

Minutes

Jefferson County Commission

Thursday, February 1, 2018

A meeting of the Jefferson County Commission was held on Thursday, February 1, 2018 during the first quarterly session 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 Jacqueline Shadle, County Clerk; Sandy McDonald, Deputy County Administrator; Jessica Carroll, Executive Administrative Assistant; and Jim Eddy, Bailiff. (An audio tape of the Thursday, February 1, 2018 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Compton led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the January 18, 2018 Regular Meeting Minutes as presented/amended. Motion seconded and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Mr. Onoszko to approve the Purchase Orders for February 1, 2018 to include Purchase Order No. 48582 in the amount of \$61,978.00. Motion seconded and unanimously approved.

PAYROLL APPROVAL

Motion by Ms. Tabb to approve the Payroll for January 25, 2018 in the amount of \$254,473.66. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
079562	P/R DED	AMERICAN FAMILY LIFE ICU		\$ -	\$ 3,960.66	\$ 3,960.66
079563	715	AVALANCHE SERVICES		\$ -	\$ 838.00	\$ 838.00
079564	P/R DED	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
079565	412	APRIL BLAKER		\$ -	\$ 25.83	\$ 25.83
079566	P/R DED	BUREAU F/CHILD SPprt ENF		\$ -	\$ 212.31	\$ 212.31
079567	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
079568	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
079569	P/R DED	COLONIAL LIFE		\$ -	\$ 205.10	\$ 205.10
079570	P/R DED	CHARLES TOWN GNRL HOSPITA		\$ -	\$ 252.56	\$ 252.56
079571	700	FEDEX		\$ -	\$ 15.57	\$ 15.57
079572	401	FRANKLIN & PROKOPIK CORP		\$ -	\$ 1,926.00	\$ 1,926.00
079572	401	FRANKLIN & PROKOPIK CORP		\$ -	\$ 5,670.00	\$ 5,670.00
079573	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 20,881.95	\$ 20,881.95
079574	403	JEFFERSON CENTER		\$ -	\$ 100.00	\$ 100.00
079575	425	JEFFERSON COUNTY SOLID		\$ -	\$ 79.00	\$ 79.00
079576	P/R DED	JANE JONES		\$ -	\$ 4,500.00	\$ 4,500.00
079577	712	ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
079578	P/R DED	JEFFERSON SECURITY BANK		\$ -	\$ 5,260.00	\$ 5,260.00
079579	712	LANGUAGE LINE SERVICES		\$ -	\$ 147.94	\$ 147.94
079580	P/R DED	RYAN MILBOURNE		\$ -	\$ 1,760.24	\$ 1,760.24
079581	P/R DED	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 543.86	\$ 543.86
079582	P/R DED	MILLENIUUM INSURANCE GROU		\$ -	\$ 750.00	\$ 750.00
079583	412	AMANDA MASTERS		\$ -	\$ 16.90	\$ 16.90
079584	P/R DED	NATIONWIDE RETIREMENT		\$ -	\$ 849.00	\$ 849.00
079585	700	WILLIAM POTTER		\$ -	\$ 24.84	\$ 24.84

079586	P/R DED	LAURA STORM		\$ -	\$ 732.94	\$ 732.94
079587	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 4.84	\$ 4.84
079587	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.14	\$ 1.14
079587	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 45,673.82	\$ 45,673.82
079587	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,682.00	\$ 10,682.00
079587	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 2.58	\$ 2.58
079587	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 35,044.17	\$ 35,044.17
079588	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.75	\$ 1.75
079588	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 1,162.44	\$ 1,162.44
079588	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 33,613.42	\$ 33,613.42
079589	425	SHERWIN-WILLIAMS		\$ -	\$ 35.08	\$ 35.08
079590	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 9,295.81	\$ 9,295.81
079590	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 6,584.53	\$ 6,584.53
079591	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 315.00	\$ 315.00
079591	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 2,355.00	\$ 2,355.00
079592	425	TML- A XEROX CO.		\$ -	\$ 474.24	\$ 474.24
079593	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 11,069.14	\$ 11,069.14
079593	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 4,248.37	\$ 4,248.37
079593	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 2,317.27	\$ 2,317.27
079593	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 27,057.73	\$ 27,057.73
079593	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 1.92	\$ 1.92
079593	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 4.69	\$ 4.69
079594	700	WV PUBLIC SAFETY EQUIP L	48579	\$ 21,785.19	\$ -	\$ 21,785.19
079594	700	WV PUBLIC SAFETY EQUIP L	48579	\$ 20,144.83	\$ -	\$ 20,144.83
079595	440	XEROX CORPORATION		\$ -	\$ 535.93	\$ 535.93
TOTAL						\$ 282,794.52
TOTAL				\$ 41,930.02	\$ 240,864.50	\$ 282,794.52

Motion by Ms. Tabb to approve the Accounts Payable for January 25, 2018 in the amount of \$282,794.52. Motion seconded and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
079597	712	AT&T/GA		\$ -	\$ 71.51	\$ 71.51
079598	406	BERKELEY PRINTING&DESIGN		\$ -	\$ 1,337.50	\$ 1,337.50
079599	406	ANGELA L BANKS		\$ -	\$ 85.00	\$ 85.00
079600	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
079601	P/R DED	DELTA DENTAL OF WV		\$ -	\$ 6,314.03	\$ 6,314.03
079602	717	FLEETPRIDE		\$ -	\$ 102.96	\$ 102.96
079603	700	FORREST RICHARD FEAGANS		\$ -	\$ 10.80	\$ 10.80
079604	424	GLOBALSTAR USA		\$ -	\$ 1,978.67	\$ 1,978.67
079605	412	GREATAMERICA FINANCL SVC		\$ -	\$ 315.64	\$ 315.64
079606	425	G & TRIPLE T. LLC		\$ -	\$ 45.00	\$ 45.00
079607	P/R DED	THE HARTFORD		\$ -	\$ 2,355.85	\$ 2,355.85
079607	P/R DED	THE HARTFORD		\$ -	\$ 4,076.54	\$ 4,076.54
079608	P/R DED	HIGHMARK WV		\$ -	\$ 184,895.16	\$ 184,895.16
079609	717	MILLER'S CHRYSLER JEEP		\$ -	\$ 867.62	\$ 867.62
079610	P/R DED	NATIONAL VISION ADMIN.		\$ -	\$ 1,757.62	\$ 1,757.62
079611	405	SPECIALTY BUS SUPPLIES		\$ -	\$ 34.99	\$ 34.99
079612	704	WV REGIONAL JAIL &		\$ -	\$ 136,065.00	\$ 136,065.00
079613	402	JACQUELINE SHADLE		\$ -	\$ 65.00	\$ 65.00
079614	425	CAPITAL TRISTATE		\$ -	\$ 423.64	\$ 423.64
079615	425	TRENARY SERVICE CO		\$ -	\$ 200.00	\$ 200.00
079616	405	THOMSON REUTER - WEST		\$ -	\$ 423.00	\$ 423.00
079616	405	THOMSON REUTER - WEST		\$ -	\$ 1,255.50	\$ 1,255.50
TOTAL					\$ 344,181.03	\$ 344,181.03

Motion by Ms. Noland to approve the Accounts Payable for February 1, 2018 in the amount of \$344,181.03. Motion seconded and unanimously approved.

MANUAL CHECKS

SHERIFF C/O			
246			
Date	Check #	VENDOR	Amount
1/26/2018	1667	SWAB WAGON CO INC.	\$ 13,295.00
TOTAL			\$ 13,295.00

Motion by Ms. Noland to approve the Manual Checks for January 26, 2018 in the amount of \$13,295.00. Motion seconded and unanimously approved.

ASSESSOR VALUATION			
O56			
Date	Check #	VENDOR	Amount
2/2/2018	663	UNITED BANKCARD CENTER	\$ 133.00
2/2/2018	664	BERKELEY PRINTING & DESIGN	\$ 3,497.00
SHERIFF C/O			
246			
Date	Check #	VENDOR	Amount
2/2/2018	1668	PATRIOT FIRE & SECURITY LLC	\$ 6,485.00
2/2/2018	1669	VALLEY SHADE & SHUTTER	\$ 5,410.00
TOTAL			\$ 15,525.00

Motion by Mr. Onoszko to approve the Manual Checks for February 2, 2018 in the amount of 15,525.00 Motion seconded and unanimously approved.

PUBLIC COMMENT

Susan Pipes, resident – made comments regarding the Jefferson County Public Smoking Regulation in reference to Commissioner Onoszko, claiming he lit a cigarette in the hallway of

the County Commission meeting room during the January 18, 2018 County Commission meeting.

Eleanor Finn, resident – urged the Commission to be aware of the importance of the Jefferson County ambulance fee when considering the FY19 budget discussions.

David Tabb, resident – expressed his frustrations with the Commission, stating “if you think I’m fooling around, the time has come.”

PRESENTATIONS

1. Peter Dougherty, Sheriff

- a. Review and approval of the Cooperative Law Enforcement Agreement with Harpers Ferry Job Corps

- **Motion by Ms. Tabb to approve the Cooperative Law Enforcement Agreement between the Jefferson County Sheriff’s Office and Harpers Ferry Job Corps and authorize the President of the Commission to affix his signature on the appropriate documents. Motion seconded and unanimously approved.**

- b. Bailiffs

- **Motion by Mr. Compton to allow bailiffs Charles Fields and Forrest Fagans to work more than 1000 hours per year as court security officers to be paid an hourly rate and receive modest leave benefits but neither will receive health care as both have waived such. Motion seconded and unanimously approved.**

2. Summit Point Ventures, LLC/ Chad Wallen of GORDON – requested a Zoning Map Amendment for Summit Point Ventures, LLC to request a public hearing and referral to the Planning Commission to review zoning amendment request for the 3.5 acre property identified in the Kabletown District, on Map 17 as Parcel 2.3.

- **Motion by Ms. Noland to accept the Zoning Map Amendment Request, refer to the Planning Commission for review of Comprehensive Plan consistency and to schedule a public hearing before the County Commission on March 15, 2018 at 7:00 pm. Motion seconded and unanimously approved.**

3. Eric and Linda Pritchard, residents – request the Commission endorse Senate Bill 242 to require health insurance providers to provide coverage for long-term antibiotic therapy for patients with Lyme disease.
 - **Motion by Ms. Noland to endorse Senate Bill 242 to amend the Code of West Virginia relating to requiring health insurance providers to provide coverage for long-term antibiotic therapy for patients with Lyme disease. Motion seconded and unanimously approved.**
4. Interviews and Appointments to the following boards, commissions, committees:
 - a. Eastern Panhandle Transit Authority – one three-year term ending January 31, 2021
 - **Motion by Mr. Onoszko to reappoint Joy Lewis to the Eastern Panhandle Transit Authority Board for one three-year term ending January 31, 2021. Motion seconded and unanimously approved.**
 - Doug Pixler, Director of the EPTA, notified the Commission that the EPTA board is currently at ten members but can have up to fifteen. He recommended appointing both applicants to the board; the Commission agreed with Mr. Pixler’s recommendation but stated staff would need to re-advertise the position per the County’s policy.
 - b. Jefferson County Emergency Services Agency Board – one unexpired term ending June 30, 2019 – there were no applicants for this position.
 - c. North Eastern Regional EMS Board, Inc – one unexpired term ending October 31, 2019
 - **Motion by Mr. Compton to appoint Craig Horn to the NEREMS, Inc. Board for one unexpired term ending October 31, 2019. Motion seconded and unanimously approved.**
5. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
6. Roger Goodwin, Chief County Engineer – requested a partial bond release for Arcland Property Company, LLC – Waffle House (File #S17-02)
 - **Motion by Ms. Noland to authorize a partial release of Irrevocable Letter of Credit #107043867-4401 with United Bank in the amount of \$79,252.00 construction bond amount for Arcland Property**

Company, LLC – Waffle House (File #S17-02). Motion seconded and unanimously approved.

7. Stephen S. Allen, Director, Jefferson County Homeland Security and Emergency Management – requested approval and action on recommendation of successful bidder for Jefferson County Multi-Jurisdictional All Hazards Mitigation Plan
 - **Motion by Ms. Noland to approve the recommendation of the selection committee and direct the Commission President to sign the contract to have JH Consulting complete the Jefferson County Multi-Jurisdictional All Hazards Mitigation Plan Update. Motion seconded and unanimously approved.**

8. **Bill Polk, Director, Jefferson County Maintenance Department**
 - a. Requested approval of Employment for vacant Custodial/Janitorial Position
 - **Motion by Ms. Tabb to approve the employment of Amanda Ring for the custodial/janitorial position that is open in the Maintenance Department at a Grade 2, Step A at an annual salary of \$31,048.21. Motion seconded and unanimously approved.**

 - b. Requested approval of Judicial Elevator Upgrade proposal from Kone Elevators
 - It was the consensus of the Commission to postpone action on this item until the next regularly scheduled meeting.

9. Nathan Cochran, Assistant Prosecuting Attorney
 - Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues - Discussion/Action - Possible Executive Session

 - Discussion of Jefferson County Civil Action #17-C-282 - Discussion/Action - Possible Executive Session

 - Report regarding ambulance fee donations - Discussion/Action

 - Security issues for Hunter House - Discussion/Action - Possible Executive Session

 - FLSA issues regarding ESA Employees - Discussion/Action - Possible Executive Session

 - Renewal of Comcast franchise agreement and related issues - Discussion/Action Possible Executive Session

- **Motion by Ms. Noland to enter into Executive Session to discuss PSD dissolution, appeal/intervention of the PSC decision, acquisition of PSD assets & relates issues; Jefferson County Civil Action #17-C-282; report regarding ambulance fee donations; security issues for Hunter House; FLSA issues regarding ESA employees; and the renewal of the Comcast franchise agreement and related issues. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to authorize counsel to respond to Jefferson County Civil Action 17-C-282; pursue an Ethics Commission question regarding ambulance fee donation; authorize Mr. Polk to research options regarding Hunter House security; authorize Mr. Cochran to continue to research FLSA issues for the Emergency Services Agency; and authorize Mr. Cochran to engage in a five-year audit of the Comcast franchise agreement. Motion seconded and unanimously approved.**

UNFINISHED BUSINESS

10. 911 Center Outage - Discussion/Action - Possible Executive Session - it was the consensus of the Commission to postpone further discussion of this item until Ms. Grove, County Administrator, could be present.
- Discuss County Courthouse conditions and issues that need to be addressed - Discussion/Action - Possible Executive Session – Mr. Polk and the Commission discussed options for addressing the pigeons that roost in the eaves of Courthouse.

NEW BUSINESS

- Legislative Issues
- Decision - Proposed text amendments to the Jefferson County Subdivision and Land Development Regulations, File #STA16-01 - Public Hearing held January 18, 2018 - Discussion/Action
 - **Motion by Ms. Tabb to approve the proposed text amendments to the Jefferson County Subdivision and Land Development Regulations, File #STA16-01 as presented. Motion seconded and unanimously approved.**

14. The Commission meeting was adjourned at 12:32 pm on a motion by Ms. Noland. Motion was seconded and unanimously approved.

JOSHUA COMPTON, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant

