.70
077431	425	FIDELITY POWER SYSTEMS		\$ -	\$ 577.99	\$ 577.99
077432	717	FLEETPRIDE		\$ -	\$ 52.56	\$ 52.56
077433	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 12,300.16	\$ 12,300.16
077434	717	GUTTMAN OIL CO		\$ -	\$ 2,490.96	\$ 2,490.96
077434	717	GUTTMAN OIL CO		\$ -	\$ 2,523.97	\$ 2,523.97
077434	717	GUTTMAN OIL CO		\$ -	\$ 2,228.69	\$ 2,228.69
077434	717	GUTTMAN OIL CO		\$ -	\$ 2,481.68	\$ 2,481.68
077435	402	THE SPIRIT OF JEFFERSON		\$ -	\$ 77.63	\$ 77.63

077436	424	THE JOURNAL		\$ -	\$ 208.00	\$ 208.00
077437	712	ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
077438	712	MOTOROLA INC		\$ -	\$ 32,465.88	\$ 32,465.88
077439	711	BARBARA J. MILLER		\$ -	\$ 162.00	\$ 162.00
077439	711	BARBARA J. MILLER		\$ -	\$ 51.00	\$ 51.00
077440	425	MILLER'S SUPPLIES AT WOR		\$ -	\$ 1,965.00	\$ 1,965.00
077440	425	MILLER'S SUPPLIES AT WOR		\$ -	\$ 189.95	\$ 189.95
077440	425	MILLER'S SUPPLIES AT WOR		\$ -	\$ 251.00	\$ 251.00
077440	425	MILLER'S SUPPLIES AT WOR		\$ -	\$ 251.00	\$ 251.00
077441	401	PATRICIA A NOLAND		\$ -	\$ 305.64	\$ 305.64
077442	428	OFFICEMAX		\$ -	\$ 606.35	\$ 606.35
077442	428	OFFICEMAX		\$ -	\$ 148.92	\$ 148.92
077443	425	POTOMAC EDISON/OH		\$ -	\$ 36.58	\$ 36.58
077443	425	POTOMAC EDISON/OH		\$ -	\$ 562.79	\$ 562.79
077443	425	POTOMAC EDISON/OH		\$ -	\$ 8,241.92	\$ 8,241.92
077444	402	RECORD MANAGEMENT SOLUTN		\$ -	\$ 35.00	\$ 35.00
077444	403	RECORD MANAGEMENT SOLUTN		\$ -	\$ 30.00	\$ 30.00
077445	401	RICOH USA, INC./GA		\$ -	\$ 252.73	\$ 252.73
077445	403	RICOH USA, INC./GA		\$ -	\$ 287.58	\$ 287.58
077445	404	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
077445	405	RICOH USA, INC./GA		\$ -	\$ 423.90	\$ 423.90
077445	406	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
077445	425	RICOH USA, INC./GA		\$ -	\$ 48.10	\$ 48.10
077445	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
077445	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
077445	700	RICOH USA, INC./GA		\$ -	\$ 295.90	\$ 295.90
077445	712	RICOH USA, INC./GA		\$ -	\$ 267.08	\$ 267.08
077446	717	RICE TIRES CO		\$ -	\$ 479.92	\$ 479.92

077447	404	SPECIALTY BUS SUPPLIES		\$ -	\$ 755.70	\$ 755.70
077448	704	WV REGIONAL JAIL &		\$ -	\$ 125,553.50	\$ 125,553.50
077449	401	SANDRA MCDONALD		\$ -	\$ 63.00	\$ 63.00
077450	GRANT	MARY SELL		\$ -	\$ 142.48	\$ 142.48
077451	711	WV EMER MANAGMENT COUNCI		\$ -	\$ 75.00	\$ 75.00
077452	428	WVNET		\$ -	\$ 200.00	\$ 200.00
077453	402	W.B. MASON CO. INC		\$ -	\$ 54.98	\$ 54.98
<b>TOTAL</b>					<b>\$ 207,492.85</b>	<b>\$ 207,492.85</b>

**Motion by Ms. Tabb to approve the Accounts Payable for November 22, 2016 in the amount of \$207,492.85. Motion seconded and unanimously approved.**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
077456	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
077457	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
077458	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
077459	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
077460	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 392.31	\$ 392.31
077461	404	CASTO & HARRIS INC		\$ -	\$ 711.92	\$ 711.92
077461	413	CASTO & HARRIS INC		\$ -	\$ 1,398.55	\$ 1,398.55
077462	405	MARCIA LYNN CHANDLER		\$ -	\$ 431.65	\$ 431.65
077462	405	MARCIA LYNN CHANDLER		\$ -	\$ 87.00	\$ 87.00
077463	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
077464	428	CREATIVE FORMS & CONCEPT		\$ -	\$ 561.25	\$ 561.25
077465	413	DODSON'S SEPTIC		\$ -	\$ 200.00	\$ 200.00
077466	413	ESS ELECTION SYSTEMS &		\$ -	\$ 2,122.11	\$ 2,122.11
077467	PAYROLL	ALEXANDRA BEAULIEU		\$ -	\$ 1,009.39	\$ 1,009.39
077468	401	FEDEX		\$ -	\$ 158.83	\$ 158.83
077468	700	FEDEX		\$ -	\$ 33.04	\$ 33.04
077469	PAYROLL	SHAYNA MASON		\$ -	\$ 2,250.00	\$ 2,250.00
077470	424	MEGAN FARIAS		\$ -	\$ 87.96	\$ 87.96
077471	PAYROLL	ROGER GOODWIN		\$ -	\$ 65.81	\$ 65.81
077472	412	GREATAMERICA FINANCL SVC		\$ -	\$ 315.64	\$ 315.64
077473	440	GEOCONCEPTS ENGINEERING		\$ -	\$ 1,075.20	\$ 1,075.20

077473	440	GEOCONCEPTS ENGINEERING		\$ -	\$ 3,944.68	\$ 3,944.68
077474	PAYROLL	JAMES P HAYDEN		\$ -	\$ 2,250.00	\$ 2,250.00
077475	PAYROLL	JERRI HERBERT		\$ -	\$ 126.82	\$ 126.82
077476	413	THE SPIRIT OF JEFFERSON		\$ -	\$ 3,294.18	\$ 3,294.18
077477	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,720.00	\$ 5,720.00
077478	424	DAVIDE TYLER KEMP		\$ -	\$ 49.99	\$ 49.99
077479	440	KABLE EXCAVATING, LLC		\$ -	\$ 5,200.00	\$ 5,200.00
077480	712	LANGUAGE LINE SERVICES		\$ -	\$ 101.11	\$ 101.11
077481	PAYROLL	DENISE LAMBIOTTE		\$ -	\$ 799.95	\$ 799.95
077482	405	MATTHEW BENDER & CO		\$ -	\$ 118.43	\$ 118.43
077482	405	MATTHEW BENDER & CO		\$ -	\$ 537.61	\$ 537.61
077483	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 415.00	\$ 415.00
077484	413	MONACO TECHNOLOGY		\$ -	\$ 1,575.00	\$ 1,575.00
077485	PAYROLL	MILLENIUUM INSURANCE GROU		\$ -	\$ 750.00	\$ 750.00
077486	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
077487	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 47,354.52	\$ 47,354.52
077487	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 11,074.80	\$ 11,074.80
077487	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 47,457.15	\$ 47,457.15
077488	PAYROLL	EVELYN STEPHENSON		\$ -	\$ 551.03	\$ 551.03
077489	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 2,870.00	\$ 2,870.00
077490	405	THOMSON REUTER - WEST		\$ -	\$ 808.75	\$ 808.75
077491	413	LOCKE WYSONG		\$ -	\$ 10.80	\$ 10.80
077492	PAYROLL	WV COUNTIES GROUP		\$ -	\$153,738.00	\$ 153,738.00
077493	PAYROLL	LISA WALTERS		\$ -	\$ 372.57	\$ 372.57
077494	413	JEAN L ROBERTS		\$ -	\$ 8.64	\$ 8.64
077495	413	TARA M.MORGAN		\$ -	\$ 16.20	\$ 16.20
077496	413	JAMES EDDY		\$ -	\$ 17.28	\$ 17.28
077497	413	NORA DRISH		\$ -	\$ 24.30	\$ 24.30
077498	413	CHERYL HUFF		\$ -	\$ 13.50	\$ 13.50
077499	413	MARY R. RING		\$ -	\$ 22.68	\$ 22.68
077500	413	VIVIAN HENRY		\$ -	\$ 10.80	\$ 10.80
077501	413	GARY HENRY		\$ -	\$ 8.10	\$ 8.10
077502	413	TIMOTHY COLLINS		\$ -	\$ 37.80	\$ 37.80
077503	413	STEVEN CROWE		\$ -	\$ 16.20	\$ 16.20
077504	413	ROBERT TRAINOR		\$ -	\$ 5.40	\$ 5.40
077505	413	ANITA FLESHMAN		\$ -	\$ 18.36	\$ 18.36
077506	413	TODD BALDAU		\$ -	\$ 10.80	\$ 10.80
077507	413	ROBERT GRAF SR.		\$ -	\$ 19.44	\$ 19.44
077508	413	ELIZABETH COYLE		\$ -	\$ 18.90	\$ 18.90
077509	413	PAMELA CARROLL		\$ -	\$ 25.92	\$ 25.92

077510	413	MARTY FREEMAN		\$ -	\$ 10.80	\$ 10.80
077511	413	JENNIFER SCHULTZ		\$ -	\$ 23.22	\$ 23.22
077512	413	JENNIFER COGLE		\$ -	\$ 8.64	\$ 8.64
077513	413	ANGELA BREEDEN		\$ -	\$ 17.28	\$ 17.28
077514	413	AMY SILVER		\$ -	\$ 32.40	\$ 32.40
077515	413	TERESA FORSYTH		\$ -	\$ 7.02	\$ 7.02
077516	413	SHARON HALL		\$ -	\$ 5.40	\$ 5.40
077517	413	IDZELL B. WALLACE		\$ -	\$ 50.00	\$ 50.00
077518	413	JOHN SHOEDEL		\$ -	\$ 3.78	\$ 3.78
077519	413	OTIS MORGAN		\$ -	\$ 27.00	\$ 27.00
077520	413	DEIRDRE CATTERTON		\$ -	\$ 28.08	\$ 28.08
077521	413	WILLIAM LUKENBILL		\$ -	\$ 17.82	\$ 17.82
077522	413	JESSICA ASHLEY		\$ -	\$ 4.86	\$ 4.86
077523	413	JUSTIN LEATON		\$ -	\$ 10.80	\$ 10.80
077524	413	AMY RINGER FLINT		\$ -	\$ 10.80	\$ 10.80
077525	413	JENNIFER BALTZELL		\$ -	\$ 21.60	\$ 21.60
077526	413	ERNEST HANNIN		\$ -	\$ 50.00	\$ 50.00
077527	413	GLYNIS R WILSON		\$ -	\$ 50.00	\$ 50.00
077528	413	ENEDELIA J SANCHEZ		\$ -	\$ 50.00	\$ 50.00
<b>TOTAL</b>					<b>\$303,817.11</b>	<b>\$ 303,817.11</b>

**Motion by Ms. Noland to approve the Accounts Payable for December 1, 2016 in the amount of \$303,817.11. Motion seconded and unanimously approved.**

**MANUAL CHECKS**

<b>ASSESSOR VALUATION</b>			
<b>O56</b>			
Date	Check #	VENDOR	Amount
12/2/2016	603	<b>WV SOCIETY OF PROF SURVEYORS</b>	\$ 25.00
12/2/2016	604	<b>IAAO</b>	\$ 190.00
12/2/2016	605	<b>GLOBAL SCIENCE &amp; TECH INC</b>	\$ 7,641.89
<b>SHERIFF CAPITOL</b>			
<b>246</b>			
Date	Check #	VENDOR	Amount
12/2/2016	1536	<b>BERKELEY GLASS</b>	\$ 122.32

12/2/2016	1537	<b>A PLUS PLUMBING</b>	\$ 326.48
12/2/2016	1538	<b>ZMM ARCHITECT</b>	\$ 2,700.00
12/2/2016	1539	<b>G &amp; TRIPLE T LLC</b>	\$ 990.00
12/2/2016	1540	<b>KONE</b>	\$ 2,473.50
12/2/2016	1541	<b>RCS SECURITY</b>	\$ 193.75
12/2/2016	1542	<b>NORVAC LOCK TECH</b>	\$ 525.50
<b>TOTAL</b>			<b>\$ 15,188.44</b>

**Motion by Ms. Noland to approve the Manuel Checks for December 2, 2016 in the amount of \$15,188.44. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:**

Alexandra Haid, County Zoning Administrator – Ms. Haid reminded the Commissioners and the audience that staff from the Planning and Zoning offices would be on hand at 6:30 pm prior to the public hearing on ZTA16-01 to answer any questions from the public.

David Tabb, resident – stated he received correspondence from the White House, and the current President stated in his letter to Mr. Tabb that he has the constitutional right to challenge the government, and Mr. Tabb stated he would continue to do as such.

**PRESENTATIONS**

1. Angela Banks, Assessor – presented the following Exonerations:

NAME	TYPE	DISTRICT	TICKET #	AMOUNT
Gary A. Cardillo	RE	Bolivar Corp.	91	\$1,297.61

- **Motion by Ms. Tabb to approve the Exoneration for ticket number #91 as presented by the Assessor. Motion seconded and unanimously approved.**
2. Denise Pouget, Director of Jefferson County Emergency Services Agency – Provided the Commission and the audience with a presentation on the previous year’s accomplishments, the draft FY16 annual report, and a discussion on the benefit of the ambulance fee.

3. Decision – Petition to Abandon and Annul Unused Roadway – 10’ strip of unused roadway lying on the eastern boundary of the lot held by Primax Properties, LLC at 890 East Washington Street, Charles Town, WV, on which the Advanced Auto Parts retail store is located.
  - **Motion by Ms. Tabb to approve the petition to abandon and annul the unused roadway lying on the eastern boundary of the lot held by Primax Properties, LLC at 890 East Washington Street, Charles Town, WV. Motion seconded and unanimously approved.**
4. The Commission recessed for break at 10:45 am.  
The Commission reconvened at 11:00 am.
5. Lynn Fields, Probate Office – requested approval to close estates that did not meet the deadline for the October term but need to be closed before year end.
  - **Motion by Ms. Tabb to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
  - **Motion by Mr. Manuel to approve the closure of the estates as presented by Ms. Fields. Motion seconded and unanimously approved.**
  - **Motion by Mr. Onoszko to recess as a Fiduciary Review Board. Motion seconded and unanimously approved.**
6. Jeff Polczynski, Director of Communications – requested the approval to reinstate Pamela Nicole Dorsey to full-time Public Safety Dispatcher II.
  - **Motion by Ms. Tabb to approve the reinstatement of Pamela Nicole Dorsey to full-time Public Safety Dispatcher II at a Grade III, Step B as presented. Motion seconded and unanimously approved.**
7. Michelle Gordon, Finance Director – presented the Commission with the FY18 Budget Charge items and procedural suggestions for the upcoming budget deliberations.
8. Set a date to hold a public hearing on the acquisition/consolidation of the PSD
  - **Motion by Mr. Onoszko to postpone scheduling a public hearing on PSD issues until a later date. Motion seconded and unanimously approved.**
9. Set date, time, and location for the first Regular Meeting of 2017
  - **Motion by Ms. Tabb to schedule the first regular meeting for 2017 on January 5, 2017 beginning at 9:30 am in the County Commission meeting**

**room located at the Old Charles Town Library at 200 E. Washington Street, Charles Town, WV 25414. Motion seconded and unanimously approved.**

10. Approval of the 2017 Holiday Schedule

- **Motion by Ms. Noland to approve the 2017 Holiday Schedule as presented. Motion seconded and unanimously approved.**

11. Request from the Jefferson County Board of Zoning Appeals to ask the County Commission to revisit the draft amendment and work toward approving regulations for the Mass Events in Jefferson County.

- By unanimous consent, the Commission agreed to wait to address the Mass Events Ordinance until they had reached a decision regarding the amendments to the Jefferson County Zoning and Land Development Ordinance (#ZTA 16-01).

12. The Commission recessed at 11:50 am.  
The Commission reconvened at 7:00 pm.

13. Public Hearing – Receive input on the proposed redline edits to the Jefferson County Zoning Ordinance (File #ZTA16-01) to amend various sections of the Zoning and Land Development Ordinance to replace the current nontraditional zoning ordinance with a traditional zoning ordinance by eliminating DRS/LESA CUP Process (Articles 6 and 7) and replace it with a traditional Principal Permitted and Conditional Use Process. The proposed text amendment also included a recommendation to increase the density provisions of the Rural Zoning Cluster Development in Section 5.7; and proposes amending various sections related to rural land use throughout the Ordinance.

**PRESENT:** Patsy Noland, President  
Peter Onoszko, Commissioner  
Jane Tabb, Commissioner  
Stephanie Grove, County Administrator  
Jennie Brockman, County Planner  
Alexandra Haid, Zoning Administrator  
Jessica Carroll, Administrative Assistant

Ms. Noland opened the public hearing at 7:01 pm. Ms. Brockman provided the Commission and audience with an overview of the proposed amendments to the Jefferson County Zoning and Land Development Ordinance. Ms. Noland opened the floor for public comment, which was made by the following:

- Doug Rockwell, resident – expressed his concerns over the proposed amendments, particularly the increase to the density provisions of the Rural Zoning Cluster Development. Mr. Rockwell also claimed the notice for the public hearing was insufficient

as it did not detail all of the proposed amendments to the Zoning and Land Development Ordinance.

- Jesse Morgan, resident - suggested amendments for both the principal permitted use and conditional permitted use categories of the Village District. Mr. Morgan also requested a change to the definition of “farm brewery” to allow for the operation of a brew pub.
- Richard Gee, resident - expressed his general concerns regarding zoning, personal property rights, and property assessments in Jefferson County.

There being no further comment, Ms. Noland stated they’d keep the record open for two weeks to allow time for written comment.

### **COUNTY ADMINISTRATOR REPORTS**

- FLSA Rule Change – Ms. Grove notified the Commission that a federal court has issued an injunction halting the FLSA Rule change and as such, the new rule won’t impact the County Commission’s employees at this time.
- Newly Elected County Officials – Ms. Grove stated she met with both the newly elected County Clerk and Prosecuting Attorney and looks forward to working with them in 2017.
- Meet Your Commissioners – Ms. Grove reminded the Commission they’re scheduled to attend the “Meet Your Commissioners” event on Monday, December 12, 2016 at 6:30 pm at the Shepherdstown Fire Hall.
- Holiday Breakfast – Ms. Grove reminded the Commission the Employee Holiday Breakfast would be held on Thursday, December 15, 2016 beginning at 7:30 am at the Maintenance conference room in Bardane. As a result, the regularly scheduled County Commission scheduled for the same date would begin at 10:30 am as opposed to the usual 9:30 am start time.
- Commissioners Elect – Ms. Grove stated she had reached out via e-mail to the newly elected county commissioners for the Shepherdstown and Charles Town Districts to notify them of elected officials training offered by the West Virginia Association of Counties. Ms. Grove also contacted the commissioners elect to notify them of the intensive schedule for January and February due to budget deliberation and the Board of Review and Equalization.
- Ambulance Fee Update – Ms. Grove stated the county has collected \$684,655 or approximately 76% of the ambulance fee for 2016.

14. The Commission meeting was adjourned at 7:37 pm on a motion by Ms. Noland. Motion was seconded and unanimously approved.

---

PATRICIA A. NOLAND,  
PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant