

Minutes

Jefferson County Commission

Thursday, November 16, 2017

A meeting of the Jefferson County Commission was held on Thursday, November 16, 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 Caleb Hudson, Patricia Noland, Peter Onoszko and Jane Tabb. Commissioner Josh Compton appeared via phone. Also present were Stephanie Grove, County Administrator, Jacqueline Shadle, County Clerk, Jessica Carroll, Executive Administrative Assistant and Jim Eddy, Bailiff. (An audio tape of the Thursday, November 16, 2017 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Noland led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the November 2, 2017 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Tabb to approve the November 2, 2017 Purchase Order in the amount of \$10,932.40 to include Purchase Order No. 52824. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
079237	712	AT&T/GA		\$ -	\$ 185.90	\$ 185.90
079238	428	ADVANTAGE TECHNOLOGY LLC		\$ -	\$ 4,200.00	\$ 4,200.00
079239	700	APTEAN SOFTWARE LLC		\$ -	\$ 482.50	\$ 482.50
079240	428	CREATIVE FORMS & CONCEPT		\$ -	\$ 415.09	\$ 415.09
079241	425	J.C.EHRLICH		\$ -	\$ 2,200.00	\$ 2,200.00
079242	425	FIRE SAFETY EQUIP		\$ -	\$ 1,700.00	\$ 1,700.00
079243	428	GLOBAL SCIENCE & TECH		\$ -	\$ 1,800.00	\$ 1,800.00
079244	424	GES PROPERTY PROS LLC		\$ -	\$ 425.00	\$ 425.00
079244	425	GES PROPERTY PROS LLC		\$ -	\$ 800.00	\$ 800.00
079244	425	GES PROPERTY PROS LLC		\$ -	\$ 425.00	\$ 425.00
079244	425	GES PROPERTY PROS LLC		\$ -	\$ 425.00	\$ 425.00
079244	425	GES PROPERTY PROS LLC		\$ -	\$ 425.00	\$ 425.00
079245	700	EARL GILL		\$ -	\$ 12.11	\$ 12.11
079246	GRANT	JEFFERSON DAY REPORT CNT		\$ -	\$ 30,368.85	\$ 30,368.85
079247	403	MATTHEW BENDER & CO		\$ -	\$ 142.43	\$ 142.43
079248	717	MILLER'S CHRYSLER JEEP		\$ -	\$ 52.98	\$ 52.98
079249	700	ROBERT L. PETERSON SR		\$ -	\$ 12.44	\$ 12.44
079250	P/R DED	MARK RENNER		\$ -	\$ 787.19	\$ 787.19
079251	P/R DED	RETIREE HLTH BENEFIT TRS		\$ -	\$ 6,126.00	\$ 6,126.00
079252	P/R DED	RANDALL RODRIGUEZ		\$ -	\$ 2,250.00	\$ 2,250.00
079253	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 149.00	\$ 149.00
079253	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 727.00	\$ 727.00
079253	406	SOFTWARE SYSTEMS, INC		\$ -	\$ 52.00	\$ 52.00
079253	428	SOFTWARE SYSTEMS, INC		\$ -	\$ 219.00	\$ 219.00
079254	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 113.25	\$ 113.25
079255	425	CAPITAL TRISTATE		\$ -	\$ 66.11	\$ 66.11
079255	425	CAPITAL TRISTATE		\$ -	\$ 125.71	\$ 125.71
079255	425	CAPITAL TRISTATE		\$ -	\$ 28.53	\$ 28.53
079256	425	TRENARY SERVICE CO		\$ -	\$ 385.00	\$ 385.00
079257	711	WV EMER MANAGMENT COUNCI		\$ -	\$ 50.00	\$ 50.00
079258	717	WHOLESALE TIRES, INC.		\$ -	\$ 63.90	\$ 63.90
079259	P/R DED	RUSSELL WILLIAMS		\$ -	\$ 2,250.00	\$ 2,250.00
079260	401	XEROX CORPORATION		\$ -	\$ 186.32	\$ 186.32
079260	402	XEROX CORPORATION		\$ -	\$ 377.15	\$ 377.15
079260	402	XEROX CORPORATION		\$ -	\$ 376.43	\$ 376.43
079260	402	XEROX CORPORATION		\$ -	\$ 418.83	\$ 418.83

079260	402	XEROX CORPORATION		\$ -	\$ 106.53	\$ 106.53
079260	403	XEROX CORPORATION		\$ -	\$ 227.22	\$ 227.22
079260	404	XEROX CORPORATION		\$ -	\$ 71.10	\$ 71.10
079260	405	XEROX CORPORATION		\$ -	\$ 380.80	\$ 380.80
079260	406	XEROX CORPORATION		\$ -	\$ 71.10	\$ 71.10
079260	425	XEROX CORPORATION		\$ -	\$ 106.53	\$ 106.53
079260	440	XEROX CORPORATION		\$ -	\$ 203.87	\$ 203.87
079260	440	XEROX CORPORATION		\$ -	\$ 126.42	\$ 126.42
079260	440	XEROX CORPORATION		\$ -	\$ 484.77	\$ 484.77
079260	700	XEROX CORPORATION		\$ -	\$ 337.22	\$ 337.22
079260	712	XEROX CORPORATION		\$ -	\$ 367.62	\$ 367.62
079260	716	XEROX CORPORATION		\$ -	\$ 120.57	\$ 120.57
TOTAL					\$ 61,427.47	\$ 61,427.47

Motion by Ms. Noland to approve the Accounts Payable for November 9, 2017 in the amount of \$61,427.47. Motion seconded and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
079263	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 1,421.32	\$ 1,421.32
079264	P/R DED	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
079265	P/R DED	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
079266	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
079267	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
079268	717	FLEETPRIDE		\$ -	\$ 29.81	\$ 29.81
079269	717	GUTTMAN OIL CO		\$ -	\$ 3,614.92	\$ 3,614.92
079269	717	GUTTMAN OIL CO		\$ -	\$ 3,240.01	\$ 3,240.01
079269	717	GUTTMAN OIL CO		\$ -	\$ 3,364.33	\$ 3,364.33
079269	717	GUTTMAN OIL CO		\$ -	\$ 3,126.20	\$ 3,126.20
079270	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 2,104.62	\$ 2,104.62
079271	GRANT	JEFFERSON DAY REPORT CNT		\$ -	\$ 13,114.93	\$ 13,114.93
079272	P/R DED	JEFFERSON SECURITY BANK		\$ -	\$ 5,915.00	\$ 5,915.00
079273	ALLOC	*JEFFERSON CO EMERGENCY		\$ -	\$ 225,000.00	\$ 225,000.00
079274	712	MOTOROLA INC		\$ -	\$ 458.00	\$ 458.00
079275	401	MENARD CONSULTING, INC.		\$ -	\$ 1,300.00	\$ 1,300.00
079276	P/R DED	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 543.86	\$ 543.86
079277	425	McCALL HANDLING CO	52666	\$ 5,395.25	\$ -	\$ 5,395.25
079278	P/R DED	NATIONWIDE RETIREMENT		\$ -	\$ 849.00	\$ 849.00
079279	ALLOC	JEFF CO PARKS &		\$ -	\$ 32,007.02	\$ 32,007.02
079280	402	RECORD MANAGEMENT SOLUTN		\$ -	\$ 35.00	\$ 35.00

079281	717	RICE TIRES CO		\$ -	\$ 372.88	\$ 372.88
079281	717	RICE TIRES CO		\$ -	\$ 413.12	\$ 413.12
079281	717	RICE TIRES CO		\$ -	\$ 477.84	\$ 477.84
079282	408	STATE TAX DEPARTMENT		\$ -	\$ 13,445.03	\$ 13,445.03
079283	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 11,122.22	\$ 11,122.22
079283	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 47,556.78	\$ 47,556.78
079283	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 47,013.81	\$ 47,013.81
079284	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 6,644.81	\$ 6,644.81
079284	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 9,380.92	\$ 9,380.92
079285	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 2,340.00	\$ 2,340.00
079285	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 315.00	\$ 315.00
079286	P/R DED	TRAVIS STELY		\$ -	\$ 352.13	\$ 352.13
079289	401	AMAZON		\$ -	\$ 214.98	\$ 214.98
079289	401	GOF GOVERNMENT FINANCE		\$ -	\$ 595.00	\$ 595.00
079289	401	NEOPOST MID ATLANTIC		\$ -	\$ 43.99	\$ 43.99
079289	401	SPIRIT OF JEFFERSON		\$ -	\$ 109.58	\$ 109.58
079289	402	ACORN SALES CO		\$ -	\$ 34.65	\$ 34.65
079289	402	SHOPLET		\$ -	\$ 67.80	\$ 67.80
079289	402	SPIRIT OF JEFFERSON		\$ -	\$ 179.70	\$ 179.70
079289	402	W.B. MASON		\$ -	\$ 234.04	\$ 234.04
079289	403	SHOPLET		\$ -	\$ 309.51	\$ 309.51
079289	405	EMBASSY SUITES		\$ -	\$ 110.00	\$ 110.00
079289	405	MILLERS OFFICE PRODUCTS		\$ -	\$ 104.03	\$ 104.03
079289	405	NAMEBADGE COM		\$ -	\$ 14.24	\$ 14.24
079289	405	NATIONAL DISTRICT ATTORN		\$ -	\$ 835.00	\$ 835.00
079289	405	SOUTHWEST AIRLINES		\$ -	\$ 490.46	\$ 490.46
079289	405	SPECIALTY BUSINESS SUPPL		\$ -	\$ 39.99	\$ 39.99
079289	406	NADA APPRAISAL GUIDES		\$ -	\$ 36.98	\$ 36.98
079289	406	THE OBSERVER		\$ -	\$ 95.00	\$ 95.00
079289	406	WV NET		\$ -	\$ 4.00	\$ 4.00
079289	412	COMCAST		\$ -	\$ 105.75	\$ 105.75
079289	412	DOING BETTER BUSINESS IN		\$ -	\$ 528.00	\$ 528.00
079289	412	STAPLES		\$ -	\$ 99.77	\$ 99.77
079289	412	WAL-MART		\$ -	\$ 397.99	\$ 397.99
079289	413	PANHANDLE PRINTING AND D		\$ -	\$ 521.24	\$ 521.24
079289	413	SPIRIT OF JEFFERSON		\$ -	\$ 209.40	\$ 209.40
079289	415	FRONTIER		\$ -	\$ 85.95	\$ 85.95
079289	424	CHARLES TOWN UTILITIES		\$ -	\$ 163.33	\$ 163.33
079289	424	FRONTIER		\$ -	\$ 9,992.01	\$ 9,992.01
079289	424	POTOMAC EDISON		\$ -	\$ 2,525.93	\$ 2,525.93

079289	424	84 LUMBER		\$ -	\$ 8.49	\$ 8.49
079289	425	AMAZON		\$ -	\$ 114.27	\$ 114.27
079289	425	CAPITAL TRISTATE		\$ -	\$ 1,078.17	\$ 1,078.17
079289	425	CHARLES TOWN UTILITIES		\$ -	\$ 1,455.31	\$ 1,455.31
079289	425	COMCAST		\$ -	\$ 1,024.31	\$ 1,024.31
079289	425	CRYSTAL SPRINGS		\$ -	\$ 714.29	\$ 714.29
079289	425	GRAINGER		\$ -	\$ 168.08	\$ 168.08
079289	425	INTERSTATE ALL BATTERY		\$ -	\$ 2,359.60	\$ 2,359.60
079289	425	JEFFERSON COUNTY P.S.D		\$ -	\$ 373.40	\$ 373.40
079289	425	JEFFERSON UTILITIES, INC		\$ -	\$ 860.77	\$ 860.77
079289	425	LOWES		\$ -	\$ 70.00	\$ 70.00
079289	425	MILLERS OFFICE PRODUCTS		\$ -	\$ 1,355.63	\$ 1,355.63
079289	425	PATRIOR FIRE AND SECURIT		\$ -	\$ 1,096.95	\$ 1,096.95
079289	425	POTOMAC EDISON		\$ -	\$ 25,124.97	\$ 25,124.97
079289	425	RCS SECURITY INC		\$ -	\$ 564.00	\$ 564.00
079289	425	RCS SECURITY INC		\$ -	\$ 85.00	\$ 85.00
079289	425	THE HOME DEPOT		\$ -	\$ 59.41	\$ 59.41
079289	425	THE HOME DEPOT		\$ -	\$ 77.59	\$ 77.59
079289	425	THE HOME DEPOT		\$ -	\$ 19.26	\$ 19.26
079289	425	THE HOME DEPOT		\$ -	\$ 81.88	\$ 81.88
079289	425	THOS SOMERVILLE		\$ -	\$ 29.01	\$ 29.01
079289	425	TRENARY HVAC GROUP		\$ -	\$ 7,458.00	\$ 7,458.00
079289	425	WEISS BROS OF HAGERSTOWN		\$ -	\$ 2,263.44	\$ 2,263.44
079289	425	WM WASTE MGNT		\$ -	\$ 734.49	\$ 734.49
079289	425	84 LUMBER		\$ -	\$ 17.99	\$ 17.99
079289	428	AMAZON		\$ -	\$ 741.98	\$ 741.98
079289	428	AMAZON		\$ -	\$ 25.55	\$ 25.55
079289	428	AMAZON		\$ -	\$ 199.37	\$ 199.37
079289	428	CLEVERBRIDGE INC		\$ -	\$ 99.95	\$ 99.95
079289	428	DELL		\$ -	\$ 5,258.88	\$ 5,258.88
079289	428	OFFICE DEPOT		\$ -	\$ 854.87	\$ 854.87
079289	428	OFFICE DEPOT		\$ -	\$ 34.13	\$ 34.13
079289	428	OFFICE DEPOT		\$ -	\$ 212.34	\$ 212.34
079289	428	OFFICE DEPOT		\$ -	\$ 361.98	\$ 361.98
079289	428	TEXTEDLY COM		\$ -	\$ 20.00	\$ 20.00
079289	428	WWW.NEWEGG.COM		\$ -	\$ 299.98	\$ 299.98
079289	440	AMERICAN SOC CIVIL ENGIN		\$ -	\$ 99.00	\$ 99.00
079289	440	INTL CODE COUNCIL INC		\$ -	\$ 339.00	\$ 339.00
079289	440	SPIRIT OF JEFFERSON		\$ -	\$ 130.90	\$ 130.90
079289	440	THE BUSINESS CENTER		\$ -	\$ 17.98	\$ 17.98

079289	440	THE HOME DEPOT		\$ -	\$ 41.25	\$ 41.25
079289	700	AMAZON		\$ -	\$ 345.54	\$ 345.54
079289	700	COMFORT INN		\$ -	\$ 750.60	\$ 750.60
079289	700	HARPERS FERRY ARMORY		\$ -	\$ 100.00	\$ 100.00
079289	700	JEFFERSON URGENT CARE		\$ -	\$ 600.00	\$ 600.00
079289	700	MORGANTOWN PRINTING		\$ -	\$ 173.00	\$ 173.00
079289	700	RAY ALLEN MANUFACTURING		\$ -	\$ 22.59	\$ 22.59
079289	700	SLEEP INN		\$ -	\$ 98.10	\$ 98.10
079289	700	TRIJICON, INC		\$ -	\$ 192.50	\$ 192.50
079289	700	USPS US POSTAL SERVICE		\$ -	\$ 23.68	\$ 23.68
079289	701	SMART SIGN		\$ -	\$ 45.93	\$ 45.93
079289	711	CAMP DAWSON MWR		\$ -	\$ 165.00	\$ 165.00
079289	712	CAMP DAWSON MWR		\$ -	\$ 165.00	\$ 165.00
079289	712	DOLLAR TREE		\$ -	\$ 18.00	\$ 18.00
079289	712	FRONTIER		\$ -	\$ 5,099.85	\$ 5,099.85
079289	712	MEDICAL PRIORITY CONSULT		\$ -	\$ 730.00	\$ 730.00
079289	712	NENA		\$ -	\$ 137.00	\$ 137.00
079289	716	DAYS END FARM HORSE RESC		\$ -	\$ 20.00	\$ 20.00
079289	716	SIR SPEEDY PRINTING		\$ -	\$ 11.18	\$ 11.18
079289	716	VALLEY EQUINE ASSOC.		\$ -	\$ 92.00	\$ 92.00
079289	716	WV BOARD OF VETERINARY M		\$ -	\$ 50.00	\$ 50.00
079289	716	WV BOARD OF VETERINARY M		\$ -	\$ 50.00	\$ 50.00
079289	716	WV BOARD OF VETERINARY M		\$ -	\$ 50.00	\$ 50.00
079289	717	FISHER AUTO PARTS		\$ -	\$ 893.57	\$ 893.57
079289	717	HAGERSTOWN FORD		\$ -	\$ 250.77	\$ 250.77
079289	717	INTERSTATE ALL BATTERY		\$ -	\$ 483.90	\$ 483.90
079289	717	S&S MOTORS - NAPA PARTS		\$ -	\$ 1,325.04	\$ 1,325.04
079289	717	THE HOME DEPOT		\$ -	\$ 43.49	\$ 43.49
079289	717	VITAL SIGNS PLUS		\$ -	\$ 65.00	\$ 65.00
079290	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 35,532.96	\$ 35,532.96
079291	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 28,787.02	\$ 28,787.02
079291	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 11,776.56	\$ 11,776.56
079291	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 4,431.51	\$ 4,431.51
079291	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 2,417.17	\$ 2,417.17
079292	412	EMILY WELLS		\$ -	\$ 369.83	\$ 369.83
079293	P/R DED	CONNIE WEISS		\$ -	\$ 2,250.00	\$ 2,250.00
TOTAL						\$ 613,443.63
TOTAL				\$ 5,395.25	\$ 608,048.38	\$ 613,443.63

Motion by Ms. Tabb to approve the Accounts Payable for November 16, 2017 in the amount of \$613,443.63. Motion seconded and unanimously approved.

MANUAL CHECKS

Motion by Ms. Tabb to approve the Manual Checks for November 10, 2017 in the amount of \$214,022.02. Motion seconded and unanimously approved.

HOME DETETION			
008			
Date	Check #	VENDOR	Amount
11/17/17	585	SHERIFF OF JEFF CO	\$ 1,275.00
ASSESSOR VALUATION			
056			
Date	Check #	VENDOR	Amount
11/17/17	655	WV SOCIETY OF PROF SURVEYORS	\$ 25.00
11/17/17	656	NADA GUIDES	\$ 1,620.00
SHERIFF C/O			
246			
Date	Check #	VENDOR	Amount
11/17/2017	1654	ELECTRONIC COMM OF WV	\$ 11,092.90
TOTAL			\$ 14,012.90

Motion by Ms. Noland to approve the Manual Checks for November 17, 2017 in the amount of \$14,012.90. Motion seconded and unanimously approved.

PUBLIC COMMENT:

Bill Kerrigan, resident – voiced concern over the Commission’s process of decision making regarding the Confederate plaque on the Courthouse and stated it’s the Commission’s responsibility to listen, seek compromise, and mediate conflict within the community.

Linda Ballard, Martinsburg resident and concerned citizen – expressed her concern over the Ordinance to “preserve and protect” the historical monuments and markers in Jefferson County, stating the Commission has exposed its own “hatred and racism” with the passing of such an ordinance.

David Tabb, resident – stated again that he is “enslaved” by the government, particularly the County Commission, because he believes he has not had his day in court.

Jane Wagner, resident – stated she was disappointed to witness a “lack of attention to serious thought and comments” made by citizens during the November 2, 2017 County Commission in regards to the Confederate plaque outside of the Courthouse.

PRESENTATIONS

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

NAME	TYPE	DISTRICT	TICKET #	AMOUNT
Thomas Clatterbuck	PP	Middleway	311548	\$61.08

- **Motion by Ms. Tabb to approve the Exoneration for Ticket #311548 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET #	AMOUNT
Charles W. Redmond	PP	Middleway	312732	\$122.16

- **Motion by Ms. Noland to approve the Exoneration for Ticket #312732 as presented by the Assessor. Motion seconded and unanimously approved.**
2. Sheena R. Moore, West Virginia Department of Environmental Protection – requested the Commission to enact an enforceable groundwater use restriction ordinance.
 - Ms. Moore was informed by the Commission and counsel that she needed to approach the cities of Charles Town and Ranson regarding her request for an enforceable groundwater use restriction ordinance since her areas of concern were located within the city limits of those municipalities.
 3. Jada Bennett, West Virginia University Extension Service – requested approval to hire a secretary for the Extension Service.
 - **Motion by Ms. Tabb to approve the hire of Amanda Masters as secretary for the WVU Extension Service at a Step II, Grade A. Motion seconded and unanimously approved.**
 4. Annette Gavin, Director, Jefferson County Convention and Visitor’s Bureau – requested a waiver of all anticipated fees and bonding associated with the expansion of the Visitor Center in Harpers Ferry.
 - **Motion by Noland to approve the waiver of any fees and bonding associated with the build out of the Visitor Center in Harpers Ferry. Motion seconded and unanimously approved.**
 5. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
 6. Lynn Fields, Probate
 - a. Objection to Disbursement for Settlement and Petition to Remove the Administrator, Estate of Marcel Richard Tessier, deceased.
 - **Motion by Mr. Onoszko to refer the matter to David DeJarnett, Fiduciary Commission, for a hearing. Motion seconded and unanimously approved.**
 - b. Approval of Findings and Recommendations Upon Claims by Martin E. Durst and Michael H. Durst

- a. Complete release of Irrevocable Letter of Credit #680099142 with Bank of America, N.A., Scranton, PA construction bond security for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phase 1 & 2 (Files #00-33 & #05-26) which has been re-secured with Irrevocable Letter of Credit #70002746 with Sun Trust Bank, Vienna, VA
 - **Motion by Ms. Tabb to authorize a complete release of Irrevocable Letter of Credit #680099142 with Bank of America in the amount of \$747,264.00 construction bond amount for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26). Motion seconded and unanimously approved.**
 - b. Partial release of Irrevocable Letter of Credit #7000276 with Sun Trust Bank, Vienna, VA construction bond security for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26)
 - **Motion by Ms. Tabb to authorize a partial release of \$445,344.00 from the construction bond agreement with SunTrust Bank for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26). Motion seconded and unanimously approved.**
11. Jefferson County Development Authority Board of Directors – approval of Resolution for the Local Economic Development Grant Program
- **Motion by Mr. Onoszko to approve the Resolution of Support for the Jefferson County Development Authority’s applications for the Local Economic Development (LED) grant of \$21,185.00 from the WV Development Office. Motion seconded and unanimously approved.**
12. The Commission recessed for lunch at 12:30 pm.
The Commission reconvened at 1:30 pm.
13. Decision on the proposed Zoning Map Amendment for Rankin Properties, LLC, designated as Tax District Shepherdstown (9), Map 8, Parcel 8.1 – Rankin Properties, LLC. The property is currently zoned residential growth and a request has been made by the property owner to change to General Commercial zoning category as supported by the Envision Jefferson 2035 Comprehensive Plan – Public Hearing was held on November 2, 2017
- Paul J. Raco, land use consultant for Rankin Properties, LLC, provided a rebuttal to the public comment received in opposition to the rezoning request, noting that the request is consistent and compatible with the Envision Jefferson 2035 Comprehensive Plan.

- **Motion by Ms. Noland to approve the rezoning request for Rankin Properties, LLC as presented as the request to rezone the property from “Residential Growth” to “General Commercial” is consistent and compatible with the Envision Jefferson Comprehensive Plan. Motion seconded and unanimously approved.**

14. Acknowledgement of the “Assessor’s Additional Duties: as delineated in WV Code 7-7-6a in the amount of \$15,000.

- **Motion by Ms. Noland to acknowledge the satisfactory completion of the “Assessor’s Additional Duties as delineated in WV Code 7-7-6a in the amount of \$15,000. Motion seconded and unanimously approved.**

15. Approval of the 2018 Holiday Schedule

- **Motion by Mr. Onoszko to approve the 2018 Holiday Schedule as presented. Motion seconded and unanimously approved.**

16. Nathan Cochran, Assistant Prosecuting Attorney

-Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues

- Discussion of EEOC Claim #553-2017-00706

- Discussion of US Supreme Court Case No. 17M63 re: WV Supreme Court of Appeals Case #16-0533

- **Motion by Mr. Onoszko to enter into Executive Session to receive legal advice and discuss pending litigation. Motion seconded and unanimously approved.**
- **Motion by Mr. Onoszko to come out of Executive Session. Motion seconded and unanimously approved.**
- **Motion by Mr. Onoszko to direct Mr. Cochran, Assistant Prosecuting Attorney, to file the appropriate documents regarding EEOC Claim #533-2017-00706 and authorize the signature of the documents. Motion seconded and unanimously approve.**
- **Motion by Mr. Onoszko to file a waiver with the Supreme Court of the United States regarding WV Supreme Court of Appeals Case No. 16-0533. Motion seconded and unanimously approved.**

- Discussion regarding opioid litigation and related issues
- Review Resolution on Opioid Epidemic
 - **Motion by Mr. Onoszko to enter into Executive Session to discuss potential litigation. Motion seconded and unanimously approved.**
 - **Motion by Mr. Noland to come out of Executive Session. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to adopt the Resolution on the Opioid epidemic. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

- Update on Communications Center Outage - Ms. Grove stated she was working with the Communications, IT, and Maintenance department heads to draft a report on the Communications Center outage which she would be sharing with Commission at a later date and stated that \$26,000.00 was needed to rectify the situation, \$10,932.40 of which had been approved in the morning's purchase orders for batteries, fans, and a capacitor to ensure proper operation of Communications center.
- Discussion of Hunter House Security
 - **Motion by Ms. Noland to enter into Executive Session to discuss matter of county security. Motion seconded and unanimously approved.**
 - **Motion by Mr. Onoszko to come out of Executive Session. Motion seconded and unanimously approved.**

Upcoming Dates – Ms. Grove reminded the Commission of two upcoming dates in December, stating Barbara Miller's retirement party would take place on Wednesday, December 13 and the Employee Holiday Luncheon would be taking place on Tuesday, December 19.

17. There being no further business, motion by Ms. Noland to adjourn at 2:58 pm. Motion seconded and unanimously approved.

PETER ONOSZKO, PRESIDENT

Respectfully Submitted
Jessica D. Carroll
Administrative Assistant