

## Minutes

### Jefferson County Commission

Thursday, March 29, 2018

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A meeting of the Jefferson County Commission was held on Thursday, March 29, 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 Stephanie Grove, County Administrator; Jessica Carroll, Executive Administrative Assistant; and Jim Eddy, Bailiff. (An audio tape of the Thursday, March 29, 2018 meeting is available through the Jefferson County Commission Office.)

#### PLEDGE OF ALLEGIANCE

Commissioner Hudson led the Pledge of Allegiance.

#### APPROVAL OF MINUTES

**Motion by Ms. Noland to approve the March 15, 2018 Regular Meeting Minutes with noted corrections. Motion seconded and unanimously approved.**

#### APPROVAL OF PURCHASE ORDERS

**Motion by Ms. Tabb to approve the Purchase Orders for March 29, 2018 to include Purchase Order No. 48583 in the amount of \$44,190.00. Motion seconded and unanimously approved.**

#### APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
079792	P/R DED	AMERICAN FAMILY LIFE ICU		\$ -	\$ 4,040.10	\$ 4,040.10
079793	717	ADVANCE AUTO PARTS		\$ -	\$ 191.64	\$ 191.64

079794	406	ANGELA L BANKS		\$ -	\$ 27.56	\$ 27.56
079795	424	BOLAND SERVICES		\$ -	\$ 270.00	\$ 270.00
079795	425	BOLAND SERVICES		\$ -	\$ 166.00	\$ 166.00
079795	425	BOLAND SERVICES		\$ -	\$ 125.00	\$ 125.00
079795	425	BOLAND SERVICES		\$ -	\$ 290.00	\$ 290.00
079795	425	BOLAND SERVICES		\$ -	\$ 1,003.00	\$ 1,003.00
079795	425	BOLAND SERVICES		\$ -	\$ 136.00	\$ 136.00
079796	P/R DED	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
079797	412	JADA BENNETT		\$ -	\$ 306.85	\$ 306.85
079798	P/R DED	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
079799	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
079800	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
079801	404	CASTO & HARRIS INC		\$ -	\$ 2,102.50	\$ 2,102.50
079801	413	CASTO & HARRIS INC		\$ -	\$ 303.83	\$ 303.83
079802	717	CREAMERS WRECKER SVC		\$ -	\$ 289.00	\$ 289.00
079803	P/R DED	COLONIAL LIFE		\$ -	\$ 205.10	\$ 205.10
079804	P/R DED	JESSICA CARROLL		\$ -	\$ 1,294.36	\$ 1,294.36
079805	P/R DED	CHARLES TOWN GNRL HOSPITA		\$ -	\$ 252.56	\$ 252.56
079806	413	ESS ELECTION SYSTEMS &	52493	\$ 44,241.00	\$ -	\$ 44,241.00
079807	700	FEDEX		\$ -	\$ 45.18	\$ 45.18
079808	401	FRANKLIN & PROKOPIK CORP		\$ -	\$ 112.50	\$ 112.50
079809	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 32,184.92	\$ 32,184.92
079810	P/R DED	JEFFERSON SECURITY BANK		\$ -	\$ 5,300.00	\$ 5,300.00
079811	712	LANGUAGE LINE SERVICES		\$ -	\$ 30.55	\$ 30.55
079812	P/R DED	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 543.86	\$ 543.86
079813	P/R DED	NATIONWIDE RETIREMENT		\$ -	\$ 849.00	\$ 849.00
079814	440	PROFESSIONAL APPRAISL CR		\$ -	\$ 2,500.00	\$ 2,500.00
079815	408	STATE TAX DEPARTMENT		\$ -	\$ 9,899.91	\$ 9,899.91

079816	704	WV REGIONAL JAIL &		\$ -	\$ 134,665.75	\$ 134,665.75
079817	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 11,046.56	\$ 11,046.56
079817	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.94	\$ 1.94
079817	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 0.46	\$ 0.46
079817	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 47,233.46	\$ 47,233.46
079817	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 36,643.48	\$ 36,643.48
079817	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.02	\$ 1.02
079818	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 530.76	\$ 530.76
079818	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 1,178.90	\$ 1,178.90
079818	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 0.70	\$ 0.70
079818	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 33,536.77	\$ 33,536.77
079819	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 9,366.14	\$ 9,366.14
079819	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 6,634.38	\$ 6,634.38
079820	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 215.00	\$ 215.00
079820	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 2,255.00	\$ 2,255.00
079821	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 5,060.59	\$ 5,060.59
079821	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 2,760.30	\$ 2,760.30
079821	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 27,120.66	\$ 27,120.66
079821	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 0.77	\$ 0.77
079821	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 1.88	\$ 1.88
079821	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 11,094.87	\$ 11,094.87
079822	700	WV PUBLIC SAFETY EQUIP L	48581	\$ 9,910.00	\$ -	\$ 9,910.00
<b>TOTAL</b>						<b>\$ 446,813.05</b>
<b>TOTAL</b>				<b>\$ 54,151.00</b>	<b>\$ 392,662.05</b>	<b>\$ 446,813.05</b>

**Motion by Ms. Noland to approve the Accounts Payable for March 22, 2018 in the amount of \$446,813.05. Motion seconded and unanimously approved.**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
079824	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 850.09	\$ 850.09
079825	P/R DED	ANGELA L BANKS		\$ -	\$ 2,250.00	\$ 2,250.00
079826	717	MERIDITH R BLACKFORD		\$ -	\$ 4.84	\$ 4.84
079827	402	CLERK OF CO. COMMSSION		\$ -	\$ 30.40	\$ 30.40
079828	405	CROCK-HAMRICK REPORTING		\$ -	\$ 257.90	\$ 257.90
079829	P/R DED	DELTA DENTAL OF WV		\$ -	\$ 6,384.07	\$ 6,384.07
079830	403	SHAYNA MASON		\$ -	\$ 17.44	\$ 17.44
079831	412	GREATAMERICA FINANCL SVC		\$ -	\$ 315.64	\$ 315.64
079832	425	G & TRIPLE T. LLC		\$ -	\$ 90.00	\$ 90.00
079833	700	EARL GILL		\$ -	\$ 7.71	\$ 7.71
079834	P/R DED	ALBERT HOCKMAN		\$ -	\$ 2,250.00	\$ 2,250.00
079835	P/R DED	THE HARTFORD		\$ -	\$ 4,166.80	\$ 4,166.80
079835	P/R DED	THE HARTFORD		\$ -	\$ 2,419.35	\$ 2,419.35
079836	403	JEFFERSON CENTER		\$ -	\$ 100.00	\$ 100.00
079837	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 1,258.76	\$ 1,258.76
079838	712	ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
079839	ALLOC	*JEFFERSON CO EMERGENCY		\$ -	\$ 175,000.00	\$ 175,000.00
079840	P/R DED	MAZZITTI & SULLIVAN EAP		\$ -	\$ 936.00	\$ 936.00
079841	P/R DED	HIGHMARK WV		\$ -	\$ 188,497.02	\$ 188,497.02
079842	717	MILLER'S CHRYSLER JEEP		\$ -	\$ 241.26	\$ 241.26
079843	P/R DED	MILLENIUUM INSURANCE GROU		\$ -	\$ 750.00	\$ 750.00
079844	406	NATIONAL BAND & TAG CO		\$ -	\$ 1,700.00	\$ 1,700.00
079845	P/R DED	NATIONAL VISION ADMIN.		\$ -	\$ 1,781.54	\$ 1,781.54
079846	ALLOC	JEFF CO PARKS &		\$ -	\$ 19,143.28	\$ 19,143.28
079847	425	PATRIOT FIRE AND SECURIT		\$ -	\$ 170.00	\$ 170.00
079848	700	ROBERT L. PETERSON SR		\$ -	\$ 5.60	\$ 5.60
079849	P/R DED	HOPE THOMPSON		\$ -	\$ 492.57	\$ 492.57
079850	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 21,252.13	\$ 21,252.13
079851	P/R DED	WVCORP		\$ -	\$ 38,358.00	\$ 38,358.00
079852	404	W.B. MASON CO. INC		\$ -	\$ 71.59	\$ 71.59
<b>TOTAL</b>					<b>\$ 469,801.99</b>	<b>\$ 469,801.99</b>

**Motion by Ms. Tabb to approve the Accounts Payable for March 29, 2018 in the amount of \$469,801.99. Motion seconded and unanimously approved.**

## MANUAL CHECKS

<b>COAL SEVERANCE</b>			
<b>002</b>			
Date	Check #	VENDOR	Amount
3/30/2018	456	<b>LEWIS CO. CIRCUIT CLERK</b>	\$ 52.14
<b>ASSESSOR VALUATION</b>			
<b>056</b>			
Date	Check #	VENDOR	Amount
3/30/2018	672	<b>MILLER'S SUPPLIES AT WORK</b>	\$ 1,343.00
3/30/2018	673	<b>MARSHALL &amp; SWIFT/BOECKH</b>	\$ 2,004.15
3/30/2018	674	<b>AWVA</b>	\$ 525.00
3/30/2018	675	<b>WVAGP</b>	\$ 90.00
<b>TOTAL</b>			<b>\$ 4,014.29</b>

**Motion by Mr. Onoszko to approve the Manual Checks for March 30, 2018 in the amount of \$4,014.29. Motion seconded and unanimously approved.**

## PUBLIC COMMENT

David Tabb, resident – stated he was unhappy that the Commission ignored his requests to have Commissioner Noland removed from the room while he provided public comment. Mr. Tabb also stated he has yet to receive official copies of the Supreme Court opinion upholding the sanctions against him, but he does not apologize for the “harassment” of the County Commission since the Commission has “tried to beat (me) down for the point (I) will quit.”

Eleanor Finn, resident and member of the League of Women Voters – commended the Commission for their efforts to clarify the Meeting Session Policy and Public Comment protocol. Ms. Finn also requested the Commission select a date for “Meet Your Commissioners.”

Daniel Roland – stated he believes the ESA Director position should be open to all applicants, not just current internal employees. Mr. Roland also stated the current interim director, Allen Keyser, does not have his EMT or paramedic certifications in the state of West Virginia.

## PRESENTATIONS

1. Peter Dougherty, Sheriff – requested the approval of the Court Security Grant Application.
  - **Motion by Mr. Compton to approve the submission of the Court Security Grant application and authorize the president to affix his signature to the documents. Motion seconded and unanimously approved.**
2. Allen Keyser, Interim Director, Jefferson County Emergency Services Agency – requested approval of the Proclamation for the Stop the Bleed Campaign.
  - **Motion by Ms. Noland to endorse the Stop the Bleed Campaign through the Proclamation as presented. Motion seconded and unanimously approved.**
3. Interviews and Appointments to the Jefferson County Historic Landmarks Commission – two three-year terms ending March 6, 2021
  - Ms. Noland offered her nomination for Benjamin Horter and Martin Burke.
    - **After receiving the majority votes, Bennet Horter (unanimous) and Martin Burke (unanimous) were appointed to the Jefferson County Historic Landmarks Commission each for a three year term ending March 6, 2021.**
4. Interviews and Appointments to the Jefferson County Planning Commission – two three-year terms ending March 31, 2021.
  - Mr. Compton offered his/her nomination for Steven Stolipher (unanimous) & Barbara Fuller (Compton, Hudson).
  - Ms. Noland offered her nomination for Mike Shepp (Noland, Onoszko, Tabb).
    - **After receiving the majority votes, Steve Stolipher and Mike Shep were each appointed to the Jefferson County Planning Commission each for a term of three years ending March 31, 2021.**
5. The Commission recessed for break at 8:15 pm.  
The Commission reconvened at 8:30 pm.
6. Nathan Cochran, Assistant Prosecuting Attorney
  - Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, related issues and order approving Purchase Agreement between the JCPSD and Charles Town

- **Motion by Mr. Compton to sign the Order Approving Purchase Agreement between the Jefferson County Public Service District and the City of Charles Town. Motion seconded and passes on a vote of 3-2 with Commissioners Noland and Tabb opposing.**
- Discussion of Jefferson County Civil Action #17-C-282
- **Motion by Mr. Onoszko to enter into Executive Session to receive legal advice pertaining to Jefferson County Civil Action #17-C-282. Motion seconded and unanimously approved.**
  - **Motion by Mr. Compton to come out of Executive Session. Motion seconded and unanimously approved.**

## UNFINISHED BUSINESS

7. Discuss County ATV Ordinance
  - **Motion by Ms. Tabb to retain current ATV ordinance as it's currently written. Motion seconded and passes on 3-2 with Commissioners Compton and Onoszko opposing.**
8. Legislative Issues – this item was postponed.
9. Appoint Fire Chief to the Property Safety Enforcement Agency
  - **Motion by Ms. Tabb to appoint Mr. Josh Smith of Bakerton VFD to serve as the Fire Chief appointee to the Jefferson County Property Safety Enforcement Agency Board. Motion seconded and unanimously approved.**
10. Ratify decision made on March 15, 2018 – Exonerations
  - **Motion by Mr. Compton to ratify the decisions made approving the exonerations as presented by the Assessor on March 15, 2018. Motion seconded and unanimously approved.**
11. Decision - Proposed text amendments to the Jefferson County Zoning and Land Development Ordinance, File #ZTA16-02. The text amendment, in accordance with WV Code §8A-4-5, proposes revisions to multiple sections of the Zoning Ordinance including Section 2.2 Terms Defined; Section 3.4 Boards and Commissions; Section 4.6 Distance Requirements; Section 5.10 Village (V) District; Section 6.3 Conditional Use Permit; Section 10.4 Signs Requiring Zoning Permit; and Appendix C: Principal Permitted and Conditional Use Table - Public Hearing held on March 15, 2018 - Discussion/Action

- **Motion by Mr. Compton to approve the text amendments to the Jefferson County Zoning and Land Development Ordinance File #ZTA16-02. Motion seconded and unanimously approved.**

12. Decision - Zoning Map Amendment for property designated as Tax District Kabletown (06), Map 17, Parcel 2.3 - Summit Point Ventures, LLC. The property is currently zoned Rural and a request has been made by the property owner to change to the General Commercial zoning category - Public Hearing held on March 15, 2018 - Discussion/Action

- **Motion by Ms. Tabb to approve the Zoning Map Amendment for Summit Point Ventures, LLC. as presented and to find the amendment consistent with the Envision Jefferson 2035 Comprehensive Plan. Motion seconded and unanimously approved.**

13. Discussion of Courthouse Storm Windows – Mr. Burke, Chair of the Jefferson County Historic Landmarks Commission, provided the Commission with his opinion that the Courthouse storm windows should be placed on the inside of the building in order to preserve the historic integrity of the building; however, Mr. Compton disagreed and stated he believed the interior windows would cost the County more in maintenance fees over time.

- **Motion by Mr. Compton to place the Courthouse storm windows on the exterior of the building. Motion seconded but tabled until the April 5, 2018 County Commission meeting once the Commission has had the opportunity to discuss this matter with the Director of Maintenance.**

## **COUNTY ADMINISTRATOR REPORTS**

- Discussion of Meeting Session Policy

- **Motion by Ms. Noland to approve the Jefferson County Meeting Session Policy as amended. Motion seconded and unanimously approved.**

16. The Commission meeting was adjourned at 8:55 pm on a motion by Mr. Compton. Motion was seconded and unanimously approved.

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JOSHUA COMPTON, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant

