

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**SECOND QUARTERLY SESSION - APRIL-JUNE 2018**  
**THURSDAY, JUNE 21, 2018**  
**6:00 P.M.**

County Commission Meeting Room  
located at the Old Charles Town Library  
200 E. Washington Street, Charles Town, WV

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**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

- June 7, 2018 - Regular Meeting
- June 14, 2018 - Road Summit

**APPROVAL OF PURCHASE ORDERS**

- June 21, 2018

**APPROVAL OF ACCOUNTS PAYABLE**

- June 14, 2018
- June 21, 2018

**APPROVAL OF MANUAL CHECKS**

- June 15, 2018
- June 22, 2018

**ANNOUNCEMENTS**

- Report if there are changes in the agenda if applicable

**PUBLIC COMMENT**

**PRESENTATIONS**

1. 6:15 p.m. Jacqueline Shadle/Gail Magaha, County Clerk's Office  
- Approval of Depository Bonds for Fiscal Year 2018-2019 -  
Discussion/Action

2. 6:30 p.m. Nathan Cochran, Assistant Prosecuting Attorney
  - Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues - Discussion/Action
  - Discussion of Jefferson County Civil Action #17-C-282 - Discussion/Action
  - Discussion of EEOC Claim #533-2017-0076 - Discussion/Action
  - Discussion of insurance coverage for volunteers and community service participants - Discussion/Action
  - Discussion of Jefferson County Civil Action #18-C-25 - Discussion/Action
  - Discussion of Jefferson County Civil Action #17-C-63 - Discussion/Action

### **UNFINISHED BUSINESS**

3. Existing leases for county owned buildings and land - Discussion/Action (JC)

### **NEW BUSINESS**

4. Discuss County Commission Regular Meeting July 5, 2018 - Discussion/Action
5. Renew Mutual Aid Agreement between the City of Martinsburg and Jefferson County - Discussion/Action
6. Appointment to the MARC Train Working Group - Discussion/Action

### **COUNTY ADMINISTRATOR REPORTS**

- Request Grade/Status change to Temporary Full-Time Public Safety Dispatcher - Discussion/Action
- Approval to hire Deputy Director/Planner/Program Manager - Homeland Security and Emergency Management - Discussion/Action
- Annual Performance & Review Policy - Discussion/Action
- Compensation Policy - Discussion/Action
- Update CVB Property

### **COUNTY COMMISSION REPORTS**

7. **ADJOURN**

### **CORRESPONDENCE/INFORMATION**

Jefferson County Offices closed Wednesday, July 4, 2018 in observance of Independence Day.

Notices of Appointment to various county boards, commissions, committees, etc.

Correspondence received from the Public Service Commission of WV regarding disbursement of

**Wireless E-911 Subscriber Fees.**

**Jefferson County Maintenance Department Monthly Report for May, 2018.**

**Jefferson County Public Service District Regular Board Meeting minutes for May 7, 2018 received.**

***At all times the County Commission reserves the right to rearrange agenda times because of time constraints and to accommodate the Commission schedule or the public.***



## Minutes

### Jefferson County Commission

Thursday, June 7, 2018

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A meeting of the Jefferson County Commission was held on Thursday, June 7, 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; Stephanie Grove, County Administrator; Jessica Carroll, Executive Administrative Assistant; and Jim Eddy, Bailiff. (An audio tape of the Thursday, June 7, 2018 meeting is available through the Jefferson County Commission Office.)

#### PLEDGE OF ALLEGIANCE

Commissioner Hudson led the Pledge of Allegiance.

#### APPROVAL OF PURCHASE ORDERS

**Motion by Ms. Tabb to approve the Purchase Orders for June 7, 2018 to include purchase order no. 52670 in the amount of \$14,970.00. Motion seconded and unanimously approved.**

#### APPROVAL OF MINUTES

**Motion by Ms. Noland to approve the May 31, 2018 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.**

#### APPROVAL OF ACCOUNTS PAYABLE

| CHCKNO | DEPT | VENDOR                  | PONUM | POAMT | NOAMT     | CHECK AMOUNT |
|--------|------|-------------------------|-------|-------|-----------|--------------|
| 080185 | 712  | AT&T/GA                 |       | \$ -  | \$ 187.10 | \$ 187.10    |
| 080186 | 401  | BEST BEST & KRIEGER LLP |       | \$ -  | \$ 35.50  | \$ 35.50     |
| 080187 | 412  | JADA BENNETT            |       | \$ -  | \$ 209.66 | \$ 209.66    |

|        |         |                          |  |      |               |               |
|--------|---------|--------------------------|--|------|---------------|---------------|
| 080188 | 425     | CITY OF CHARLES TOWN     |  | \$ - | \$ 20.00      | \$ 20.00      |
| 080188 | 425     | CITY OF CHARLES TOWN     |  | \$ - | \$ 60.00      | \$ 60.00      |
| 080189 | 402     | WV ASSOC OF COUNTY CLERK |  | \$ - | \$ 650.00     | \$ 650.00     |
| 080190 | 425     | OLD CHARLES TOWN LIBRARY |  | \$ - | \$ 1,500.00   | \$ 1,500.00   |
| 080191 | 711     | CERVIS TECHNOLOGIES, INC |  | \$ - | \$ 1,500.00   | \$ 1,500.00   |
| 080192 | P/R DED | DELTA DENTAL OF WV       |  | \$ - | \$ 6,220.53   | \$ 6,220.53   |
| 080193 | 401     | FRANKLIN & PROKOPIK CORP |  | \$ - | \$ 3,390.00   | \$ 3,390.00   |
| 080193 | 401     | FRANKLIN & PROKOPIK CORP |  | \$ - | \$ 67.50      | \$ 67.50      |
| 080194 | P/R DED | ROGER GOODWIN            |  | \$ - | \$ 244.78     | \$ 244.78     |
| 080195 | P/R DED | LYN GOODWIN              |  | \$ - | \$ 106.53     | \$ 106.53     |
| 080196 | 405     | CLAUDETTE M.GAUJOT-TURNE |  | \$ - | \$ 103.95     | \$ 103.95     |
| 080197 | P/R DED | THE HARTFORD             |  | \$ - | \$ 2,368.55   | \$ 2,368.55   |
| 080198 | P/R DED | THE HARTFORD             |  | \$ - | \$ 3,995.52   | \$ 3,995.52   |
| 080199 | P/R DED | VICTOR C LUPIS III       |  | \$ - | \$ 970.02     | \$ 970.02     |
| 080200 | P/R DED | HIGHMARK WV              |  | \$ - | \$ 181,693.52 | \$ 181,693.52 |
| 080201 | P/R DED | MILLENIUM INSURANCE GROU |  | \$ - | \$ 750.00     | \$ 750.00     |
| 080202 | P/R DED | NATIONAL VISION ADMIN.   |  | \$ - | \$ 1,731.70   | \$ 1,731.70   |
| 080203 | 403     | POSTMASTER CHARLES TOWN  |  | \$ - | \$ 120.00     | \$ 120.00     |
| 080204 | 403     | RECORD MANAGEMENT SOLUTN |  | \$ - | \$ 30.00      | \$ 30.00      |
| 080205 | P/R DED | RETIREE HLTH BENEFIT TRS |  | \$ - | \$ 6,126.00   | \$ 6,126.00   |
| 080206 | 404     | SOFTWARE SYSTEMS, INC    |  | \$ - | \$ 1,321.50   | \$ 1,321.50   |
| 080206 | 428     | SOFTWARE SYSTEMS, INC    |  | \$ - | \$ 1,220.00   | \$ 1,220.00   |
| 080207 | P/R DED | SHERIFF OF JEFFERSON CO  |  | \$ - | \$ 113.25     | \$ 113.25     |
| 080208 | 401     | SOFTWARE SYSTEMS, INC.   |  | \$ - | \$ 21,584.13  | \$ 21,584.13  |
| 080209 | 425     | CAPITAL TRISTATE         |  | \$ - | \$ 51.17      | \$ 51.17      |
| 080209 | 425     | CAPITAL TRISTATE         |  | \$ - | \$ 60.89      | \$ 60.89      |
| 080209 | 425     | CAPITAL TRISTATE         |  | \$ - | \$ 231.22     | \$ 231.22     |
| 080210 | 413     | V.G. REED & SON, INC.    |  | \$ - | \$ 59.22      | \$ 59.22      |
| 080211 | 424     | WV DIVISION OF LABOR     |  | \$ - | \$ 90.00      | \$ 90.00      |
| 080211 | 425     | WV DIVISION OF LABOR     |  | \$ - | \$ 360.00     | \$ 360.00     |
| 080212 | 717     | WHOLESALE TIRES, INC.    |  | \$ - | \$ 121.44     | \$ 121.44     |
| 080213 | 412     | EMILY WELLS              |  | \$ - | \$ 378.78     | \$ 378.78     |
| 080214 | 401     | XEROX CORPORATION        |  | \$ - | \$ 186.32     | \$ 186.32     |

|              |     |                   |  |      |                      |                      |
|--------------|-----|-------------------|--|------|----------------------|----------------------|
| 080214       | 402 | XEROX CORPORATION |  | \$ - | \$ 398.56            | \$ 398.56            |
| 080214       | 402 | XEROX CORPORATION |  | \$ - | \$ 486.97            | \$ 486.97            |
| 080214       | 402 | XEROX CORPORATION |  | \$ - | \$ 366.56            | \$ 366.56            |
| 080214       | 402 | XEROX CORPORATION |  | \$ - | \$ 106.53            | \$ 106.53            |
| 080214       | 403 | XEROX CORPORATION |  | \$ - | \$ 227.22            | \$ 227.22            |
| 080214       | 404 | XEROX CORPORATION |  | \$ - | \$ 71.10             | \$ 71.10             |
| 080214       | 405 | XEROX CORPORATION |  | \$ - | \$ 463.52            | \$ 463.52            |
| 080214       | 406 | XEROX CORPORATION |  | \$ - | \$ 71.10             | \$ 71.10             |
| 080214       | 425 | XEROX CORPORATION |  | \$ - | \$ 106.53            | \$ 106.53            |
| 080214       | 440 | XEROX CORPORATION |  | \$ - | \$ 203.87            | \$ 203.87            |
| 080214       | 440 | XEROX CORPORATION |  | \$ - | \$ 126.42            | \$ 126.42            |
| 080214       | 440 | XEROX CORPORATION |  | \$ - | \$ 580.22            | \$ 580.22            |
| 080214       | 700 | XEROX CORPORATION |  | \$ - | \$ 337.22            | \$ 337.22            |
| 080214       | 712 | XEROX CORPORATION |  | \$ - | \$ 367.62            | \$ 367.62            |
| 080214       | 716 | XEROX CORPORATION |  | \$ - | \$ 120.57            | \$ 120.57            |
|              |     |                   |  |      |                      |                      |
| <b>TOTAL</b> |     |                   |  |      | <b>\$ 241,892.79</b> | <b>\$ 241,892.79</b> |

**Motion by Ms. Noland to approve the Accounts Payable for June 7, 2018 in the amount of \$241,892.79. Motion seconded and unanimously approved.**

**MANUAL CHECKS**

|                         |                |                         |               |
|-------------------------|----------------|-------------------------|---------------|
| <b>MAGISTRATE COURT</b> |                |                         |               |
| <b>OO5</b>              |                |                         |               |
| <b>Date</b>             | <b>Check #</b> | <b>VENDOR</b>           | <b>Amount</b> |
| 6/8/2018                | 338            | <b>WILLIAM SENSENEY</b> | \$ 804.24     |
|                         |                |                         |               |
|                         |                |                         |               |
| <b>HOME DETETION</b>    |                |                         |               |
| <b>OO8</b>              |                |                         |               |
| <b>Date</b>             | <b>Check #</b> | <b>VENDOR</b>           | <b>Amount</b> |
| 6/8/2018                | 606            | <b>ATTENTI</b>          | \$ 1,510.00   |
| 06/08/18                | 607            | <b>UNITED BANK</b>      | \$ 55.88      |
| 06/08/18                | 608            | <b>CDA INC</b>          | \$ 1,275.75   |
|                         |                |                         |               |

| <b>ASSESSOR VALUATION</b> |         |  |                      |
|---------------------------|---------|--|----------------------|
| <b>056</b>                |         |  |                      |
| Date                      | Check # | VENDOR                                 | Amount               |
| 6/8/2018                  | 684     | <b>MILLER'S SUPPLIES AT WORK</b>       | \$ 435.00            |
|                           |         |  |                      |
|                           |         |  |                      |
| <b>IMPACT FEES</b>        |         |  |                      |
| <b>249</b>                |         |  |                      |
| Date                      | Check # | VENDOR                                 | Amount               |
| 6/8/2018                  | 1140    | <b>SHERIFF JEFFERSON CO -SCHOOL</b>    | \$ 186,954.38        |
| 6/8/2018                  | 1141    | <b>SHERIFF JEFFERSON CO - LAW</b>      | \$ 3,363.90          |
| 6/8/2018                  | 1142    | <b>SHERIFF JEFFERSON CO - PARKS</b>    | \$ 14,204.64         |
| 6/8/2018                  | 1143    | <b>SHERIFF JEFFERSON CO - FIRE/EMS</b> | \$ 1,551.95          |
|                           |         |  |                      |
|                           |         |  |                      |
| <b>TOTAL</b>              |         |  | <b>\$ 210,155.74</b> |

**Motion by Mr. Onoszko to approve the Manual Checks for June 8, 2018 in the amount of \$210,155.74. Motion seconded and unanimously approved.**

**PUBLIC COMMENT**

David Tabb, resident – questioned why Commission staff was purchasing products from Amazon instead of local businesses and criticized the Jefferson County Department of Homeland Security and Emergency Management for being “reactive instead of proactive” during the recent flooding due to heavy rains.

Steve Allen, Director, JCHSEM and Allen Keyser, Director, JCESA – provided an update for the Commission and the audience regarding local flooding and the teamwork shown across multiple county departments in keeping residents safe.

**PRESENTATIONS**

1. Angie Banks, Assessor

a. Requested approval of the following Exoneration:

| NAME                | TYPE | DISTRICT | TICKET # | AMOUNT  |
|---------------------|------|----------|----------|---------|
| Charles Laughlin II | PP   | MD       | 312326   | \$65.78 |

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 312326 as presented. Motion seconded and unanimously approved.**

| NAME                | TYPE | DISTRICT | TICKET # | AMOUNT  |
|---------------------|------|----------|----------|---------|
| Charles Laughlin II | PP   | MD       | 312720   | \$58.74 |

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 312720 as presented. Motion seconded and unanimously approved.**

2. Michelle Gordon, Finance Director

o Budget Revisions

- **Motion by Ms. Tabb to approve FY18 Internal Budget Revision 2 for the General Fund. Motion seconded and unanimously approved.**

o Ambulance Fee Analysis

- **Motion by Mr. Compton to approve the Emergency Ambulance Service Fee Ordinance as amended on May 31, 2018 with an effective date of July 1, 2018. Motion seconded and unanimously approved.**

3. Roger Goodwin, Chief County Engineer

a. Letter of Credits securing construction bonds

- **Motion by Mr. Compton to authorize staff to call any Letter of Credits that are due that have not been renewed by the close of business on Friday, July 6, 2018. Motion seconded and unanimously approved.**
- b. Appointment of Zoning Administrator
- **Motion by Ms. Noland to appoint Jennifer Brockman as the Acting Zoning Administrator for up to twelve weeks during the time period that Alex Beaulieu is on maternity leave in late summer 2018. Motion seconded and unanimously approved.**
- c. Complete release of the \$10,000.00 site stability bond/Tolling of Bond Agreement for Dan Ryan Builders West Virginia, LLC for the Quail Ridge Subdivision, Section II, Phase III, Lots 129-159.
- **Motion by Mr. Onoszko to authorize a complete release of \$10,000.00 from Letter of Credit #70002906 with SunTrust Bank as security for the site stability bond/Tolling of Bond Agreement for Dan Ryan Builders West Virginia, LLC – Quail Ridge Subdivision, Section II, Phase III, Lots 129-159 (File #05-55). Motion seconded and unanimously approved.**
- d. Approval to Advertise for Bids – Smith Mountain View Estates Site Work
- **Motion by Mr. Compton to approve issuing an Advertisement for Bids for the purpose of hiring a contractor to complete the work required under the Smith Mountain View Estates Subdivision – Site Work (JCPC File No. 02-06). Motion seconded and unanimously approved.**
4. The Commission recessed for break at 10:45 am.  
The Commission reconvened at 11:00 am.
5. Matt Harvey, Prosecuting Attorney – requested the approval of employment for two assistant prosecuting attorneys.
- **Motion by Ms. Noland to approve the hire of Alyssa Luke and Catherine Moore as Assistant Prosecuting Attorneys in the Prosecuting Attorney’s Office. Motion seconded and unanimously approved.**
6. Nathan Cochran, Assistant Prosecuting Attorney
- Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues
  - Discussion of Jefferson County Civil Action #17-C-282

- Discussion of insurance coverage for volunteers and community service participants
- Discussion of the collection of the overdue ambulance fees

## NEW BUSINESS

7. Discuss Fireworks Ordinance
  - **Motion by Ms. Noland to approve the Fireworks Ordinance draft as presented. Motion seconded for discussion. Motion withdrawn.**
8. Existing leases for county owned buildings and land – it was the consensus of the Commission to delay discussion on this item until the next regularly scheduled Commission meeting.

## COUNTY ADMINISTRATOR REPORTS

- Discuss a policy regarding fairs and festivals sponsored or endorsed by the governing body of the county wherein the fair or festival is to be conducted.
    - **Motion by Mr. Onoszko to approve the Fairs and Festivals Policy as presented by Ms. Grove for the purpose of allowing the County Administrator to provide letters of endorsement to individuals and/or organizations seeking a liquor license from the WVABCA for their event. Motion seconded and unanimously approved.**
  - Discuss PSD Audit – Ms. Grove stated the auditor was not available until July, so this item would be added to a later agenda for discussion.
  - Discuss CVB Land
    - **Motion by Ms. Noland to authorize the transfer of the land upon which the CVB is located to the Jefferson County Building Commission and recorded in Deed Book 1165, page 391 and authorize the President or the County Administrator to sign the Resolution and authorize the transfer of the Deed to the Jefferson County Convention and Visitor's Bureau. Motion seconded and unanimously approved.**
9. The Commission meeting was adjourned at 11:48 am on a motion by Ms. Noland. Motion was seconded and unanimously approved.

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JOSHUA COMPTON, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant

**SPECIAL SESSION:**

State of West Virginia, County of Jefferson, to-wit:

At a Special Session of the Jefferson County Commission, continued and held at the Jefferson County Commission Meeting Room, located at 200 E. Washington Street located in Charles Town, WV, 25414 on Thursday, June 14, 2018 beginning at 1:30 p.m.

**PRESENT:** Josh Compton, President  
Caleb Hudson, Vice President  
Patsy Noland, Commissioner  
Peter Onoszko, Commissioner  
Jane Tabb, Commissioner

**STAFF:** Stephanie Grove, County Administrator  
Jessica Carroll, Executive Assistant

**In re: 2018 Road Summit/Discussion of MARC Train Funding**

President Compton called the meeting to order at 1:30 pm and stated the purpose for the meeting was to discuss ideas for MARC train funding for FY20.

The Commission was joined in this discussion by the following: Tom Smith, WV Secretary of Transportation; Ann Ehrling, Deputy Chief of Staff for the Governor's Office; Jill Newman, Deputy Secretary of Transportation; Bill Robinson, Head of the WV Transit Office; Cindy Butler, State Rail Authority; Senator Craig Blair (via phone); representatives from Senators Manchin and Capito and Congressman Mooney's offices; Delegates Paul Espinosa, Riley Moore, Patricia Rucker, and Jill Upson; members of the Berkeley County Commission; Doug Pixler and Elaine Bartoldson of the Eastern Panhandle Transit Authority, and Nic Diehl, Director of the Jefferson County Development Authority.

Together the group discussed potential funding sources to continue MARC Train service to the Eastern Panhandle, including contributions from the State General Fund, various municipalities, and neighboring states who also utilize the MARC train service, Federal contributions, a push to increase ridership, and a possible increase in fares. Those involved also discussed creating a working group and appointing members from various affected counties, municipalities, etc. to continue discussing this issue. Secretary Smith stated his office would take the lead in facilitating the first meeting in order to determine the players and the governance of the group.

There being no further business, the meeting was adjourned at 2:46 pm.

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Josh Compton, COMMISSION PRESIDENT

# PURCHASE ORDERS TO BE APPROVED

June 21, 2018

| DEPARTMENT               | P.O. NUMBER | AMOUNT             | VENDOR | DESCRIPTION                                |
|--------------------------|-------------|--------------------|--------|--|
| COUNTY CLERK - ELECTIONS | 52494       | \$ 6,946.95        | ES&S   | Epoll Book Setup, Test Ballots, and Coding |
| <b>GRAND TOTAL</b>       |             | <b>\$ 6,946.95</b> |        |  |



# THE COUNTY COMMISSION OF JEFFERSON COUNTY

Charles Town, West Virginia 25414

## REQUISITION

No. 52494

VENDOR:

DELIVER TO:

EOS

6055 Poyssphere Circle  
Chicago, IL

County Clerk  
- ELECTIONS

| QUANTITY | DESCRIPTION - BUDGET LINE - ITEM NUMBER | PRICE | UNIT | AMOUNT   |
|----------|---|-------|------|----------|
|          | Epoll book setup                        |       |      | 1,150 72 |
|          | test ballots                            |       |      | 113 16   |
|          | Ballot layout                           |       |      | 1333 66  |
|          | Audio coding                            |       |      | 2933 50  |
|          | Ballot coding                           |       |      | 6946 95  |

1. ENTER NAME AND MAILING ADDRESS OF VENDOR IN SPACE PROVIDED
2. PROVIDE MAILING AND/OR SHIPPING ADDRESS. ITEMS THAT ARE SHIPPED MUST HAVE STREET ADDRESS.
3. PROVIDE A DESCRIPTION OF ITEMS(S) BEING REQUESTED.
4. INCLUDE BUDGET LINE-ITEM NUMBER TO BE CHARGED FOR EACH ITEM.
5. SIGN AND FORWARD TO COUNTY COMMISSION. UPON APPROVAL, A COUNTER-SIGNED COPY WILL BE RETURNED FOR YOUR RECORDS.

THE ITEMS REQUESTED ABOVE ARE NECESSARY AND FOR THE EXCLUSIVE USE OF THIS DEPARTMENT.

*Nikki Painter*

Signature

6/13/18

Date

PURCHASE OF THE ABOVE REQUESTED ITEMS APPROVED. FUNDS HAVE BEEN ENCUMBERED.

Signature

Date

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Jacqueline Shadle/Gail Magaha

Department or Organization: **County Clerk**

Estimation of amount of time needed for appointment: 5- 10 minutes

Date Requested – 1<sup>st</sup> Choice: June 21, 2018

*Depository Bonds need to be approved at the last County Commission meeting in June of each year.*

Date Requested – 2<sup>nd</sup> Choice:

Subject: Approval of Depository Bonds for fiscal year 2018-2019

Please provide the County Commission with a description of your request or presentation, including any background information:  
The Sheriff requested that three of the County bank accounts pledged securities remain the same as last year and one be increased.  
Therefore, each bank was notified and the bonds and resolutions have been received in the County Clerk's Office.

Is this a funding request? Y/N **NO**

If so, how much? \$

Provide exact financial impact/request:

Recommended motion:

Move that the Depository Bonds for 2018-2019 be approved as presented.

Attach supporting documents for request, or request may be denied.

If not attached, explain: Copies of all the bonds will be sent as soon as signed off on by the Prosecuting Attorney.

Is equipment needed?      Projector    **Y/N**      Internet/Wi Fi    **Y/N**      Telephone for conference call    **Y/N**

Contact information: Gail Magaha

Email address: [gmagaha@jeffersoncountywv.org](mailto:gmagaha@jeffersoncountywv.org)

Phone Number: 304-728-3216

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION**

not applicable





received  
4-9-2018

@ your service™

March 30, 2018

Jefferson County Commission  
Gail Magaha  
Senior Chief Deputy Clerk  
P.O. Box 208  
Charles Town, WV 25414

Dear Ms. Magaha:

The purpose of this correspondence relates to the issuance of a depository bond by United Bank, Inc. ("United") for the upcoming fiscal year. In lieu of issuing a depository bond, United Bank will pledge qualified investment securities or issue Federal Home Loan Bank letters of credit to appropriately collateralize outstanding deposits in excess of the amount insured by the Federal Deposit Insurance Corporation (FDIC), an independent agency of the U.S. Government. Both methods of collateralization are fully compliant with West Virginia State Code.

To ensure compliance with West Virginia Code each month, United Bank compares outstanding deposit balances of all customers deemed to hold public funds with either the market value of pledged investment securities or the value of issued Federal Home Loan Bank letters of credit. Should sufficient collateral be found to exist, no action is taken. However, if collateral is found to be below the current level of outstanding deposits, United Bank will either pledge additional qualified investment securities or cause the issuance of an additional Federal Home Loan Bank letter of credit. United Bank sends a statement monthly to each public funds customer detailing out all investment securities pledged as collateral and their market values. Please compare this monthly total along with the value of any Federal Home Loan Bank letters of credit to your outstanding deposit balances and contact us if you feel that additional collateral is necessary to be pledged.

Please feel free to contact me at (304) 348-8396 should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'L. Salyers', written over a white background.

Larry Salyers  
Senior Vice-President  
Treasury Management

MSA 6/12/18  
Matt Harvey

**JEFFERSON COUNTY COMMISSION DEPOSITORY BOND  
BRANCH BANKING AND TRUST COMPANY  
WINSTON-SALEM, NORTH CAROLINA**

**KNOW ALL MEN BY THESE PRESENTS**, That, the undersigned, Branch Banking and Trust Company (BB&T), Winston-Salem, North Carolina, a Corporation organized and existing under the laws of the United States of America, is held and firmly bound unto the State of West Virginia, in the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00) to the payment thereof, will truly be made to said Jefferson County Commission, State of West Virginia, the undersigned binds itself and its successors and assigns by these present,

Signed and sealed this 30th day of May 2018.

**THE CONDITIONS OF THE ABOVE OBLIGATION IS SUCH THAT**, Whereas, BB&T of Winston-Salem, North Carolina, principal has been duly and legally designated in the manner required by law as a depository of the public monies of the Jefferson County Commission, State of West Virginia. Now therefore, if the said BB&T, principal herein, shall reserve safely, keep well and truly pay over all monies which may be deposited in or under the custody of the said BB&T as such County depository, according to law and shall further faithfully perform all the duties by law upon said principal as depository monies, then this obligation shall be null and void, otherwise are to remain in full force and effect.

The said Bank herewith deposited and pledged with the Jefferson County Commission, State of West Virginia, to secure the performance of its undertakings herein above set out the following collateral to-wit:

| <u>PAR VALUE</u> | <u>DESCRIPTION</u>              | <u>COUPON RATE</u> | <u>MATURITY DATE</u> |
|------------------|---------------------------------|--------------------|----------------------|
| \$1,500,000.00   | GNMA II Pool MA0908 (36179NAH1) | 2.50%              | 04/20/2028           |

Authorization for the pledging of the above securities is certified to the Secretary of the Board of Directors of said Bank attached hereto.

It is understood and agreed:

- (1) Such collateral shall be held by **WELLS FARGO BANK, N.A.**, Minneapolis, MN or the **FEDERAL RESERVE BANK** of Richmond, Virginia, (Safekeeping Agents) so long as the said BB&T is not in default in its undertakings hereinabove set out, and if the said BB&T has not defaulted in its undertakings then such collateral shall be returned to the said BB&T on the 30<sup>th</sup> day of June, 2019.
- (2) The said BB&T shall have the right to the interest payable on such collateral, and may for the purpose of collecting the same have access to such collateral, in conjunction with a representative of the said Safekeeping Agent in order to obtain interest coupons representing interest payable or may direct the said Safekeeping Agent to detach such coupons.
- (3) The said BB&T shall from time to time have the right to withdraw any part of the above collateral upon substitution of other collateral of the same marketability acceptable to the Jefferson County Commission. The said BB&T shall have the right to withdraw any part of the above-mentioned collateral when properly authorized, providing the monies on deposit with the said BB&T do not exceed the amount of such collateral security remaining as security for the performance under the terms of this depository bond.

- (4) In the event of default of the said BB&T in its undertakings, herein set out during the said period beginning July 1, 2018 and ending June 30, 2019 the said Jefferson County Commission, State of West Virginia, shall have the right to make sale of so much of the collateral hereinbefore referred to as may be required to make good the undertaking of the said BB&T after due notice is given to the said BB&T.

**BRANCH BANKING AND TRUST COMPANY**

(SEAL)

BY: E. Michael Sessoms  
Senior Vice President,  
BB&T Funds Management

**STATE OF NORTH CAROLINA,  
COUNTY OF ROBESON, TO-WIT:**

*Amy Pittman* a Notary Public in and for the County and State  
aforesaid, do hereby certify that E. Michael Sessoms, who signed the writing above as Senior Vice  
President of BB&T, a Corporation, bearing date of the 30th day May 2018 for said Corporation has this day  
acknowledged the said writing to be the act and deed of said Corporation.

Given under my hand this 30th day of May 2018.

*Amy Pittman*  
Notary Public

My commission expires: 7/23/18

*MSH* 6/12/2018  
Matthew L Hammy

**STANDING RESOLUTION - FUNDS MANAGEMENT / MORTGAGE LENDING**  
**DEPOSIT, OPERATIONS AND FRAUD MANAGEMENT**

AUTHORITY TO PURCHASE, SELL, TRANSFER OR ASSIGN, OR OTHERWISE ENGAGE IN  
TRANSACTIONS WITH RESPECT TO, SECURITIES AND FINANCIAL INSTRUMENTS OR CONTRACTS

RESOLVED, that each of the following officers may purchase, sell, transact, deal in or otherwise engage in transactions with respect to any of the following: (a) any security (including, but not limited to any note, stock, treasury stock, United States Bonds or other bonds of any nature, mutual funds, debenture, collateral trust certificate, pre-organization certificate or subscription, voting-trust certificate, certificate of deposit, investment contract or certificate of interest, interest of a limited partner in a limited partnership, warrants, subscriptions or any other interest commonly known as a "security") ; (b) currency (including any forward or spot foreign exchange agreement, and any currency swap, cross-currency swap or cross-currency rate swap – collectively, "Foreign Exchange"), check, draft, bill of exchange, or bank letter of credit; (c) commodity futures contract or forward contract, (including any option, warrant, or right to subscribe to or purchase or sell a commodity futures contract or an option to purchase or sell a commodity or any spot transaction with respect thereto) (d) any loan, mortgage, debt or evidence of indebtedness (including, but not limited to, any interest or participation in a loan, a group or index of securities, or certificate of deposit, (including an interest therein or based on the value thereof)), (e) any option on any of the foregoing, including an option to purchase or sell any such security, certificate of deposit, loan, interest, group or index, (f) any forward agreement, repurchase or reverse repurchase transaction on any such security, certificate of deposit, loan, interest, group or index, or option, and (g) any swap agreement (including, but not limited to, any interest rate swap, option, future, or forward agreement (including a rate floor, rate cap, rate collar or basis swap)), any currency swap, cross-currency swap or cross-currency rate swap, any agreement in respect of precious metals, any equity index or equity swap, option, future, or forward agreement, any debt index or debt swap, option, future, or forward agreement, any total return, credit spread, credit default, credit index or credit swap, option, future, or forward agreement, any commodity index or a commodity swap or option thereon, and any other agreement or transaction that is similar to any other agreement or transaction referred to herein and that (i) is of a type that has been, is presently, or in the future becomes, the subject of recurrent dealings in the swap markets, and (ii) is a forward, swap, future, or option on one or more rates, currencies, commodities, equity securities, or other equity instruments, debt securities or other debt instruments, quantitative measures associated with an occurrence, extent of an occurrence, or contingency associated with a financial, commercial, or economic consequence, or economic or financial indices or measures of economic or financial risk or value (collectively, "Transactions"), except where such Transactions are limited in the caption, in which case such officers will be limited to the Transactions delineated;

FURTHER RESOLVED, that any and all purchases, sales, assignments or transfers of, or the entering into the foregoing Transactions heretofore or hereafter made by any of the below named officers as authorized by the foregoing resolutions are hereby ratified and confirmed.

FURTHER RESOLVED, that, if any of the below-named officers should no longer be empowered as above as a result of a change in position or employment or otherwise, or if another officer should be so empowered prior to the next regularly scheduled Board meeting at which such officers are named, then the Chief Financial Officer or the Treasurer, acting individually, may remove or add such officer, as the case may be, by written notice to the Secretary or the Assistant Secretary.

**FUNDS MANAGEMENT**

|                       |   |
|-----------------------|---|
| Daryl N. Bible        | Senior Executive Vice President and CFO |
| Hal S. Johnson        | Executive Vice President and Treasurer  |
| Joon Hahn             | Executive Vice President                |
| Evan S. Gutshall      | Senior Vice President                   |
| Stuart F. Winikoff    | Senior Vice President                   |
| Douglas W. Jernigan   | Vice President                          |
| Justin A. LaFramboise | Vice President                          |
| Amy C. Pittman        | Vice President                          |
| Paul A. Slaga         | Vice President                          |
| August M. Husmillo    | Assistant Vice President                |

**MORTGAGE LENDING**

|                   |                          |
|-------------------|--------------------------|
| John T. Broome    | Executive Vice President |
| Daniel F. Racher  | Executive Vice President |
| Andrew T. Ball    | Senior Vice President    |
| Sean G. Mistretta | Vice President           |
| Katherine Lindahl | Assistant Vice President |

DEPOSIT, OPERATIONS AND FRAUD MANAGEMENT

|                       |                                 |
|-----------------------|---------------------------------|
| Donna C. Goodrich     | Senior Executive Vice President |
| Stephen M. Anderson   | Executive Vice President        |
| Matthew P. Carson     | Senior Vice President           |
| Jacqueline F. Simmons | Senior Vice President           |

FOREIGN EXCHANGE ONLY

|                       |                          |
|-----------------------|--------------------------|
| Thomas V. Keenan, Jr. | Senior Vice President    |
| Preston J. Proctor    | Vice President           |
| Andrew Kinney         | Assistant Vice President |

FURTHER RESOLVED, that the following officers are hereby authorized to sign any documents or agreements (including any master agreements), to pledge and receive collateral and to make and receive payments, in each case with respect to the foregoing Transactions, and any such documents, agreements, pledges, receipts and payments heretofore or hereafter made by any of the below named officers as authorized by the foregoing resolutions are hereby ratified and confirmed.

FURTHER RESOLVED, that, if any of the below-named officers should no longer be empowered as above as a result of a change in position or employment or otherwise, or if another officer should be so empowered prior to the next regularly scheduled Board meeting at which such officers are named, then the Chief Financial Officer or the Treasurer, acting individually, may remove or add such officer, as the case may be, by written notice to the Secretary or the Assistant Secretary.

FUNDS MANAGEMENT

|                           |   |
|---------------------------|---|
| Daryl N. Bible            | Senior Executive Vice President and CFO |
| Hal S. Johnson            | Executive Vice President and Treasurer  |
| Christopher L. Bradley    | Executive Vice President                |
| Dorothy M. Clewis         | Senior Vice President                   |
| Ernest M. Sessoms         | Senior Vice President                   |
| Donna L. Thorne           | Senior Vice President                   |
| Deborah Harrell-Cayton    | Vice President                          |
| Carrie B. Kinlaw          | Vice President                          |
| Myra R. Musselwhite       | Vice President                          |
| Richard Tyson             | Vice President                          |
| John R. Britt, Jr.        | Assistant Vice President                |
| Brittany M. Freeman       | Assistant Vice President                |
| Dwayne A. Herbert         | Assistant Vice President                |
| Donna M. Waterman         | Assistant Vice President                |
| Myra I. Edge              | Banking Officer                         |
| Shelley D. Jernigan       | Banking Officer                         |
| Gay W. Leggett            | Banking Officer                         |
| Gretchen Mitchell-Daniels | Banking Officer                         |
| Sunshine Monroe           | Banking Officer                         |

MORTGAGE LENDING

|                   |                          |
|-------------------|--------------------------|
| John T. Broome    | Executive Vice President |
| Alexander Jung    | Executive Vice President |
| Gypsy A. McKenzie | Executive Vice President |
| Daniel F. Racher  | Executive Vice President |
| Andrew T. Ball    | Senior Vice President    |
| Donna C. Belfield | Senior Vice President    |
| Scott Conradson   | Senior Vice President    |
| Matthew B. Kibble | Senior Vice President    |
| Daniel F. Ondejko | Senior Vice President    |
| Paul W. Norman    | Vice President           |
| Julie M. Palmer   | Vice President           |
| Lance Daugherty   | Assistant Vice President |
| April J. Myers    | Assistant Vice President |

DEPOSIT, OPERATIONS AND FRAUD MANAGEMENT

|                       |                                 |
|-----------------------|---------------------------------|
| Donna C. Goodrich     | Senior Executive Vice President |
| Stephen M. Anderson   | Executive Vice President        |
| Matthew P. Carson     | Senior Vice President           |
| Jacqueline F. Simmons | Senior Vice President           |

BOND OF BANK OF CHARLES TOWN  
AS  
DEPOSITORY OF PUBLIC MONEYS

KNOW ALL MEN BY THESE PRESENTS,

That the undersigned Bank of Charles Town, a banking institution incorporated under the laws of the State of West Virginia and doing business at Charles Town, Jefferson County, West Virginia, is held and firmly bound unto the County Commission of Jefferson County, in the sum of Fifteen Million Dollars (\$15,000,000.00) for the payment of which well and truly to be made, the said Bank of Charles Town binds itself and its successors firmly by these presents.

IN WITNESS WHEREOF the said Bank of Charles Town has executed this bond by causing its Senior Vice President to sign its corporate name and affix its corporate seal hereto by order of its Board of Directors, this \_\_\_\_\_ day of June 2018.

The condition of the above obligation is such that whereas the said Bank of Charles Town has been designated by the County Commission of Jefferson County, West Virginia, as depository of public moneys under the provisions of Chapter 7, Article 6, Section 2, Official Code of West Virginia, now therefore, if said Bank of Charles Town shall receive, keep safe, and pay over all moneys which may be deposited in or come under the custody of said Bank of Charles Town as such depository, from the 3rd day of July 2018, through the 1st day of July, 2019, and shall faithfully perform all of the duties imposed by said Article upon the said Bank of Charles Town as such depository, then this obligation shall be void; otherwise to remain in full force and effect.

As security for the faithful performance of this bond and to protect and indemnify against any or all loss of public moneys by reason of any default on the part of said Bank of Charles Town in its capacity as such depository of public moneys, the said Bank of Charles Town, by order of said County

Commission, and in accordance with the provisions of Chapter 7, Article 6, Section 2 of the code, will execute one Irrevocable Standby Letter of Credit; No. TBD / Copy of Letter of Credit to be provided for \$15,000,000 to cover all County accounts including Impact Fees. This Letter of Credit will be issued with the Federal Home Loan Bank of Pittsburgh, PA. This Letter of Credit will be held by the Federal Home Loan Bank of Pittsburgh, PA as collateral security for this bond, with a copy provided to the Jefferson County Commission.

In the event of any default in the conditions of this bond, The Federal Home Loan Bank shall reimburse the County Commission of Jefferson County, West Virginia, and shall accept as sufficient evidence of such default for such delivery, a certified copy of an order of said County Commission stating such default.

Upon receipt of said funds under this Letter of Credit from the said The Federal Home Loan Bank of Pittsburgh, PA in case of any default of the said Bank of Charles Town in complying with the conditions of its said bond, the said County Commission shall apply the proceeds to the payment of the amount owing by said Bank of Charles Town by reason of any such default in the conditions of its said bond, and after such payment the residue, if any, shall be paid to said Bank of Charles Town.

On July 1, 2019, if the said Bank of Charles Town has complied with the conditions of this bond, said Letter of Credit will expire, and, if the need for a new bond is necessary for a subsequent period, the said Bank of Charles Town will execute such new bond and new Letter of Credit.

Bank of Charles Town

SEAL

---

Senior Vice President

State of West Virginia

County of Jefferson, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of June 2018, by Dean J. Cagnetti, Senior Vice President of Bank of Charles Town, a West Virginia corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

I Matthew L. Harvey, Prosecuting Attorney of Jefferson County, West Virginia, hereby certify that the above bond is in due and legal form and conformable to the provisions of Chapter 7, Article 6, Section 2 of the Code of West Virginia.

  
\_\_\_\_\_  
Prosecuting Attorney

Date: 6/12/2018

BOND OF JEFFERSON SECURITY BANK

AS

DEPOSITORY OF PUBLIC MONEYS

KNOW ALL MEN BY THESE PRESENTS,

That the undersigned Jefferson Security Bank, a banking institution incorporated under the laws of the State of West Virginia and firmly bound unto the State of West Virginia, in the sum of Seven Hundred Fifty Thousand Dollars (\$750,000) for the payment of which will and truly to be made, the said Jefferson Security Bank binds itself and its successors firmly by the presents.

IN WITNESS WHEREOF the Jefferson Security Bank has executed this bond by causing its President and Chief Executive Officer to sign its corporate name and affix its corporate seal hereto by order of its Board of Directors, this 16<sup>th</sup> day of May 2018.

The condition of the above obligation is such that whereas the said Jefferson Security Bank has been designated by the County Commission of Jefferson County, West Virginia, as depository of public moneys under the provisions of Section 2, Article 6, Chapter 7, Official Code of West Virginia, now therefore, if said Jefferson Security Bank shall receive, keep safe, and pay over all moneys which may be deposited in or come under the custody of said Jefferson Security Bank as such depository, from the 1st day of July, 2018 until the 30th day of June, 2019 and shall faithfully perform all of the duties imposed by said article upon the said Jefferson Security Bank as such depository, then this obligation shall be void; otherwise to remain in full force and effect.

As security for the faithful performance of this bond and to protect and indemnify against any or all loss of public moneys by reason of any default on the part of said Jefferson Security Bank in its capacity as such depository of public moneys, the said Jefferson Security Bank, by order of said County Commission, and in accordance with the provisions of Section 2, Article 6, Chapter 7 of the code, has deposited with First Tennessee Bank the following securities:

| <u>Type</u>                | <u>Pledged Par Value</u> | <u>Cusip</u> |
|----------------------------|--------------------------|--------------|
| Shepherd Univ Board of Gov | \$ 335,000               | 823402BL5    |
| Grayson Cnty KY            | 415,000                  | 389691LX2    |
| Total pledged              | \$ 750,000               |              |

To be held by First Tennessee Bank as collateral security for this bond as aforesaid, until the said First Tennessee Bank shall deliver the same as hereinafter provided.

The receipt of said First Tennessee Bank for said bond and said securities so deposited with it shall be held by said County Commission during the life of this bond.

In event of any default in the conditions of this bond, said First Tennessee Bank shall deliver said securities to the County Commission of Jefferson County, West Virginia, and shall accept as sufficient evidence of such default for such delivery, a certified copy of an order of said County Commission stating such default.

Upon receipt of said securities from the said First Tennessee Bank, in case of any default on the part of the Jefferson Security Bank in complying with the conditions of its said bond, the said County Commission shall sell the said securities and apply the proceeds to the payment of the amount owing by said Jefferson Security Bank by reason of any such default in the conditions of its said bond, and after such payment the residue, if any, derived from the proceeds of the sale of said securities, shall be paid to said Jefferson Security Bank.

On June 30, 2019, if the said Jefferson Security Bank has complied with the conditions of this bond, said First Tennessee Bank shall return the securities held by it hereunder to the said Jefferson Security Bank and may accept as sufficient evidence of such compliance a certified copy of any order of said County Commission stating such compliance.

Until receipt of notice of any such default, said First Tennessee Bank shall pay all interest or other income collected by it from the securities held hereunder to the said Jefferson Security Bank.

JEFFERSON SECURITY BANK

By Cynthia A. Kitcher

President and Chief Executive Officer



County of Jefferson, State of West Virginia, to-wit:

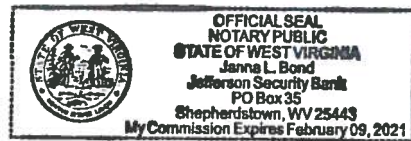
I, Janna L. Bond, a Notary Public in and for the county and state aforesaid, do hereby certify that Cynthia A. Kitner, who as President and Chief Executive Officer of Jefferson Security Bank, a corporation, signed the writing above, bearing date on the 16<sup>th</sup> day of May 2018 for said corporation, has this day in my said county, before me acknowledged the said writing to be the act and deed of said corporation.

Given under my hand this 16<sup>th</sup> day of May 2018.

Janna L. Bond

Notary Public

My Commission expires February 9, 2021.



I, Matthew L. Harney, Prosecuting Attorney of Jefferson County, West Virginia, hereby certify that the above bond is in due and legal form and conformable to the provisions of Section 2, Article 6, Chapter 7, of the Code of West Virginia.

MSA

Prosecuting Attorney

Date 6/12/2018

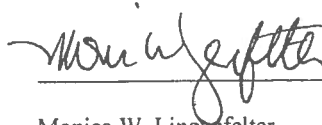
RESOLUTION

RESOLVED that Jefferson Security Bank does execute and deliver to the County Commission of Jefferson County, West Virginia, a bond in the penal sum of Seven Hundred Fifty Thousand Dollars (\$750,000) as depository of public moneys pursuant to the provisions of Chapter 18, Article 9, Section 6, of the West Virginia Code, and that said bond be secured by deposit with First Tennessee Bank of Memphis, Tennessee the following securities:

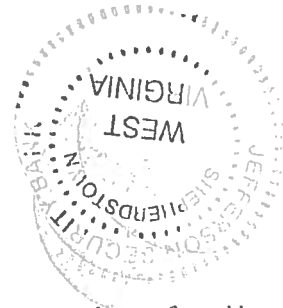
| <u>Type</u>                | <u>Pledged Par Value</u> | <u>Cusip</u> |
|----------------------------|--------------------------|--------------|
| Shepherd Univ Board of Gov | \$ 335,000               | 823402BL5    |
| Grayson Cnty KY            | 415,000                  | 389691LX2    |
| Total pledged              | \$ 750,000               |              |

and that the draft of said bond have been submitted to the Board at this meeting and the same is hereby approved and the President and Chief Executive Officer be, and he hereby is, authorized and directed to execute said bond, in the corporate name, and under the corporate seal of Jefferson Security Bank, and that the President and Chief Executive Officer of this bank be and he hereby is, authorized to deposit with First Tennessee Bank the above listed security as security therefore, and to file with the Clerk of the County Commission of Jefferson County the bond of this bank, to become effective forthwith and to expire June 30, 2019, subject to the approval and acceptance of said County Commission of Jefferson County, West Virginia.

I, Monica W. Lingenfelter, Corporate Secretary of Jefferson Security Bank, a corporation, hereby certify that the foregoing is an exact and true copy of a Resolution unanimously passed and adopted by Jefferson Security Bank at a meeting of the Board of Directors hereof held, pursuant to law, on May 16<sup>th</sup>, 2018.



Monica W. Lingenfelter  
Corporate Secretary



County of Jefferson, State of West Virginia, to-wit:

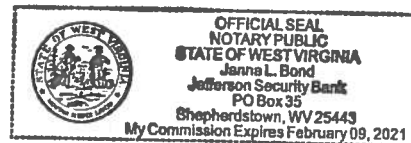
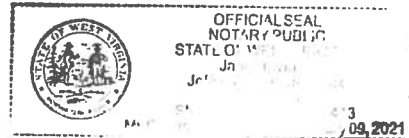
I, Janna L. Bond, a Notary Public in and for the county and state aforesaid, do hereby certify that Monica W. Lingenfelter, who as Corporate Secretary of Jefferson Security Bank, a corporation, signed the writing above, bearing date on the 16<sup>th</sup> day of May 2018 for said corporation, has this day in my said county, before me, acknowledged the said writing to be the act and deed of said corporation.

Given under my hand this 16<sup>th</sup> day of May 2018.



Notary Public

My commission expires February 9, 2021.





**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: **Nathan Cochran, Assistant Prosecuting Attorney**

Department or Organization:

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **June 21, 2018**

*If a specific date is needed, please provide reason for specific date:*

Date Requested – 2<sup>nd</sup> Choice:

Subject (*Wording to be placed on agenda*):

Please provide the County Commission with a description of your request or presentation, including any background information:

1. Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues. Discussion/Action.
2. Discussion of Jefferson County Civil Action #17-C-282. Discussion/Action.
3. Discussion of EEOC Claim #533-2017-00706. Discussion/Action.
4. Discussion of insurance coverage for volunteers and community service participants. Discussion/Action.
5. Discussion of Jefferson County Civil Action #18-C-25. Discussion/Action.
6. Discussion of Jefferson County Civil Action #17-C-63. Discussion/Action.

Is this a funding request?    Y/N **NO**

If so, how much?                \$

Provide exact financial impact/request:

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

Attach supporting documents for request, or request may be denied.

If not attached, explain:

Is equipment needed?            Projector    **Y/N**            Internet/Wi Fi    **Y/N**            Telephone for conference call    **Y/N**

Contact information:

Email address:

Phone Number:

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION**

not applicable



**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: **Josh Compton, Commissioner**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **June 21, 2018**

If a specific date is needed, please provide reason for specific date: [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*): **Discuss existing leases for county owned buildings and land - Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information:

Is this a funding request? Y/N [Click here to enter text.](#)

If so, how much? \$[Click here to enter text.](#)

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

Attach supporting documents for request, or request may be denied.

If not attached, explain: [Click here to enter text.](#)

Is equipment needed? Projector Y/N [Click here to enter text.](#) Internet/Wi Fi Y/N [Click here to enter text.](#) Telephone for conference call Y/N [Click here to enter text.](#)

Contact information:

Email address: [Click here to enter text.](#) Phone Number: [Click here to enter text.](#)

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS**

[Click here to enter text.](#)



# Jefferson County Lease Agreements

| ENTITY/LESSEE                    | PROPERTY                        | RENT COLLECTED/PAID            | ADDITIONAL COMMENTS  |
|----------------------------------|---------------------------------|--------------------------------|--|
| Parks and Rec                    | Sam Michaels Park               | 100 year lease at \$1 per year | This is a lease from a prior Commission when the park was initially built in 2006.   |
| Teen Court/United Way            | Smoot Building                  | In-kind contribution           |  |
| Jefferson County Board of Health | Office Space in Bardane         | In-kind contribution           | The Commission finally executed a lease to quantify the value of the office space we provide as a contribution   |
| WVDHHR                           | 15 offices in Bardane           | \$1559 a month                 | These are offices that WVDHHR rents to house the local branches of the State Health Department   |
| Red Cross                        | 3 offices in Bardane            | \$306 a month                  |  |
| Lyle Tabb and Sons               | Farmland at Poorhouse Farm      | \$775 a year                   | Original lease dates back to 1968 but has not been updated since 1998<br>Pursuant to statute, the County only receives the full amount of rent if there is enough money collected in fines from the court's misdemeanor criminal docket. Otherwise we take whatever monies are available toward the rent, but recently the fines have not covered the full \$3,750 in rent. Talking to other administrators in the state, other counties are experiencing the same problem, which is a fairly recent occurrence. |
| Magistrate Court                 | Office Space in Judicial Center | \$3750.00 a month              | This is a lease agreement for single family home on the property. The renter is also the caretaker for the property.   |
| Bill Gray                        | Caretaker's House-County Farm   | \$100 a month                  |  |
| Jefferson County Commission      | Old Charles Town Library        | \$1500 a month                 | This is the amount we pay for the County Commission Meeting Room   |



**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **June 21, 2018**

*If a specific date is needed, please provide reason for specific date:* [Click here to enter text.](#)

Date Requested – 2<sup>nd</sup> Choice: [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*):

**Discuss County Commission regular meeting July 5, 2018 – 4<sup>th</sup> of July Week**

Please provide the County Commission with a description of your request or presentation, including any background information:  
[Click here to enter text.](#)

Is this a funding request? Y/N [Click here to enter text.](#)

If so, how much? \$[Click here to enter text.](#)

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

Attach supporting documents for request, or request may be denied.

If not attached, explain: [Click here to enter text.](#)

Is equipment needed? Projector Y/N [Click here to enter text.](#) Internet/Wi Fi Y/N [Click here to enter text.](#)

Telephone for conference call Y/N [Click here to enter text.](#)

Contact information:

Email address: [Click here to enter text.](#) Phone Number: [Click here to enter text.](#)

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS**

[Click here to enter text.](#)



**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **June 21, 2018**

*If a specific date is needed, please provide reason for specific date:* [Click here to enter text.](#)

Date Requested – 2<sup>nd</sup> Choice: [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*):

**Renew the Mutual Aid Agreement between the City of Martinsburg and Jefferson County – Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information:

Is this a funding request? **Y/N** [Click here to enter text.](#)

If so, how much? **\$**[Click here to enter text.](#)

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

Attach supporting documents for request, or request may be denied.

If not attached, explain: [Click here to enter text.](#)

Is equipment needed? **Projector** **Y/N** [Click here to enter text.](#) **Internet/Wi Fi** **Y/N** [Click here to enter text.](#)

Telephone for conference call **Y/N** [Click here to enter text.](#)

Contact information:

Email address: [Click here to enter text.](#) Phone Number: [Click here to enter text.](#)

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS**

[Click here to enter text.](#)



# CITY OF MARTINSBURG FIRE DEPARTMENT

PAUL E. BRAGG  
FIRE CHIEF



PHONE NUMBERS  
FIRE & EMERGENCY  
911

OFFICIAL BUSINESS  
FIRE INSPECTIONS  
304-264-2111  
FAX 304-264-2115

200 NORTH RALEIGH STREET  
MARTINSBURG, WEST VIRGINIA 25401

8 June 2018

Mr. Josh Compton, President  
The Commission of Jefferson County  
P.O. Box 250  
Charles Town, West Virginia 25414

Dear Mr. Compton:

It is time to renew the Mutual Aid Agreement between the City of Martinsburg and Jefferson County. Enclosed is the Agreement adopted by the City Council on 8 June 2018 with an effective date of 1 July 2018.

If you desire any changes to the Agreement, please feel free to contact me at (304) 264-2111. Once the Commission has signed the Agreement, make yourself a copy, and return the signed original to me.

Sincerely,

A handwritten signature in blue ink that reads "Paul E. Bragg". The signature is written in a cursive style.

Paul E. Bragg, Fire Chief  
Martinsburg Fire Department

cc: Mark S. Baldwin, City Manager

# MUTUAL AID AGREEMENT

## FIRE, EMERGENCY MEDICAL SERVICES, SPECIALIZED RESCUES, AND DISASTERS

BETWEEN THE CITY OF MARTINSBURG

AND JEFFERSON COUNTY, WEST VIRGINIA

This AGREEMENT made and entered into this 1<sup>st</sup> day of July, 2018 by and between the CITY OF MARTINSBURG, WEST VIRGINIA AND JEFFERSON COUNTY, WEST VIRGINIA.

WITNESSETH:

WHEREAS, each of the parties hereto has an interest in the control of fires, emergency medical services, specialized rescues, disasters and/or other emergency support; and,

WHEREAS, in the event of a major fire, mass casualty event, specialized rescue, disaster or other emergency, either party may need the assistance of the other party to this Agreement, to provide supplemental fire suppression, emergency medical services equipment and personnel, specialized rescue personnel, and/or other emergency support; and,

WHEREAS, the CITY OF MARTINSBURG, and JEFFERSON COUNTY are desirous of providing more adequate protection within their respective territories in the event of a major fire, mass casualty event, specialized rescue, disaster and/or other emergency.

NOW THEREFORE, in consideration of the respective covenants and promises herein, the parties agree as follows:

1. DEFINITIONS: as used herein:

- (a) "Requesting Party" shall mean that party requesting aid; and,
- (b) "Responding Party" shall mean that party affording or responding to a call for aid.

2. AUTHORITY TO REQUEST AID:

- (a) Each party authorizes their respective fire chiefs, agency directors, or in their absence the senior officer or other member in charge to request and afford mutual aid from and to the other party upon request.

(b) Each party agrees that the request for mutual aid shall comply with the following guidelines:

- (1) The Requesting Party must have personnel on scene at the emergency incident at the time of the request; or,
- (2) The Requesting Party must have all their resources involved on another emergency incident at the time of the request; or,
- (3) The Requesting Party must be requesting a special piece of equipment or expertise the Requesting Party does not have; or,
- (4) The Requesting Party is responding to an emergency that from information received during the initial dispatch it is believed that the incident will overwhelm the resources of the Requesting Party.

3. LIABILITY:

- (a) Each party agrees that the Requesting Party shall assume liability for and hold the Responding Party harmless from all liabilities which arise out of command decisions and judgments.
- (b) Each party agrees to assume responsibility for liabilities arising out of the actions of its' own personnel and to hold the other party harmless as to the actions relating to performance.

4. INSURANCE:

- (a) Each party agrees to maintain adequate insurance coverage for its' own personnel and equipment.

5. COMPENSATION:

- (a) Each party agrees that it will not seek from the other party compensation for services rendered under this Agreement.
- (b) Each party shall at all times be responsible to its' own personnel for payment of wages and other compensation and for carrying worker's compensation upon said personnel.
- (c) Each party shall be responsible for its' own equipment and shall bear the risk of loss or damage.
- (d) However, if fire suppression chemicals are utilized by the Responding Party, the Requesting Party shall compensate the other party for the replacement cost of such chemicals.
- (e) Each party agrees that this agreement does not prevent either party from billing third parties for services when such billing is appropriate.

6. TRAINING:

- (a) Each party agrees that personnel of the Responding Party answering a request for mutual aid under this Agreement will meet all training requirements of the West Virginia State Fire Commission, the West Virginia Office of Emergency Medical Services, and/or any other state or federal requirements that may apply.

7. INCIDENT MANAGEMENT:

- (a) Each party agrees that the Requesting Party shall assume management of the emergency incident; unless, they specifically request the Responding Party to assume management responsibility. The Responding Party has the right to accept or reject this request.
- (b) Each party agrees that the management system to be used during the emergency incident shall be based on the National Incident Management System (NIMS), which is endorsed by the Department of Homeland Security.
- (c) Each party agrees that personnel of the Responding Party answering a request for mutual aid shall be trained in the use of the National Incident Management System (NIMS).
- (d) Each party agrees that personnel from the Responding Party shall work directly under a supervisor from their own department; but, that the supervisor shall be operating within the National Incident Management System (NIMS).

8. SAFETY:

- (a) Each party agrees that SAFETY is the number one priority at any incident.
- (b) Each party agrees that if members of the Responding Party feel an unsafe act is taking place or is about to take place they can withdraw from participation in the operation.

9. OBLIGATION TO RESPOND:

- (a) Each party agrees that provisions of this agreement shall not be construed to impose an obligation to respond to a request for mutual aid. At any time the Responding Party may, for any reason, deem it advisable not to respond and may so inform the Requesting Party.
- (b) Each party agrees that the Responding Party shall determine the amount of apparatus and personnel to send to a request for aid.

10) TERMINATION:

- (a) This agreement shall remain in full force and effect until the first day of July of each year. At which time, if desirable by both parties, the Agreement with any agreed upon changes can be renewed by the two parties.
- (b) A party desiring to terminate this Agreement prior to the first day of July shall serve in written notice upon the other party of its' intention to terminate this Agreement. Such notice shall be served not less than thirty calendar days prior to the termination date set forth in said written notice.

The Jefferson County Commission shall act as an agent for all Jefferson County Volunteer Fire Departments and Jefferson County Emergency Medical Services.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement the day and year first above written.

ATTEST: *Merna Long*  
CITY RECORDER

BY: *George Karos*  
MAYOR, GEORGE KAROS  
CITY OF MARTINSBURG

DATE: 6/8/18

BY: *Paul E. Bragg*  
FIRE CHIEF, PAUL E. BRAGG  
CITY OF MARTINSBURG  
FIRE DEPARTMENT

ATTEST: \_\_\_\_\_  
COUNTY ADMINISTRATOR

BY: \_\_\_\_\_  
COUNTY COMMISSION  
PRESIDENT, JOSH COMPTON  
JEFFERSON COUNTY

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
JEFFERSON COUNTY  
EMERGENCY SERVICES  
DIRECTOR



**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **June 21, 2018**

If a specific date is needed, please provide reason for specific date: [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*): **Appointment to the MARC Train Working Group - Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information:

Is this a funding request? **Y/N** [Click here to enter text.](#)

If so, how much? **\$**[Click here to enter text.](#)

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

Attach supporting documents for request, or request may be denied.

If not attached, explain: [Click here to enter text.](#)

Is equipment needed? **Projector** **Y/N** [Click here to enter text.](#) **Internet/Wi Fi** **Y/N** [Click here to enter text.](#) **Telephone for conference call** **Y/N** [Click here to enter text.](#)

Contact information:

Email address: [Click here to enter text.](#) Phone Number: [Click here to enter text.](#)

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS**

[Click here to enter text.](#)





**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

Name: **Stephanie Grove, County Administrator**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **June 21, 2018**

*If a specific date is needed, please provide reason for specific date:* [Click here to enter text.](#)

Date Requested – 2<sup>nd</sup> Choice: [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*):

- Request Grade/Status change to Temporary Full-Time Public Safety Dispatcher - Discussion/Action
- Approval to hire Deputy Director/Planner/Program Manager - Homeland Security and Emergency Management - Discussion/Action
- Annual Performance & Review Policy - Discussion/Action
- Compensation Policy - Discussion/Action
- Update CVB Property

Please provide the County Commission with a description of your request or presentation, including any background information:

Is this a funding request? **Y/N** [Click here to enter text.](#)

If so, how much? **\$**[Click here to enter text.](#)

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

Attach supporting documents for request, or request may be denied.

If not attached, explain: [Click here to enter text.](#)

Is equipment needed? **Projector** **Y/N** [Click here to enter text.](#) **Internet/Wi Fi** **Y/N** [Click here to enter text.](#)

Telephone for conference call **Y/N** [Click here to enter text.](#)

Contact information:

Email address: [Click here to enter text.](#) Phone Number: [Click here to enter text.](#)

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS**

[Click here to enter text.](#)



Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

**JEFFERSON COUNTY COMMISSION  
AGENDA REQUEST FORM**

Name: Jeffrey A. Polczynski, ENP – Director of Communications

Department or Entity: Emergency Communications

Estimation of amount of time needed for appointment: 1 minute

Date Requested – 1<sup>st</sup> Choice: ~~07/05/2018~~ → 6/21/18

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

If a specific date is needed, please provide reason for specific date:

**Subject: Request Grade/Status Change-to Temporary Full-Time Public Safety Dispatcher**

Please provide the County Commission with a description of your request or presentation, including any background information:

The purpose of this memorandum is to inform the Commission of the temporary full-time status of Erika Wilkins.

Erika Wilkins is currently a part-time public safety dispatcher while completing her degree to become an RN. Starting Fiscal Year 2019, she is able to work in a full-time capacity and has asked if she could be approved for temporary full-time status. Due to impending retirement, potential promotion, and recent resignation, Ms. Wilkins would be utilized to provide relief in the staffing shortage. Ms. Wilkins is currently cleared in two of three phases and is should be finishing her third phase in very near future. This request is temporary to last until approximately February/March 2019.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):

**Motion to approve Public Safety Dispatcher Erika Wilkins to temporary full-time employment.**

Attachments:



**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **June 21, 2018**

*If a specific date is needed, please provide reason for specific date:* [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*): **Approval of employment – Deputy Director- Homeland Security and Emergency Management – Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information:

Is this a funding request?  Y/N [Click here to enter text.](#)

If so, how much?  \$ [Click here to enter text.](#)

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

Attach supporting documents for request, or request may be denied.

If not attached, explain: [Click here to enter text.](#)

Is equipment needed?  Projector  Y/N [Click here to enter text.](#)  Internet/Wi Fi  Y/N [Click here to enter text.](#)  Telephone for conference call  Y/N [Click here to enter text.](#)

Contact information:

Email address: [Click here to enter text.](#) Phone Number: [Click here to enter text.](#)

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS**

[Click here to enter text.](#)





**JEFFERSON COUNTY  
COMMISSION OFFICES  
WILL BE CLOSED ON  
WEDNESDAY JULY 4<sup>TH</sup>,  
2018 IN OBSERVANCE OF  
INDEPENDENCE DAY.**

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, July 19, 2018 or as soon thereafter as the Commission may decide:

**Jefferson County Board of Health: one five-year term ending June 30, 2021.**

*§ 16-2-7. Appointment to and Composition of County Boards of Health; Qualifications; Number of Appointees*

*A county board of health is composed of five members selected and appointed by vote of the county commission. Each member appointed to the county board of health shall be a resident of the county. No more than two members who reside in the same magisterial district may be appointed and no more than two members may be appointed who are personally licensed or certified in, engaged in, or actively participating in the same business, profession or occupation. No more than three members of a county board of health may belong to the same political party.*

**Currently seeking qualified applicants who reside in the following districts: Charles Town District, Kabletown District, Harpers Ferry District, and Middleway District.**

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, no later than 12:00 p.m. on the Monday prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, July 19, 2018 or as soon thereafter as the Commission may decide:

**Jefferson County Emergency Services Agency Board - two three year terms for Citizen Representative, ending June 30, 2021.**

**Per the Ordinance to Dissolve and Reconstitute the Jefferson County Emergency Services Agency: Section 3 - Joint Emergency Services Board**

*(f) No citizen member of the Board may provide fire service or emergency ambulance service in Jefferson County. Nor may any member of the Board have any immediate family member who provides fire service or emergency ambulance service in Jefferson County.*

*(g) No member of the Board, nor their immediate family member, shall have any interest in any firm, partnership, corporation or association engaged in the business of providing ambulance or fire service, nor in the manufacture, sale or lease of ambulance or fire equipment or facilities. For purposes of this ordinance, immediate family member shall mean a spouse or other person with whom a member is living as husband and wife and any child or children, grandchild or grandchildren and parent or parents.*

*(h) Employees of the Agency are not eligible to serve as members of the Board.*

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, no later than 12:00 p.m. the Monday prior to the appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, July 19, 2018, or as soon thereafter as the Commission may decide:

**Jefferson County Solid Waste Authority - one four year term ending June 30, 2022.**

**Jefferson County Parks and Recreation Commission - three (3) three-year terms ending June 30, 2021.**

**Summit Point Library Committee - one four year term ending June 30, 2022.**

**Harpers Ferry - Bolivar Public Service District - one six year term ending June 30, 2024.**

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414 no later than 12:00 p.m. the Monday prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

# Public Service Commission of West Virginia

201 Brooks Street, P.O. Box 812  
Charleston, West Virginia 25323



Phone: (304) 340-0300  
Fax: (304) 340-0325

June 5, 2018

Jefferson County Commission  
124 East Washington Street  
Charles Town, WV 25414

SUBJECT: Disbursement of Wireless E-911 Subscriber Fees

Dear County Commissioner:

A check in the amount of \$213,047.40 representing a disbursement of Wireless E-911 subscriber fees **will be mailed directly from the West Virginia State Auditor's Office.** This amount is your County's share of the fees remitted to the Public Service Commission for the months of March, April, and May 2018. The next disbursement will be in three months.

I can be reached at our toll-free number, 1-800-344-511, Extension 364, or direct at 304-340-0364, should you have any questions about the disbursement calculation or about the fees in general.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra Mitchell".

Sandra Mitchell  
Budget & Finance Manager

SM:kp

The County Commission of Jefferson County  
Department of Maintenance  
128 Industrial Blvd.  
Kearneysville, WV 25430  
304-728-3355 • 304-728-3376 (f)  
William Polk, Director  
[bpolk@jeffersoncountywv.org](mailto:bpolk@jeffersoncountywv.org)

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Jefferson County Maintenance Department  
Monthly Report  
May 2018

**Completed Work Orders:**

There were 21 business days in May 2018. The Maintenance Department completed the following work orders for May 2018. Work orders are completed on every task performed by maintenance employees.

|   |            |
|---|------------|
| Work orders completed for calls for service.....            | 119        |
| Work orders completed for preventive tasks.....             | 366        |
| Work orders completed for preventive auto maintenance... .. | 38         |
| Work orders completed for auto mechanic equipment.....      | 8          |
| Work Orders completed for walk-ins for auto mechanic.....   | 19         |
| <b>Total work orders completed for May 2018.....</b>        | <b>550</b> |

**Open Work Orders:**

The Maintenance Department still has open work orders for May:

|   |            |
|---|------------|
| Preventive Tasks Work Orders.....               | 86         |
| Call-in Work Orders.....                        | 18         |
| <b>Total open work orders for May 2018.....</b> | <b>104</b> |

**On-Call Personnel Call Outs and Overtime:**

On-call maintenance staff was called out during off-hours a total of 7 times in May resulting in 10 hours of overtime. Maintenance staff worked a total of 24 hours of overtime in May.

### **Phone Calls:**

Office staff received 602 incoming phone calls for the month of May.

### **Work by Outside Vendors for Service/Scheduled Maintenance/Inspections:**

- KONE Elevators performed monthly elevator inspections on May 9, 2018.
- Central Elevator Inspections performed the annual elevator inspections on May 10, 2018.
- Fidelity Engineers performed inspections and maintenance on generators.

### **Various Tasks or Special Projects:**

- Maintenance staff delivered 27 cases of paper and numerous office supplies to various county departments.
- Maintenance staff assisted with moving equipment and delivering election supplies for the General Election.
- Maintenance staff worked to repair water leaks in county buildings caused by extreme rain and flooding.
- Maintenance staff removed old furniture from the Assessor's office to accommodate new furniture that was delivered.
- Maintenance staff worked on A/C issues at the Judicial Building, Jail Annex and Probation Office.
- The Visitor's Center project is still ongoing. Bill Polk and Dean Thomas attended a telephone conference with Annette Gavin and the architects for the project on May 25, 2018.
- The Courthouse windows project is currently ongoing.
- The fire escape project on the Reininger Building is currently ongoing.
- The Maintenance Director met with Job Corp about pouring concrete pads at the maintenance building and the sheriff's building.
- The window project at the Hunter House has started.
- The Maintenance Director met with a contractor about parking issues.
- Working with ZMM Architects to redesign the downtown parking area.
- Painting of the rail around the courthouse and other buildings is underway.
- The Maintenance Director met with Judge Hammer about items he would like for his office.
- Plans for the second floor redesign of the mini-mag courtroom have been submitted. We are currently waiting on a reply from the magistrates on the plans.
- The Maintenance Director met with Nick Diehl concerning items in the business park.
- The Maintenance Director met with an electrical vendor and did a walkthrough of county buildings to see what lighting upgrades could be made.

# *Jefferson County*

## *Public Service District*

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Jefferson County Public Service District  
Regular Board Meeting  
May 7, 2018

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, May 7, 2018 in the meeting room at the District's office in Kearneysville. Those in attendance included: Chairman, Roger Forshee; Treasurer, Todd Milliron; Secretary, Tara Ashley; General Manager, April Shultz; Office Administrator, Ashley Stottlemeyer; Operations Manager, Joseph Freeze; District Attorney, David Hammer; and County Commission liaison, Commissioner Josh Compton.

### CALL TO ORDER

Chairman Roger Forshee called the meeting to order at 7:00PM.

### Approval of agenda

The agenda was approved unanimously.

**Action: Motion made by Ms. Ashley and seconded by Mr. Milliron to approve the agenda as presented. Unanimously approved.**

### Public Comments

Sarah Thomsen commented on the Facebook and Twitter page created by Mr. Forshee which she is against. She stated he changed the name from "official" to unofficial" which she felt implied that he was aware on some level the page was unethical and he used/misused his position as chairman of the District. She stated she believed this page to be a conflict of interest in which he has promoted certain politicians while critiquing others and has blocked citizens from viewing the page and deleted certain public comments. She stated that she has taken screen shots of all the deletions prior to them being taken down. Ms. Thomsen made the comment that he is using his position and abusing his power and called for the removal of the page because it is clearly not representing what the title of the page implies. She said she has no problem with Mr. Forshee expressing his opinions on his own Facebook page, but not on one titled as an organization.

Susan Pipes read a letter she addressed to the Board regarding the Facebook page created by Mr. Forshee. She stated the page has misled citizens in the community, caused the District staff and the Jefferson County Commission grief, and he has blocked many citizens from the page taking away their ability to express their opinions. Ms. Pipes commented that this is not fair, and the page offered no balance of information. She asked if the page is "unofficial" then why it contained all of the District's information. Ms. Pipes stated that entities in this County are acting like children rather than working together and Mr. Forshee has caused havoc. She made the comment that she is the leader of an organization called the Women's March and she is careful to differentiate when she is representing herself as the leader of that group and as a private citizen and Mr. Forshee should be representing the District and its customers. Ms. Pipes commented to the other Board members "shame on you" if you cannot stand up against one person and say "enough is enough". She reminded the Board that Jill Upson recently worked on a cyber bullying law and this is a form of cyber bullying. Ms. Pipes closed by quoting portions of the Ethics Act and stated Mr. Forshee has committed unethical behavior and could rename the page if he did not want to delete it.

### Employee Comments

Joe Freeze, Operations Manager, had concerns over increasing the number of monthly board meetings. He stated that conducting one a month is very time consuming for staff and felt that one is sufficient. The Chairman reminded the employee that this topic is an agenda item and will be discussed later in the meeting.

Mrs. Shultz read an employee comment submitted to her anonymously by a member of her staff. The employee had a few thoughts about the state of the District, how things are going, and job security. The employee wished to remain silent for fear of retribution.

## OLD BUSINESS

### Review minutes of April 4 regular board meeting

**Action:** Motion made by Mr. Milliron and seconded by Ms. Ashley to accept the April 4, 2018 regular board meeting minutes as presented. Unanimously approved.

### Discuss the District's financial status (status of paying bills)

Mrs. Shultz stated the District will have enough to pay the May disbursements for sewer, but will need to collect \$6500 to cover the previous disbursements for water.

**Action:** No action required by the Board.

### Update from County Commission about JCPSD service area

The County Administrator provided Mrs. Shultz with information regarding the District's service area. This included the original County Commission order from 1983 which created the District and defined the service area as all land that lies within the boundary of Jefferson County, with the exception of those areas served by a municipal sewage authority.

**Action:** No action required by the Board.

### Discuss and approve a financial auditor for a 1 year contract

Mrs. Shultz received a call from Chuck Young of Cox Hollida Young, PLLC and he informed her that he was asked by the City of Charles Town to assist them with the due diligence process for consolidation. He also submitted a proposal for the 1 year financial auditor contract after having Mrs. Shultz check with the Board which was included in the board meeting packet. Mr. Milliron stated he had contacted several accounting firms in the last couple of days, as Mrs. Shultz has over the last couple of months. Mrs. Shultz stated that the Board should approve an auditor before the year ends June 30<sup>th</sup>.

Mr. Milliron stated that at the board member training he attended a couple weeks ago, many Public Service Districts allow their staff to submit the annual reports to the PSC. Mrs. Shultz replied that she is not comfortable without having a Certified Public Accountant assisting with preparing and submitting them. She will also be on maternity leave later this month when this should be prepared. Mr. Milliron suggested hiring two accounting firms, one to prepare the annual report and one to prepare the audit.

Since a few of the firms informed Mr. Milliron they would consider submitting a proposal, the Board decided to extend the acceptance of proposals until May 25<sup>th</sup>. Ms. Ashley stated that a decision should be made by the next meeting at the latest.

**Action:** Motion made by Ms. Ashley and seconded by Mr. Milliron to extend the Request for Proposals to now close on May 25<sup>th</sup>. Unanimously approved.

The Board then discussed advertising options for the Request for Proposal. Mr. Forshee mentioned a website, [www.westvirginiabids.com](http://www.westvirginiabids.com), he found to advertise the Request for Proposal on to extend the search other than just the local papers. The Board suggested posting it in the Washington Post as well.

**Action:** Motion made by Mr. Milliron and seconded by Ms. Ashley to submit the Request for Proposals to the Washington Post. Unanimously approved.

### Discuss pump station upgrades and related costs

Operations Manager, Joe Freeze, contacted numerous contractors for the repair/upgrades to pump station 3-6, but only received 2 bids, one from Marcum Pump & Equipment and the other from Snyder Environmental Services. District staff researched the bid limit for repairs and discovered it was \$25,000 not \$10,000 as previously thought. Mr. Freeze stated that the Marcum bid came in at \$22,000, but it didn't include replacing backflow devices and check valves, while the Snyder Environmental quote came in at \$47,500.

Mr. Forshee was concerned and did not want to piece mill a project just to stay under the \$25,000 limit. Mr. Hammer stated he believed this pump station repair would be considered one project. The Board decided to move forward with the quote from Marcum Pump and directed Mr. Freeze to contact them on their availability to begin the work. Once this upgrade/repair is complete the District will work on the upgrade/repair to pump station 4-2. Mrs. Shultz stated that money will be used from the Renewal & Replacement Account to cover these costs.

**Action: Motion made by Mr. Forshee and seconded by Ms. Ashley to approve less than \$25,000 for repairs to pump station 3-6 by Marcum Pump & Equipment. Unanimously approved.**

Mrs. Shultz updated the Board on the fences to be installed at the two pump station in Briar Run. The permit has been issued and the contractor will begin the work tomorrow.

## **NEW BUSINESS**

### **Discuss social media/Facebook**

This item was added in response to a personal Facebook page Mr. Forshee had created using the District's name and public information. Mr. Forshee began the discussion by stating his thought was to create a Facebook page to offer official information to customers/public in a cost effective way after researching other entities who had created pages, including the Berkeley County Public Service Water District, Jefferson Utilities, Putnam PSD, Craigsville PSD, Clay Roane PSD, Wilderness PSD, and Hardy County PSD. He then asked staff how they notify customers in emergency situations and Mrs. Shultz informed him that in emergency situations at the water systems customers are notified by phone calls or door to door. The Chairman expressed the benefits of social media including the time needed to personally visit all customers during the emergency. Mrs. Shultz stated that the District website is sufficient and staff has the ability to personally update the site.

Ms. Ashley questioned whether the Board was discussing Mr. Forshee's Facebook page he created or using a District page in general. Mr. Forshee stated he would not be discussing his private page and doesn't think it is fair to discuss private pages. Ms. Ashley stated that she doesn't see a need for a District Facebook page or any other social media page. Mr. Milliron thanked staff for creating and publishing the newsletter and would like to stay on that avenue rather than social media. Mrs. Shultz agreed that her or her staff do not want a District Facebook page.

Regarding Mr. Forshee's personal Facebook page he created with the District's name, Ms. Ashley prepared and read a statement where she quoted several portions of the Ethics Act and commented on how Mr. Forshee created an official page, which he later changed the name to unofficial, without Board approval. She also stated the page was misleading and dishonest which put the District in the spotlight for his personal agenda causing embarrassment to the District's reputation and ethical goals.

**Action: Motion made by Ms. Ashley that all use of the District's name be removed from the Chairman's personal social media pages so as to remove any link between Mr. Forshee's personal life and his role as chairman on this board.**

**Ms. Ashley amended her motion to request that all use of the District's name be removed from the Chairman's personal social media pages so as to remove any link between Mr. Forshee's personal life and his role as chairman on this board.**

Before making a second on the amended motion, Mr. Milliron stated that on social media sites, a person's name needs to be applied in the title and should be mentioned that it is the creator's opinions and not the entity. He asked Mr. Hammer what his view was of the ethical violations in this matter. Mr. Hammer stated that because he represents the entity as a body and not as individuals, he cannot give advice for this matter. Commission Compton commented that the page is confusing and the title should be changed to include Mr. Forshee's name as the current page gives a false notion of what the page really is. Mr. Forshee asked what the next steps would be if the page was not changed and Ms. Ashley commented that she would vote to censor Mr. Forshee.

**Mr. Milliron amended Ms. Ashley's amended motion to request that anyone who creates a social media site, the creator's name be added in the title of the pages. Ms. Ashley agreed with this amendment and Mr. Milliron seconded the amended motion. The motion passed 2-1. Mr. Forshee voted against.**

Mr. Forshee suggested the District refer this to the Ethics Commission for an opinion. Mr. Hammer stated the District should not spend District funds to file a complaint, but an individual could file it for a public opinion.

**Action:** Motion made by Mr. Forshee to refer this to the WV Ethics Commission for an opinion. The motion died due to a lack of a second.

Discuss online billing and late fees

Mr. Forshee added this item to the agenda after a customer commented on his unofficial Jefferson County PSD Facebook page regarding the District's webpay system being down outside of business hours. Mrs. Shultz stated and confirmed the system was down and fixed after the office opened that morning. Mr. Forshee also questioned late fees since that customer did not want to be charged a late fee for not paying. Mrs. Shultz stated that we have approximately 600 customers who pay late. Additionally, she discussed several payment options available to customers and that the District will work with them if it is their first time being late. Additionally, Mrs. Shultz informed the Board that it is unreasonable for the staff to check postmarks and late fees are applied the following day after the bills are due and after all overnight payments are entered.

**Action:** No action required by the Board.

Discuss regular meeting frequency

Mr. Forshee added this item to the agenda since there has been a lot of emailing this past month between the Board and staff. He stated he didn't want to cross any ethical lines or make any decisions in emails so he questioned if one meeting a month was sufficient. He wanted to open the topic up for discussion. Ms. Ashley and Mr. Milliron both agreed that one meeting a month was sufficient at this time.

Mr. Freeze stated the District is ran by a competent General Manager. Staff agreed with Ms. Ashley and Mr. Milliron and Commissioner Compton commented that the Board should let the General Manager run the utility as she is more than capable.

**Action:** No action required by the Board.

Discussion of any expenses over budget for the year

There were no items over budget.

**Action:** No action required by the Board.

Approve monthly disbursements

Mr. Forshee questioned multiple disbursements and late fees that were charged on a couple of the Potomac Edison bills. Mrs. Shultz stated the board meeting is scheduled after a couple of the bills are due and the District received a late fee. He also questioned the staff's purchases of water for the water cooler, candy, and coffee. Commissioner Compton stated he would donate water and coffee to the employees if it is taken away. Mr. Forshee also questioned the number of phone companies and lines. The General Manager reported that these charges on the Comcast bill were being reduced since the lines were eliminated. Mr. Forshee was concerned about the proper use of public funds.

**Action:** Motion made by Mr. Milliron and seconded by Ms. Ashley to approve disbursements for Public Service District sewer expenses in the amount of \$172,365.80. Unanimously approved.

**Action:** Motion made by Mr. Milliron and seconded by Ms. Ashley to approve disbursements for the Public Service District water expenses in the amount of \$8,239.36. Unanimously approved.

Approve transfer of \$4,876.76 from the New Sewer Security Deposit account to the Sewer Operating account for 43 security deposit refunds

**Action:** Motion made by Mr. Milliron and seconded by Ms. Ashley to approve transfer of \$4,876.76 from the New Sewer Security Deposit account to the Sewer Operating account for 43 security deposit refunds. Unanimously approved.

Approve transfer of \$2,157.69 from Renewal & Replacement account to the Sewer Operating account for one new pump and one pump repair for Deerfield plant

**Action:** Motion made by Mr. Milliron and seconded by Ms. Ashley to approve transfer of \$2,157.69 from the Renewal & Replacement account to the Sewer Operating

**account for one new pump and one pump repair for Deerfield plant. Unanimously approved.**

Update on Status of Current Public Service Commission Cases

• Jefferson County Commission PSC Case No. 17-0915-PSWD-PC consolidated with Complaint Case PSC no. 18-0006-PSD-C– Mr. Hammer filed the requested proof a publication and meeting minutes to the PSC. There have been no further updates in this case.

**Action: No action required by the Board.**

General Manager's Report

In the General Manager's report this month, Mrs. Shultz informed the Board that the maintenance staff completed the annual line flushing at both water systems and the Cavaland leak was fixed. Also, Mr. Freeze and staff have been doing multiple repairs at the Deerfield wastewater treatment plant and began mowing at Deerfield and Glen Haven.

Mrs. Shultz also stated that both Mr. Milliron and Ms. Ashley completed their board member training last month and Mrs. Shultz has scheduled the evaluation of the District's pump stations with Charles Town for later this month. Mr. Forshee requested a copy of their evaluation once it is completed.

Mrs. Shultz also discussed the proposed subdivisions Jefferson Heights North and Magnolia Springs. Jefferson Heights North is planned for 130 homes near the District's pump station 4-4, which would have to be upgraded by the developer to handle anymore flow. The Magnolia Springs subdivision would be located in the same area with 300 homes. Mrs. Shultz has been in discussions with Mrs. Stolipher at the Charles Town Utility Board regarding both areas.

Other issues brought up in the report were the lack of trust in the staff by Board members has created at least four employees to begin searching for alternative employment. The inability to move forward, micromanaging, and the lack of communication regarding their future with the District have made them consider other options. Mrs. Shultz referenced attacks and when questioned about those attacks she stated she would rather not discuss at this time. Mrs. Shultz will be on maternity leave later this month so she would hate to lose any staff. She also mentioned that the remaining balance owed to Thrasher has been paid in full this month.

**Action: No action required by the Board.**

Other staff reports

Mentioned in the Operations report, Mr. Freeze discussed a damaged manhole lid in front of the new Popeyes that had to be replaced. Mrs. Shultz will be sending the invoice for this repair to the restaurant. Also mentioned was the Aspen Greens development continuing to apply and pay for EDU's for phase 1 of the project. Additionally, Mr. Markley is continuing to work on the pump station estimates requested by Mr. Milliron.

**Action: No action required by the Board.**

Correspondence

None discussed.

**Action: No action required by the Board.**

Public Comment

Patsy Noland stated she was appalled at what she witnessed at tonight's meeting and commented that it was not the Chairman's duty to micromanage the District. She also made the comment that she was sorry for not voting for Ms. Ashley and that appreciated Ms. Ashley's actions at this meeting.

Susan Pipes stated that her previous "shame on you" comment made earlier in the meeting was not directed towards staff and the Board should be working together with the staff not against. She also appreciated and thanked Mr. Compton for supporting Ms. Ashley's motion to change the name of Mr. Forshee's Facebook page. Mrs. Pipes stated that Mr. Forshee had the opportunity to stand up tonight to be a leader, but failed. She lastly commented that she would be pissed off is she did not get her coffee and noticed Mr. Forshee didn't dismiss Mr. Freeze or Mr. Compton's discussions, but did dismiss as a female Ms. Ashley.

Jacquelyn Milliron commented that after years of looking at the repair/upgrade costs of pump stations, specifically at pump station 3-6 costing at least \$100,000, she thanked Mr. Freeze for getting that number down to \$25,000.

**Action:** Motion made by Mr. Forshee and seconded by Ms. Ashley to convene into executive session to discuss potential office space/lease for the District. Unanimously approved.

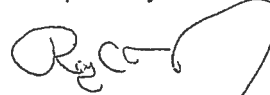
**Action:** Motion made by Mr. Forshee and seconded by Ms. Ashley to return to public session. Unanimously approved.

**Action:** Motion made by Mr. Forshee and seconded by Ms. Ashley to adjourn. Unanimously approved.

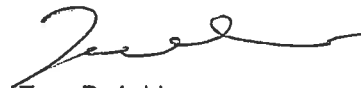
There being no further business at this time, the meeting was adjourned at 9:20PM.

The next regular meeting is scheduled for Monday, June 4, 2018 at 7:00PM at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Roger C. Forshee Jr.  
Chairman



Tara D. Ashley  
Secretary