

Minutes

Jefferson County Commission

Thursday, November 1, 2018

A meeting of the Jefferson County Commission was held on Thursday, November 1, 2018 during the second 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, Patsy Noland, Peter Onosko, and Jane Tabb. Also present Jacqueline Shadle, County Clerk; Stephanie Grove, County Administrator; Jessica Carroll, Executive Administrative Assistant; and Jim Eddy, Bailiff. (An audio tape of the Thursday, November 1, 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. Noland to approve the Purchase Orders for November 1, 2018 to include purchase order no. 52560 in the amount of \$35,522.05. Motion seconded and unanimously approved.

APPROVAL OF MINUTES

Motion by Ms. Tabb to approve the October 18, 2018 Regular Meeting Minutes with noted correction. Motion seconded and unanimously approved.

PAYROLL APPROVAL

Motion by Ms. Noland to approve the Payroll for October 18, 2018 in the amount of \$263,713.91. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
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080821	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 1,485.87	\$ 1,485.87
080822	401	BEST BEST & KRIEGER LLP		\$ -	\$ 2,237.85	\$ 2,237.85
080823	424	BOLAND TRANE SERVICES IN		\$ -	\$ 270.00	\$ 270.00
080823	425	BOLAND TRANE SERVICES IN		\$ -	\$ 930.00	\$ 930.00
080823	425	BOLAND TRANE SERVICES IN		\$ -	\$ 1,512.90	\$ 1,512.90
080823	425	BOLAND TRANE SERVICES IN		\$ -	\$ 136.00	\$ 136.00
080823	425	BOLAND TRANE SERVICES IN		\$ -	\$ 1,034.00	\$ 1,034.00
080823	425	BOLAND TRANE SERVICES IN		\$ -	\$ 125.00	\$ 125.00
080823	425	BOLAND TRANE SERVICES IN		\$ -	\$ 166.00	\$ 166.00
080824	P/R DED	SHANNON BURLETT		\$ -	\$ 801.38	\$ 801.38
080825	405	MORGAN CREAMER		\$ -	\$ 292.12	\$ 292.12
080826	412	DOING BETTER BUSINESS,IN		\$ -	\$ 388.99	\$ 388.99
080827	424	J.C.EHRLICH		\$ -	\$ 33.00	\$ 33.00
080827	425	J.C.EHRLICH		\$ -	\$ 658.00	\$ 658.00
080828	P/R DED	CHRISTOPHER ENGLE		\$ -	\$ 2,250.00	\$ 2,250.00
080829	425	ESI ELECTRONIC SYSTMS IN		\$ -	\$ 543.69	\$ 543.69
080830	700	FEDEX		\$ -	\$ 49.05	\$ 49.05
080831	425	FIDELITY POWER SYSTEMS		\$ -	\$ 655.00	\$ 655.00
080832	401	FRANKLIN & PROKOPIK CORP		\$ -	\$ 4,611.00	\$ 4,611.00
080833	403	JEFFERSON CENTER		\$ -	\$ 100.00	\$ 100.00
080834	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 2,200.21	\$ 2,200.21
080835	GRANT	JEFFERSON DAY REPORT CNT		\$ -	\$ 23,082.58	\$ 23,082.58
080835	GRANT	JEFFERSON DAY REPORT CNT		\$ -	\$ 1,194.00	\$ 1,194.00
080836	712	DR. ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
080837	712	LANGUAGE LINE SERVICES		\$ -	\$ 128.55	\$ 128.55
080838	403	MATTHEW BENDER		\$ -	\$ 446.61	\$ 446.61
080839	401	NEOPOST USA INC.		\$ -	\$ 331.30	\$ 331.30
080840	ALLOC	JEFF CO PARKS &		\$ -	\$ 33,460.79	\$ 33,460.79
080841	425	PATRIOT FIRE AND SECURIT		\$ -	\$ 382.39	\$ 382.39
080842	403	RECORD MANAGEMENT SOLUTN		\$ -	\$ 30.00	\$ 30.00
080843	717	RICE TIRES CO		\$ -	\$ 431.12	\$ 431.12
080843	717	RICE TIRES CO		\$ -	\$ 431.12	\$ 431.12
080843	717	RICE TIRES CO		\$ -	\$ 508.72	\$ 508.72
080844	425	R.E. MICHEL CO. LLC		\$ -	\$ 92.05	\$ 92.05
080845	428	SOFTWARE SYSTEMS, INC		\$ -	\$ 3,216.38	\$ 3,216.38
080846	704	WV REGIONAL JAIL &		\$ -	\$ 102,627.75	\$ 102,627.75
080847	700	ROBERT S. SELL		\$ -	\$ 901.38	\$ 901.38
080847	717	ROBERT S. SELL		\$ -	\$ 20.88	\$ 20.88
080848	424	U S PAVING LLC		\$ -	\$ 1,500.00	\$ 1,500.00
080849	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 37,146.87	\$ 37,146.87
080850	440	XEROX CORPORATION		\$ -	\$ 460.33	\$ 460.33

TOTAL					\$ 227,872.88	\$ 227,872.88

Motion by Ms. Tabb to approve the Accounts Payable for October 25, 2018 in the amount of \$227,872.88. Motion seconded and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
080853	401	BEST BEST & KRIEGER LLP		\$ -	\$ 536.38	\$ 536.38
080854	P/R DED	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
080855	412	JADA BENNETT		\$ -	\$ 585.23	\$ 585.23
080856	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
080857	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
080858	P/R DED	CONSOLIDATED PUBLIC		\$ -	\$ 500.00	\$ 500.00
080859	P/R DED	DELTA DENTAL OF WV		\$ -	\$ 6,407.43	\$ 6,407.43
080860	700	EXECUTIVE EMERGENCY		\$ -	\$ 417.15	\$ 417.15
080860	700	EXECUTIVE EMERGENCY		\$ -	\$ 877.50	\$ 877.50
080861	717	GUTTMAN OIL CO		\$ -	\$ 4,972.99	\$ 4,972.99
080861	717	GUTTMAN OIL CO		\$ -	\$ 3,822.84	\$ 3,822.84
080861	717	GUTTMAN OIL CO		\$ -	\$ 254.65	\$ 254.65
080861	717	GUTTMAN OIL CO		\$ -	\$ 4,199.16	\$ 4,199.16
080861	717	GUTTMAN OIL CO		\$ -	\$ 4,315.51	\$ 4,315.51
080861	717	GUTTMAN OIL CO		\$ -	\$ 3,498.63	\$ 3,498.63
080862	401	COX HOLLIDA YOUNG PLLC		\$ -	\$ 879.00	\$ 879.00
080863	P/R DED	THE HARTFORD		\$ -	\$ 2,374.90	\$ 2,374.90
080864	P/R DED	THE HARTFORD		\$ -	\$ 3,955.26	\$ 3,955.26
080865	P/R DED	JEFFERSON SECURITY BANK		\$ -	\$ 4,900.00	\$ 4,900.00
080866	405	MATTHEW BENDER		\$ -	\$ 162.15	\$ 162.15
080867	P/R DED	GAIL MCMILLION		\$ -	\$ 1,244.72	\$ 1,244.72
080868	P/R DED	RICCI MCINTYRE		\$ -	\$ 790.05	\$ 790.05
080869	P/R DED	HIGHMARK WV		\$ -	\$ 196,564.10	\$ 196,564.10
080870	P/R DED	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 543.86	\$ 543.86
080871	P/R DED	MILLENIUUM INSURANCE GROU		\$ -	\$ 750.00	\$ 750.00
080872	P/R DED	NATIONWIDE RETIREMENT		\$ -	\$ 849.00	\$ 849.00
080873	P/R DED	NATIONAL VISION ADMIN.		\$ -	\$ 1,788.66	\$ 1,788.66
080874	717	RICE TIRES CO		\$ -	\$ 508.72	\$ 508.72
080875	424	R.E. MICHEL CO. LLC		\$ -	\$ 337.09	\$ 337.09
080876	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 46,560.34	\$ 46,560.34
080876	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,889.18	\$ 10,889.18
080876	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 35,185.79	\$ 35,185.79
080877	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 6,314.77	\$ 6,314.77

080877	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 8,914.99	\$ 8,914.99
080878	GRANT	MARY SELL		\$ -	\$ 71.70	\$ 71.70
080879	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 2,280.00	\$ 2,280.00
080879	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 520.00	\$ 520.00
080880	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 10,278.94	\$ 10,278.94
080880	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 22,842.10	\$ 22,842.10
080880	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 3,743.34	\$ 3,743.34
080880	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 6,238.91	\$ 6,238.91
080881	401	WVCORP		\$ -	\$ 712.50	\$ 712.50
080882	P/R DED	CONNIE CONNER		\$ -	\$ 1,261.17	\$ 1,261.17
TOTAL					\$ 403,518.10	\$ 403,518.10

Motion by Ms. Noland to approve the Accounts Payable for November 1, 2018 in the amount of \$403,518.10. Motion seconded and unanimously approved.

MANUAL CHECKS

HOME DETENTION			
008			
Date	Check #	VENDOR	Amount
11/02/18	619	ATTENTI	\$ 2,176.00
ASSESSOR VALUATION			
056			
Date	Check #	VENDOR	Amount
11/02/18	706	THOMASSEN FORD	\$ 22,613.68
SHERIFF C/O			
246			
Date	Check #	VENDOR	Amount
11/02/18	1695	SNYDER ENVIRO SERVICES	\$ 63,948.19
11/02/18	1696	TYLER TECH	\$ 3,920.85
11/02/18	1697	SNYDER ENVIRO SERVICES	\$ 64,782.20
IMPACT FEES			
249			
Date	Check #	VENDOR	Amount
11/02/18	127	MINGHINI'S	\$ 73,845.00

TOTAL			\$ 231,285.92

Motion by Ms. Tabb to approve the Manual Checks for November 2, 2018 in the amount of \$231,285.92. Motion seconded and unanimously approved.

PUBLIC COMMENT

Nancy Gregory, resident – expressed her concerns about TeMa, Rockwool Ranson, and pollution.

Ilsa Gregg, resident – expressed her concerns about Rockwool Ranson and pollution.

Nicola Bastian, resident – expressed her concerns about Rockwool Ranson and pollution.

Diane Blust, resident – expressed her concerns about Rockwool Ranson.

Ed Hannon, resident – expressed his concerns about the Jefferson County Emergency Services Agency.

Russel Geiman, resident – expressed his concerns about the Jefferson County Emergency Services Agency.

Debbie Royalty, resident – expressed her concerns about the Jefferson County Emergency Services Agency.

Tim Ross, resident – expressed his concerns about Rockwool Ranson and spoke in support of Sharon Wilt for the Property Safety Enforcement Agency Board.

Ruth Hatcher, resident – expressed her concerns about Rockwool Ranson and spoke in support of Sharon Wilt for the Property Safety Enforcement Agency Board.

Mary Reed, resident – expressed her concerns about Rockwool Ranson.

Catherine Jozwick, resident – expressed her concerns about Rockwool Ranson and spoke in support of Sharon Wilt for the Property Safety Enforcement Agency Board.

Karen Freer, resident – expressed her concerns about Rockwool Ranson.

David Tabb, resident – expressed his concerns about Rockwool Ranson.

Mary Ellen Ross, resident – asked the Commission to delay the bond vote for the JCDA and spoke in support of Sharon Wilt for the Property Safety Enforcement Agency Board.

PRESENTATIONS

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

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Norfolk Southern	RE	KTD	18673	\$1,202.80

- **Motion by Ms. Noland to approve the exoneration for ticket no. 18673 as presented. Motion seconded and unanimously approved.**

2. Peter Dougherty, Sheriff

a. GHSP Grant Contract

- **Motion by Ms. Noland to approve the President of the Commission to sign the final Governor Highway Safety Program grant contract for FY19. Motion seconded and unanimously approved.**

b. HSEM Grant Contract Signatures

- **Motion by Mr. Onoszko to accept the award of grant funding and approve the Commission President to sign the documents. Motion seconded and unanimously approved.**

c. Task Force Fiduciary Agreement

- **Motion by Ms. Noland to appoint the Sheriff as the fiduciary agent for the Eastern Panhandle drug and violent crimes task force and authorize the President of the Commission to sign the agreement. Motion seconded and unanimously approved.**

d. Establish Special Fiduciary Fund

- **Motion by Ms. Noland to approve the Order establishing special revenue fund 055 as the Task Force Fiduciary Fund. Motion seconded and unanimously approved. Motion seconded and unanimously approved.**

3. Charles F. Printz, Bowles Rice – requested an annexation within the Corporation of Shepherdstown.

- **Motion by Ms. Noland to accept the proposed Order Approving and Confirming the Annexation to the Corporation of Shepherdstown of a Parcel Consisting of 2.21 acres identified as Parcel 16 on Tax Map 8, all of which are presently located in the Shepherdstown District of Jefferson County, West Virginia, owned by the Shepherd University Board of Governors, as provided by WV Code 8-6-3 and 8-6-4 (Annexation without Election). Motion seconded and unanimously approved.**

4. Jennifer Myers, Jefferson County Parks and Recreation Commission
 - a. Presentation of Eugene M. Fuller Award for Program Excellence to JCPRC by the WV Recreation and Park Association
 - b. Presentation by Troy Truax of Michael Baker International on behalf of JCPRC of the draft Concept Master Plan for Sam Michaels Park to replace the park's outdated 2000 plan.
5. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
6. Bob Shefner and Gary Dungan, Jefferson County Community Ministries – provided the Commission and the audience with information regarding Community Ministries and requested \$4,000 in funding.
 - **Motion by Mr. Compton to provide \$4,000 in funding to Jefferson County Community Ministries from the Coal Severance Fund. Motion seconded and unanimously approved.**
7. Annette Gavin Bates, Jefferson County Convention and Visitor's Bureau – provided and the Commission and the audience with the JCCVB Annual Report.
8. Interviews/Appointments
 - a. Jefferson County Community Criminal Justice Board – one unexpired term ending July 3, 2020 for a member at large who is familiar with the community and has an interest in advancing access to substance abuse treatment.
 - **Motion by Ms. Tabb to appoint Micah Garrison to the JC Community Criminal Justice Board as a member at large for one unexpired term ending July 3, 2020. Motion seconded and unanimously approved.**
 - b. Jefferson County Property Safety Enforcement Agency Board – one unexpired term for Citizen Representative ending February 2, 2020
 - **Motion by Mr. Compton to appoint Sharon Wilt to the JC Property Enforcement Agency Board as a citizen representative for one unexpired term ending February 2, 2020. Motion seconded and unanimously approved.**
9. Bill Polk, Director, Jefferson County Maintenance

- a. Presentation of Maintenance Department Quarterly Report
- b. Approval of Bid Proposal – Jefferson County Courthouse Paint/Brick Project
 - **Motion by Ms. Noland to approve proposal #2 for the Courthouse Paint/Brick Project from Minghini's. Motion seconded and unanimously approved.**

10. Roger Goodwin, Chief County Engineer

- a. Smith Mountain View Estates (JCPC File No. 02-06) – Request Approval for Payment of Contractor's Invoice
 - **Motion by Mr. Onoszko to approve payment of C. Allen Lane Construction, LLC's invoice in the amount of \$33,995.00 from the BCT Bank Escrow Account (account no. xxxx7112). Also, that the cost of staff's time for managing the project be charges to the raming balance of fund in the escrow account and that staff then close the bank escrow account for the Smith Mountain View Estates Subdivision, JCPC File no. 02-06. Motion seconded and unanimously approved.**
- b. Request Approval to amend Parks and Recreation's Impact Fees – FY2019 – Capital Improvement Plant
 - **Motion by Ms. Tabb to approve the Parks and Recreation's Impact Fees – FY2019 Capital Improvement Plan, Amendment No. 2 as presented. Motion seconded and unanimously approved.**
- c. Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – SPARC Range Extension (File #S17-11) complete bond release
 - **Motion by Ms. Tabb to authorize a complete release of Irrevocable Letter of Credit #340 with The Bank of Charles Town in the amount of \$10,000.00 for Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – SPARC Range Extension (File #S17-11) Motion seconded and unanimously approved.**
- d. Partial release of Performance Bond #1000956765 with United States Surety Company, Timonium, MD construction bond surety for Roderick Plans, LLC – Aspen Greens Subdivision, Phase 1A (File 07-15)
 - **Motion by Ms. Noland to authorize a partial release of Performance Bond #1000956765 with United States Surety Company, Timonium, MD, in the amount of \$462,839.00 for Roderick Planes, LLC – Aspen Greens Subdivision, Phase IA (File 07-15). Motion seconded and unanimously approved.**

11. 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 renewal of County Cable Franchise Agreement, related issues, and phone conference with counsel
- Discussion of Jefferson County Circuit Court Civil Action #18-P-132
- Discussion of Jefferson County Circuit Court Civil Action #18-C-158
- Discussion of EEOC Charge #533-2018-01557
- Discussion of US District Court, Southern District of WV, Civil Action #2:18-cv-01126

- **Motion by Mr. Compton to enter into Executive Session to discuss the renewal of County Cable Franchise Agreement, related issues, and phone conference with counsel; Jefferson County Circuit Court Civil Action #18-P-132; Jefferson County Circuit Court Civil Action #18-C-158; EEOC Charge #533-2018-01557 and US District Court, Southern District of WV, Civil Action #2:18-cv-01126. Motion seconded and unanimously approved.**

- **Motion by Mr. Compton to come out of Executive Session. Motion seconded and unanimously approved.**

- **Motion by Ms. Noland to direct legal counsel to proceed as appropriate with regard to US District Court, Southern District of WV, Civil Action #2:18-cv-01126. Motion seconded and unanimously approved.**

UNFINISHED BUSINESS

12. Discuss the Jefferson County Board of Education representative to the Jefferson County Development Authority Board

- **Motion by Mr. Compton to expand the Jefferson County Development Authority to a 21 voting member board and appoint Gary Kable as a voting member to represent the Jefferson County Board of Education. Motion seconded and unanimously approved.**

13. Discussion on an Ordinance to prohibit forced participation in public water and sewer system

NEW BUSINESS

14. Approval of Resolution and contract – 16-VA-096 – Victims of Crime Act (VOCA) Grant

- **Motion by Mr. Compton to approve the Resolution, contract, and grant documents – 16-VA-096 – Victims of Crime Act (VOCA) Grant in the amount of \$102,104.00 and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**

15. Discussion concerning letter received from the City of Charles Town and Jefferson Vision

16. Review and Feedback regarding evening meetings: Jefferson County Commission meeting times – it was the consensus of the Commission to keep the meeting schedule as it currently stands.

17. Discussion regarding Residential Impact Fees – Mr. Compton stated he'd like to reexamine residential impact fees and potentially invite representatives from the Board of Education to provide their input on the subject.

18. Review of Planning and Zoning Regulations regarding all categories on Industry

FINANCIAL DIRECTOR REPORTS

- Review and Approval of FY2019 State Budget Revision 3 for the General Fund
 - **Motion by Mr. Compton to approve FY19 State Budget Revision 3 for the General Fund as presented. Motion seconded and unanimously approved.**
- Review and Approval of FY2019 State Budget Revision 2 for the Coal Severance Fund
 - **Motion by Ms. Tabb to approve FY19 State Budget Revision 2 for the Coal Severance Fund as presented. Motion seconded and unanimously approved.**
- Review and Approval of FY2019 Internal Budget Revision 1 for the General Fund
 - **Motion by Ms. Noland to approve FY19 Internal Budget Revision 1 for the General Fund. Motion seconded and unanimously approved.**
- Review of FY2019 Budget to Actual as of 9/30/2018

19. The County Commission meeting was adjourned at 3:53 pm on a motion by Mr. Onoszko. Motion was seconded and unanimously approved.

JOSHUA COMPTON, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant

