

## Minutes

### Jefferson County Commission

Thursday, September 7, 2017

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A meeting of the Jefferson County Commission was held on Thursday, September 7, 2017 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 Josh Compton, Caleb Hudson, Patricia Noland, Peter Onoszko 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, September 7, 2017 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. Noland to approve the August 31, 2017 Regular Meeting Minutes with noted corrections. Motion seconded and unanimously approved.**

#### APPROVAL OF ACCOUNTS PAYABLE

CHKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
078896	712	AT&T/GA		\$ -	\$ 23.12	\$ 23.12
078897	717	ADVANCE AUTO PARTS		\$ -	\$ 313.92	\$ 313.92
078898	440	ALLEGHENY SURVEYS, INC.		\$ -	\$ 962.50	\$ 962.50
078899	PAYROLL	BOOTH AND MCCARTHY		\$ -	\$ 231.00	\$ 231.00
078900	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
078901	412	JADA BENNETT		\$ -	\$ 170.73	\$ 170.73
078902	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
078903	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
078904	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
078905	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00

078906	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 6,430.78	\$ 6,430.78
078907	425	J.C.EHRLICH		\$ -	\$ 120.00	\$ 120.00
078908	440	GEOCONCEPTS ENGINEERING	52810	\$ 299.02	\$ -	\$ 299.02
078908	440	GEOCONCEPTS ENGINEERING	52810	\$ 700.18	\$ -	\$ 700.18
078908	440	GEOCONCEPTS ENGINEERING	52810	\$ 10,598.10	\$ -	\$ 10,598.10
078909	PAYROLL	TONY GAINEY		\$ -	\$ 556.82	\$ 556.82
078909	PAYROLL	TONY GAINEY		\$ -	\$ 2,250.00	\$ 2,250.00
078910	712	BROOKE HESS		\$ -	\$ 106.00	\$ 106.00
078911	PAYROLL	THE HARTFORD		\$ -	\$ 2,317.75	\$ 2,317.75
078911	PAYROLL	THE HARTFORD		\$ -	\$ 4,220.42	\$ 4,220.42
078912	403	JEFFERSON CENTER		\$ -	\$ 100.00	\$ 100.00
078913	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,360.00	\$ 5,360.00
078914	PAYROLL	HIGHMARK WV		\$ -	\$ 182,493.94	\$ 182,493.94
078915	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 543.86	\$ 543.86
078916	PAYROLL	MILLENIUUM INSURANCE GROU		\$ -	\$ 750.00	\$ 750.00
078917	PAYROLL	MAZZITTI & SULLIVAN EAP		\$ -	\$ 300.00	\$ 300.00
078918	700	BRYAN McCUSKER		\$ -	\$ 30.15	\$ 30.15
078919	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 849.00	\$ 849.00
078920	PAYROLL	NATIONAL VISION ADMIN.		\$ -	\$ 1,774.44	\$ 1,774.44
078921	700	NAACP JEFFERSON CO		\$ -	\$ 100.00	\$ 100.00
078922	712	JEFFREY POLCZYNSKI		\$ -	\$ 106.00	\$ 106.00
078923	424	POTOMAC EDISON/OH		\$ -	\$ 3,028.27	\$ 3,028.27
078923	425	POTOMAC EDISON/OH		\$ -	\$ 20,722.33	\$ 20,722.33
078924	PAYROLL	WILLIAM POWELL		\$ -	\$ 432.61	\$ 432.61
078925	425	RCS SECURITY		\$ -	\$ 185.00	\$ 185.00
078926	403	RECORD MANAGEMENT SOLUTN		\$ -	\$ 30.00	\$ 30.00
078927	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 6,126.00	\$ 6,126.00
078928	717	RICE TIRES CO		\$ -	\$ 316.04	\$ 316.04
078929	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 11,020.44	\$ 11,020.44
078929	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 47,121.76	\$ 47,121.76
078929	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 44,961.55	\$ 44,961.55
078930	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 175.00	\$ 175.00
078930	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 113.25	\$ 113.25
078931	700	STEPHENS AUTO CENTER	48575	\$ 30,989.00	\$ -	\$ 30,989.00
078931	700	STEPHENS AUTO CENTER	48575	\$ 30,989.00	\$ -	\$ 30,989.00
078932	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 3,090.00	\$ 3,090.00
078932	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 315.00	\$ 315.00
078933	PAYROLL	SPECIAL MARKETS INSURANC		\$ -	\$ 712.50	\$ 712.50
078934	405	THOMSON REUTER - WEST		\$ -	\$ 1,255.50	\$ 1,255.50
078934	405	THOMSON REUTER - WEST		\$ -	\$ 423.00	\$ 423.00

078935	412	EMILY WELLS		\$ -	\$ 121.86	\$ 121.86
078936	404	W.B. MASON CO. INC		\$ -	\$ 10.99	\$ 10.99
078936	404	W.B. MASON CO. INC		\$ -	\$ 133.71	\$ 133.71
078937	402	XEROX CORPORATION		\$ -	\$ 366.65	\$ 366.65
078937	402	XEROX CORPORATION		\$ -	\$ 322.83	\$ 322.83
078937	402	XEROX CORPORATION		\$ -	\$ 386.64	\$ 386.64
<b>TOTAL</b>						<b>\$ 427,399.90</b>
<b>TOTAL</b>				<b>\$ 73,575.30</b>	<b>\$ 353,824.60</b>	<b>\$ 427,399.90</b>

**Motion by Mr. Compton to approve the Accounts Payable for September 7, 2017 in the amount of \$427,399.90. Motion seconded and unanimously approved.**

**MANUAL CHECKS**

<b>COAL SEVERANCE</b>			
<b>OO2</b>			
Date	Check #	VENDOR	Amount
9/8/2017	447	<b>EASTRIDGE HEALTH SYSTEM</b>	\$ 200.00
<b>HOME DETETION</b>			
<b>OO8</b>			
Date	Check #	VENDOR	Amount
09/08/17	577	<b>3M ELECTRONIC MONITORING</b>	\$ 2,150.00
09/08/17	578	<b>CDA</b>	\$ 371.25
09/08/17	579	<b>UNITED BANK</b>	\$ 55.25
<b>ASSESSOR VALUATION</b>			
<b>O56</b>			
Date	Check #	VENDOR	Amount
9/8/2017	643	<b>MONROE SYSTEMS FOR BUSINESS</b>	\$ 484.00
<b>SHERIFF CAPITOL O/L</b>			
<b>246</b>			
Date	Check #	VENDOR	Amount
9/8/2017	1644	<b>AF MCCORMICK STRUCTURAL</b>	\$ 450.00

9/8/2017	1645	<b>BG BERKELEY GLASS</b>	\$ 96.00
<b>TOTAL</b>			<b>\$3,806.50</b>

**Motion by Ms. Tabb to approve the Manual Checks for September 7, 2017 in the amount of \$3,806.50. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:**

Danny Lutz, resident – made comments regarding the Census and also stated that public utility corporations do not pay their fair share of property taxes.

**PRESENTATIONS**

1. Angela Banks, Assessor – requested the approval of the following Exoneration:

NAME	TYPE	DISTRICT	TICKET #	AMOUNT
John Buranich	PP	HF	306995	\$16.44

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 306995 as presented. Motion seconded and unanimously approved.**
    - Requested the approval of the transfer of Denise Barnhart from the general fund to the Assessor’s Valuation fund and transfer her from part-time employment to full-time employment.
  - **Motion by Ms. Noland to approve the transfer of Denise Barnhart from the general fund to the Assessor’s Valuation fund and change her employment status from part-time to full-time. Motion seconded and unanimously approved.**
2. Discussion regarding letter dated August 15, 2017 received from the Marshall-Holley-Mason American Legion Auxiliary Unit 102 – Courthouse Plaque. Commissioner Onoszko opened the discussion by reading a prepared statement regarding the request to remove the plaque. Public comments were made by the following:

Brian Belman, resident – spoke in favor of the plaque remaining at the Courthouse, stating the plaque can serve as a “positive catalyst” for teaching history.

Gary Dungan, resident – spoke in favor of the plaque remaining at the Courthouse.

Curtis Gray, resident – stated there are “bigger fish to fry” than the Confederate plaque and its placement at the Courthouse.

Linda Ballard, member of the Marshall-Holley-Mason American Legion Auxiliary Unit 102 – stated the nature of her request to have the plaque removed from the Courthouse stems from her concern for human rights and the fact that the Courthouse is an egalitarian facility that serves all.

Danny Lutz, resident – stated all parties should come together to discuss this issue to find a suitable resolution.

Malcolm Killdale, resident – spoke in favor of the plaque remaining at the Courthouse.

Brian Tolstyka, resident – spoke in favor of the plaque remaining at the Courthouse.

Raymond Bruning, resident – stated the Auxiliary is supposed to show support for all American veterans.

Curt Compton, resident – stated the removal of the Confederate plaque from the Courthouse would be an “erasure of history.”

Jack Hefestay, resident – spoke in favor of the plaque remaining at the Courthouse in order to “defend history.” He also requested the Commission consider adopting a county-wide ordinance to protect all historical monuments.

Bo Bolyard, resident – spoke in favor of plaque remaining at the Courthouse.

Linda Ballard – re-emphasized that her issue wasn’t the plaque itself so much as the location of the plaque.

James Tolbert, resident and President of the Jefferson County NAACP – stated he did not appreciate that Mr. Dungan referred to Ms. Ballard and the other women of the Marshall-Holley-Mason American Legion Auxiliary Unit 102 as a “radical minority.”

Gary Dungan, resident – defended his “radical minority” comments by stating they were not referring to anyone specific.

Tim Ross, resident – stated that everyone wants to honor their ancestors, and that all parties should form a group to discuss the best way to do so.

- **Motion by Mr. Compton to retain the Confederate plaque on the face of the Courthouse. Motion seconded and unanimously approved.**
  - **Motion by Ms. Tabb to appoint a citizen’s committee to examine the best method to memorialize the forbearers pertaining to the Courthouse property. Motion seconded and passes on a vote of 4-1 with Commissioner Hudson opposing.**
3. Peter Dougherty, Sheriff
    - Vehicle Transfer – requested the approval of the transfer of a 2010 Ford Explorer to the Jefferson County Emergency Services Agency
      - **Motion by Ms. Tabb to approve the transfer of the 2010 Ford Explorer (98177) from the Sheriff’s Office to the JCESA. Motion seconded and unanimously approved.**
    - FY2017 Sheriff’s Report
  4. Marti Steiner, Recovery Coach Academy – Eastern Panhandle Recovery Coach Academy (EPRCA) – Informational Presentation
  5. The Commission recessed for break at 10:45 am.  
The Commission reconvened at 11:00 am.
  6. Janet Young Spry, US Census Bureau – provided the Commission with an overview of the 2020 Census Local Update of Census Addresses Operations (LUCA)
  7. Roger Goodwin, Chief County Engineer – requested a complete construction bond release for CTSS, LLC – Charles Town Self Storage (File S16-01)
    - **Motion by Ms. Tabb to authorize a partial release of \$443,719.00 from the construction bond for CTSS, LLC, Charles Town Self Storage (File S16-01) for a new bond amount of \$15,000. Motion seconded and unanimously approved.**
  8. Nathan Cochran, Assistant Prosecuting Attorney
    - Discussion of PSD Dissolution Appeals of the PSC decision, acquisition of PSD assets, and related issues – Mr. Cochran stated he did not have any updates regarding the JCPSD.
    - Discussion of notice of claim re: Oakhill MHC, LLC –

- **Motion by Ms. Noland to go into Executive Session to receive legal advice regarding the notice of claim re: Oakhill MHC, LLC. Motion seconded and unanimously approved.**
- **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**

### **COUNTY ADMINISTRATOR REPORTS**

PSD Audit Update – Ms. Grove stated Perry & Associates suggested the Commission consider requesting a forensic audit of the three accounts in question as it would allow the auditors to examine the accounts more closely.

- **Motion by Mr. Compton to instruct the County Administrator to contact Perry and Associates to change the scope of work from a complete audit to a forensic audit on the Maintenance & Repair, Capital, and SB234 accounts for the Jefferson County PSD. Motion seconded and passes on a vote of 4-1 with Commissioner Tabb opposing.**

Ethics Training Update – Ms. Grove stated an employee from the State Auditor’s Office would be available on the evening of Wednesday, October 18<sup>th</sup> to conduct Ethics Training for County employees and County appointed members of boards, commissions, and committees.

9. There being no further business, motion by Mr. Compton to adjourn at 12:33 pm. Motion was seconded and unanimously approved.

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PETER ONOSZKO, PRESIDENT

Respectfully Submitted  
 Jessica D. Carroll  
 Administrative Assistant