

## Minutes

### Jefferson County Commission

Thursday, July 18, 2019

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A meeting of the Jefferson County Commission was held on Thursday, July 18, 2019 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, Ralph Lorenzetti, Patricia Noland, and Jane Tabb. Also present were Stephanie Grove, County Administrator; Jessica Carroll, Executive Administrative Assistant; and Jim Eddy, Bailiff. (An audio tape of the Thursday, July 18, 2019 meeting is available through the Jefferson County Commission Office.)

#### PLEDGE OF ALLEGIANCE

Commissioner Hudson led the Pledge of Allegiance.

#### APPROVAL OF MINUTES

**Motion by Mr. Compton to approve the June 19, 2019 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.**

#### APPROVAL OF REQUISITIONS

**Motion by Ms. Tabb to approve the Requisitions for July 18, 2019 in the amount of \$91,140.40 to include Requisition Nos. 19023 and 19024. Motion seconded and unanimously approved.**

#### APPROVAL OF ACCOUNTS PAYABLE

CHECK	VENDOR	AMOUNT
81900	ALBERT HOCKMAN	\$ 847.98
81901	AUTOZONE	\$ 135.96
81902	BUREAU OF CHILD SUPPORT	\$ 169.39

81903	CERVIS TECHNOLOGIES INC		\$ 1,500.00
81904	CITY OF CHARLES TOWN		\$ 20.00
81905	COMPTROLLER OF MARYLAND		\$ 1,253.39
81906	DEBRA A YOUNG		\$ 223.85
81907	DELTA DENTAL OF WV		\$ 6,547.46
81908	EFTPS IRS TAXES		\$ 95,862.76
81909	EMPOWER RETIREMENT		\$ 2,190.00
81910	FEDEX		\$ 375.52
81911	GLEN KILMER		\$ 992.35
81912	GUTTMAN OIL CO		\$ 19,133.42
81913	HELEN M MORRIS TRUSTEE		\$ 543.86
81914	JEFFERSON SECURITY BANK		\$ 4,705.00
81915	LAURA STORM		\$ 115.85
81916	MAZZITTI & SULLIVAN EAP		\$ 936.00
81917	MILLENIUM INSURANCE GROUP		\$ 900.00
81918	NATIONWIDE RETIREMENT SOLUTIONS		\$ 849.00
81919	POTOMAC EDISON		\$ 65.17
81920	RICE TIRES CO		\$ 1,088.84
81921	TODD FAGAN		\$ 2,250.00
81922	TOWN OF BOLIVAR		\$ 3,067.41
81923	VA DEPT OF TAXATION		\$ 1,040.38
81924	WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 15,755.84
81925	WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 500.00
81926	WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 42,974.99
81927	WV STATE TAX DEPT		\$ 33,688.44
81928	VOIDED CHECK		
81929	JEFFERSON CO EMERGENCY SERVICE AG		\$ 200,000.00
<b>TOTAL</b>			<b>\$ 437,732.86</b>

**Motion by Ms. Noland to approve the Accounts Payable for June 27, 2019 in the amount of \$437,732.86. Motion seconded and unanimously approved.**

Check#	VENDOR	Amount
81932	AHA-ARTS & HUMANITIES ALLIANCE	\$ 1,935.28
81933	AMERICAN FAMILY LIFE INSURANCE COMPANY ICU	\$ 3,233.60
81934	AMERICAN PAYROLL ASSOCIATION	\$ 254.00
81935	BERKELEY PRINTING & DESIGN	\$ 164.20
81936	BOLIVAR / HARPERS FERRY PUBLIC LIBRARY	\$ 20,625.00
81937	CAYLIN ROBERT VALENTINE	\$ 184.00



CHECK #		VENDOR	CHECK AMOUNT
81965		ALEXANDRA BEAULIEU	\$ 1,528.13
81966		AMANDA MASTERS	\$ 116.00
81967		AMERIFLEX	\$ 114.00
81968		BEST BEST & KRIEGER LLP	\$ 1,848.50
81969		BUREAU OF CHILD SUPPORT	\$ 169.39
81970		CAYLIN ROBERT VALENTINE	\$ 184.00
81971		DEBRA A YOUNG	\$ 223.61
81972		DIANN BROWN	\$ 1,815.49
81973		EFTPS IRS TAXES	\$ 97,200.90
81974		ELECTION SOURCE	\$ 1,748.81
81975		ELIZABETH JUNE BOWERS	\$ 1,177.77
81976		EMPOWER RETIREMENT	\$ 2,490.00
81977		FIFTH THIRD BANK	\$ 103,865.70
81978		GLOBAL SCIENCE & TECHNOLOGY INC.	\$ 1,625.00
81979		HELEN M MORRIS TRUSTEE	\$ 543.86
81980		HOPE THOMPSON	\$ 133.06
81981		JASON MICKEY	\$ 2,669.70
81982		JEFFERSON COUNTY FAIR ASSOCIATION	\$ 200.00
81983		JEFF CO PARKS & RECREATION COMMISSION	\$ 10,000.00
81984		JEFFERSON SECURITY BANK	\$ 4,705.00
81985		JEFFERSON CENTER	\$ 100.00
81986		JESSICA ASHLEY	\$ 85.00
81987		JESSICA CARROLL	\$ 163.00
81988		LANGUAGE LINE SERVICES	\$ 65.52
81989		MARGARET GAINNEY	\$ 859.32
81990		MARY K THOMPSON	\$ 2,159.68
81991		MATTHEW BENDER	\$ 194.16
81992		MONROE SYSTEMS FOR BUSINESS	\$ 48.27
81993		NEIL ZAHRADNIK	\$ 227.36
81994		NATIONWIDE RETIREMENT SOLUTIONS	\$ 849.00
81995		RELX INC.	\$ 1,100.00
81996		RETIREE HEALTH BENEFIT TRUST	\$ 8,922.00
81997		RICCI MCINTYRE	\$ 328.85
81998		TRACY P HERRON-RICE	\$ 15.40
81999		US POSTAL SERVICE	\$ 20,000.00
82000		VICTOR C LUPIS III	\$ 1,140.57
82001		VICTORIA MYERS	\$ 1,093.76
82002		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$ 16,990.94
82003		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 500.00
82004		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 43,795.32

82005		WV STATE BAR		\$	2,150.00
82006		XEROX CORPORATION		\$	502.28
TOTAL				\$	333,649.35

**Motion by Ms. Noland to approve the Accounts Payable for July 18, 2019 in the amount of \$333,649.35. Motion seconded and unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

MANUAL CHECK JUNE 28, 2019			
Check#	Fund	VENDOR	Amount
734	AV/56	MILLERS OFFICE PRODUCTS	\$ 173.76
1720	CO/246	TYLER TECH	\$ 3,825.00
			<b>\$3,998.76</b>

**Motion by Ms. Tabb to approve the Manual Checks for June 28, 2019 in the amount of \$3,998.76. Motion seconded and unanimously approved.**

**5-Jul-19**

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
735	AV/56	GLOBAL SCIENCE & TECH		\$ 18,387.97
487	HD/O8	ASHPAUGH & SCULCO CPA'S		\$ 1,200.00
488	HD/O8	JEFF CO COMMUNITY MINISTRIES		\$ 2,500.00
1192	IP/249	SHERIFF JEFFERSON CO -SCHOOL		\$ 127,957.46
1193	IP/249	SHERIFF JEFFERSON CO - LAW		\$ 2,016.79
1194	IP/249	SHERIFF JEFFERSON CO - PARKS		\$ 9,839.50
1195	IP/249	SHERIFF JEFFERSON CO - EMS		\$ 1,076.79
TOTAL				<b>\$ 162,978.51</b>

**Motion by Ms. Noland to approve the Manual Checks for July 5, 2019 in the amount of \$162,978.51. Motion seconded and unanimously approved.**

19-Jul-19

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
736	AV/56	FIFTH THIRD BANK		\$ 388.91
737	AV/56	GLOBAL SCIENCE & TECH		\$ 750.00
344	MC/05	VICKI D'ANGELO		\$ 245.94
1721	CO/246	TYLER TECH		\$ 637.00
659	HD/08	ATTENTI US INC		\$ 2,918.40
660	HD/08	CDA		\$ 360.00

**Motion by Mr. Compton to approve the Manual Checks for July 19, 2019 in the amount of \$5,300.25. Motion seconded and unanimously approved.**

**APPROVAL OF PAYROLL**

**Motion by Mr. Compton to approve the Payroll for June 27, 2019 in the amount of \$263,006.64. Motion seconded and unanimously approved.**

**Motion by Ms. Tabb to approve the Payroll for July 11, 2019 in the amount of \$269,171.40. Motion seconded and unanimously approved.**

**PUBLIC COMMENT**

Public comment was made by the following individuals: Tim Ross, David Tabb, Jay Mansfield, Sharon Wilt, Catherine Jozwick, Mike Kinneal, and Ross Morgan. Please refer to the archived meetings on the jeffersoncountywv.org website to listen to public comment.

**PRESENTATIONS**

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

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Charles A. Conner	RE	Middleway	20886	\$2,428.20

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 20886 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Ryan Rogers	PP	Ranson	800000536-S	\$85.48

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 800000536-S as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Mary Ann Marino	PP	Shepherdstown	316676	\$98.68

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 316676 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Dennis & Linda Fellows	PP	Charles Town District	301760	\$46.38

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 301760 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Selma J. Fleming	PP	Charles Town District	301796	\$16.23

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 301796 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Charles F. Riley	RE	Shepherdstown	28964	\$234.96

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 28964 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Brittney L. Sitely	PP	Middleway	313519	\$71.90

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 313519 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Jeremy Sitely	PP	Middleway	313520	\$74.22

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 313520 as presented. Motion seconded and unanimously approved.**

2. Jacki Shadle, County Clerk – requested approval of employment for Assistant Clerk position.

- **Motion by Ms. Noland to approve the employment of Edgar Conn as an Assistant Clerk in the County Clerk’s Office at a salary of \$30,000.00 effective July 29, 2019. Motion seconded and unanimously approved.**

3. Peter Dougherty, Sheriff

a. Approval of JAG Grant Application

- **Motion by Mr. Compton to approve the JAG Grant Application as presented by the Sheriff’s Office. Motion seconded and unanimously approved.**

- b. Court Security Grant Form Updates
    - **Motion by Mr. Compton to approve the Court Security Grant Application and authorize the President of the Commission to sign the associated documents. Motion seconded and unanimously approved.**
  
  - c. Animal Control Position
    - **Motion by Ms. Tabb to approve the hire of Danielle Duckett as an Animal Control Officer at a Step I, Grade IV – Salary of \$37,488.00 effective August 5, 2019. Motion seconded and unanimously approved.**
  
  - d. Deputy Position
    - **Motion by Ms. Noland to approve the hire of Matthew Harper as a deputy within the Jefferson County Sheriff's Department at a salary of 43,635.00, effective August 5, 2019. Motion seconded and unanimously approved.**
4. Lynn Fields, Probate Office
- a. Quarterly Review to Approve/Close Estates
    - **Motion by Ms. Tabb to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
    - **Motion by Mr. Compton to approve estates opened since last quarterly review and to close estates that have met the requirements from last quarter. Motion seconded and unanimously approved.**
  
  - b. Probate in Solemn Form, Estate of James E. Taylor, Deceased
    - **Motion by Mr. Hudson to approve the Probate in Solemn Form the last will and testament of James E. Taylor, deceased. Motion seconded and unanimously approved.**
    - **Motion by Ms. Tabb to adjourn as a Fiduciary Reviews Board. Motion seconded and unanimously approved.**
5. Roger Goodwin, Chief County Engineer – requested the approval of the following two complete bond releases:
- a. UFP Ranson, LLC – Universal Forest Products Ranson Plant Addition (File#S05-14)

- **Motion by Ms. Noland to authorize a complete release of Performance Bond #929-639-671 with Western Surety Company in the amount of \$242,023.00 construction bond amount for UFP Ranson, LLC – Universal Forest Products Ranson Plant Addition (File #S05-14). Motion seconded and unanimously approved.**
- b. Howard Shockey & Sons, Inc. – TeMa USA Manufacturing Facility Burr Business Park (File #S18-01)
  - **Motion by Mr. Compton to authorize a complete release of Performance Bond No. 106707803 with Travelers Casualty and Surety Company of America in the amount of \$453,032.00 construction bond amount for Howard Shockey & Sons, Inc. – TeMa USA Manufacturing Facility Burr Business Park (File #S18-01). Motion seconded and unanimously approved.**

6. **Bill Polk, Director, Department of Maintenance**

- a. Maintenance Quarterly Report
  - b. Request for Reclassification
    - **Motion by Ms. Tabb to enter into Executive Session regarding a personnel matter. Motion seconded and unanimously approved.**
    - **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**
7. The Commission recessed for break at 7:45 pm.  
The Commission reconvened at 8:00 pm.
8. Allen Keyser, Director, Jefferson County Emergency Services Agency – requested a budget revision to JCESA FY20 Budget.
- **Motion by Ms. Noland to approve the request to increase the Jefferson County Emergency Services Agency full-time employee headcount to 34. Motion seconded and unanimously approved.**

9. **Interviews and Appointments**

- a. Jefferson County Emergency Services Agency – one three-year term for Citizen Representative ending June 30, 2022; one three-year term for Fire Representative ending June 30, 2022; one three-year term for EMS Representative ending June 30, 2022.

- Ms. Noland offered her nomination for Tricia Worden.
- Mr. Lorenzetti offered his nomination for Karen Phillips.  
After receiving a unanimous vote, Tricia Worden was reappointed to the Jefferson County Emergency Services Agency for a three-year term ending June 30, 2022.
- **Motion by Ms. Noland to reappoint Craig Simpson as the EMS Representative and Bob Faas as the Fire Representative to the Jefferson County Emergency Services Agency each for a three-year term ending June 30, 2022. Motion seconded and unanimously approved.**

b. Summit Point Library Committee – one five-year term ending June 30, 2024.

- Ms. Tabb offered her nomination for Susan Cardella (Commissioners Tabb, Noland, Compton, and Hudson)
- Mr. Lorenzetti offered his nomination for Nick DeGennaro (Commissioner Lorenzetti)

After receiving the majority vote, Susan Cardella was appointed to the Summit Point Library Committee for a five year term ending June 30, 2024.

c. Bolivar-Harpers Ferry Public Library Board – one five-year term ending June 30, 2024.

- Ms. Tabb offered her nomination for Bill Gillette (Commissioners Tabb, Compton, and Noland)
- Mr. Lorenzetti offered his nomination for Jodi Welty Robinson (Commissioners Lorenzetti and Hudson)

After receiving the majority vote, Bill Gillette was appointed to the Bolivar-Harpers Ferry Public Library Board.

d. Jefferson County Parks and Recreation Commission – one unexpired term ending June 30, 2021 and four three-year terms ending June 30, 2022.

- Mr. Compton offered his nomination for Heather Morgan McIntyre.
- Ms. Tabb offered her nomination for Missy Thompson.
- Mr. Lorenzetti offered his nomination for Catherine Jozwick.

After receiving the majority vote, Missy Thompson was appointed to the Jefferson County Parks and Recreation Commission for one unexpired term ending June 30, 2021.

- Mr. Compton offered his nomination for Jimmy Pierson.
  - Ms. Tabb offered her nomination for Gene Taylor.
  - Ms. Noland offered her nomination for David Dinges.
  - Ms. Tabb offered another nomination for Heather Morgan McIntyre.
- **There being no other nominations, motion by Ms. Noland to appoint Jimmy Pierson, Gene Taylor, David Dinges, and Heather Morgan McIntyre to the Jefferson County Parks and Recreation Commission each for a three year term ending June 30, 2022. Motion seconded and unanimously approved.**

10. Nathan Cochran, Assistant Prosecuting Attorney

- Discussion of Jefferson County Civil Action #17-C-282
  - Discussion of Renewal of County Cable Franchise Agreement and related issues
  - Discussion of Jefferson County Circuit Court Civil Action#18-C-171
  - Discussion of EEOC Charge #533-2017-00706
  - Discussion and update of Jefferson County Circuit Court Civil Action #18-C-108
  - Discussion of Jefferson County Circuit Court Civil Action #17-C-282
  - Discussion of Jefferson County Circuit Court Civil Action #19-P-69
  - Discussion of and issues regarding potential reimbursement of former PSD Board member William Strider and/or Strider LLC for successful defense of ethics complaints
  - Discussion of Jefferson County Circuit Court Civil Action #19-AA-1
  - Discussion of Jefferson County Circuit Court Civil Action #17-C-94
  - Discussion of and communication with FEMA regarding potential resolution
  - Discussion of US District Court (Northern District) Civil Action #3:18-CV-122
- **Motion by Ms. Tabb to enter into Executive Session to discuss the renewal of the County Cable Franchise Agreement and related issues; Jefferson County Circuit Court Civil Action #19-P-69; Jefferson County Civil Court Action #19-AA-1; and Jefferson County Circuit Court Civil Action #17-C-94. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland to approve the Comcast Settlement as provided in the settlement agreement. Motion seconded and passes on a vote of 3-2 with Commissioners Compton and Hudson opposing.**

## NEW BUSINESS

11. Request from Harpers Ferry-Bolivar Town Foundation to use the large parking lot behind the Courthouse for a John Brown bus tour on October 19, 2019 from 10am to 3pm.
  - **Motion by Mr. Compton to deny the request from the Harpers Ferry Bolivar Town Foundation for the use of the parking lot behind the Courthouse on October 19, 2019 from 10am-3pm for the purpose of a John Brown bus tour. Motion seconded and passes on a vote of 4-1 with Mr. Lorenzetti opposing.**
12. Ratify letter of support for the BUILD grant application being submitted by Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO)
  - **Motion by Ms. Noland to ratify the letter of support for the BUILD grant application as requested by HEPMPO. Motion seconded and unanimously approved.**
13. Review Ambulance Fee billing of customer for 2014-2019.
  - **Motion by Ms. Noland to approve the refund of \$615.00 for John Lacey and Carolyn Holcomb for 2014-2019. Motion seconded and unanimously approved.**
14. Appointment of Jefferson County Broadband Planning Team
  - **Motion by Ms. Tabb to appoint the following to the Jefferson County Broadband Planning Team: Patricia Noland, County Commissioner; Ralph Lorentzetti, County Commissioner; Stephanie Grove, County Administrator; Sandy McDonald, Deputy County Administrator; Lyn Goodwin, JCDA; Jeff Polczynski, Communications Director; Todd Fagan, GIS; Bill Clark and Jennifer Wishmyer, Regional Council Staff. Motion seconded and unanimously approved.**
15. Discuss replacing JCDA Board Member
  - **Motion by Ms. Noland to enter into Executive Session to receive legal advice regarding a board appointee. Motion dies for lack of a second.**

## COUNTY ADMINISTRATOR REPORTS

- Discuss changing current practice to ensure compliance with Rule 8(d) of the Administrative Rules for the Magistrate Courts of West Virginia - it was the consensus of the Commission to direct the County Administrator to amend the county policy to provide either landline *or* cellular phone service for the Magistrates instead of providing both services and contact the Magistrates to determine which service they prefer.
    - **Motion by Ms. Noland to permit Ms. Grove to contact the Magistrates to inquire as to whether they prefer to be reimbursed for their cell phone service or their landline service. Motion seconded and unanimously approved.**
16. The Commission adjourned at 10:37 pm on a motion by Mr. Compton. Motion was seconded and unanimously approved.

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Patricia A. Noland, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant