

## Minutes

### Jefferson County Commission

Thursday, August 1, 2019

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A meeting of the Jefferson County Commission was held on Thursday, August 1, 2019 during the third 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 Caleb Hudson, Ralph Lorenzetti and Jane Tabb. Also present were Sandy McDonald, Deputy County Administrator; Jessica Carroll, Executive Administrative Assistant; and Jim Eddy, Bailiff. (An audio tape of the Thursday, August 1, 2019 meeting is available through the Jefferson County Commission Office.)

#### PLEDGE OF ALLEGIANCE

Commissioner Lorenzetti led the Pledge of Allegiance.

#### APPROVAL OF MINUTES

**Motion by Mr. Hudson to approve the July 18, 2019 Regular Meeting Minutes with noted. Motion seconded and unanimously approved.**

#### APPROVAL OF REQUISITIONS

**Motion by Ms. Tabb to approve the Requisitions for August 1, 2019 in the amount of \$21,830.00 to include Requisition Nos. 19025 and 20003. Motion seconded and unanimously approved.**

#### APPROVAL OF ACCOUNTS PAYABLE

CHECK NUMBER		VENDOR NAME	CHECK AMOUNT
82011		84 LUMBER	\$ 29.14
82012		ALICE N PAINTER	\$ 1,970.72
82013		AT&T	\$ 150.54

82014		AWVA-ASSOCIATION OF WV ASSESSORS	\$	100.00
82015		BUREAU OF CHILD SUPPORT	\$	169.39
82016		CAPITAL ELECTRIC	\$	1,476.76
82017		COMPTROLLER OF MARYLAND	\$	1,243.26
82018		DAVID BOOBER	\$	1,521.45
82019		DAVID M. CARTER	\$	184.79
82020		DAVID TYLER KEMP	\$	2,048.77
82021		DR. ROBERT E JONES III	\$	1,000.00
82022		EASTERN PANHANDLE REGIONAL PLANNING & DEVELOPMENT	\$	29,973.26
82023		EFTPS IRS TAXES	\$	94,453.77
82024		EMILY MORROW	\$	161.82
82025		EMPOWER RETIREMENT	\$	2,490.00
82026		ESI ELECTRONIC SYSTEMS INC	\$	623.56
82027		FIDELITY POWER SYSTEMS	\$	7,015.00
82028		FISHER AUTO PARTS	\$	949.23
82029		FRANKLIN & PROKOPIK P.C.	\$	1,507.50
82030		GUTTMAN OIL CO	\$	11,149.40
82031		HELEN M MORRIS TRUSTEE	\$	543.86
82032		J.H. CONSULTING LLC	\$	3,750.00
82033		JEFFERSON SECURITY BANK	\$	4,685.00
82034		JEFFERSON RENTAL	\$	5.70
82035		JENNIFER M BROCKMAN	\$	180.01
82036		JESSICA GORMONT	\$	1,020.04
82037		KONE INC.	\$	1,809.75
82038		LAURA STORM	\$	155.03
82039		MARY K THOMPSON	\$	1,079.84
82040		MILLENIUUM INSURANCE GROUP	\$	900.00
82041		MOTOROLA SOLUTIONS INC	\$	577.50
82042		MOTOROLA SOLUTIONS INC	\$	636.46
82043		NAPA AUTO PARTS	\$	527.29
82044		NATIONWIDE RETIREMENT SOLUTIONS	\$	849.00
82045		PREMIER CONSTRUCTION GROUP LLC	\$	1,960.00
82046		R.E. MICHEL CO. LLC	\$	253.27
82047		RC AIR AND MOLD SOLUTIONS	\$	1,590.00
82048		RHONDA WILLINGHAM	\$	281.97
82049		RICE TIRES CO	\$	127.18
82050		ROGER GOODWIN	\$	192.40
82051		RUSSELL WILLIAMS	\$	1,939.02
82052		SOFTWARE SYSTEMS INC	\$	1,221.20
82053		STORAGE NETWORKS	\$	4,000.00
82054		TAMMY MOBLEY	\$	4,500.00

82055		TONY HARRIS	\$ 216.00
82056		VANDA NELSON	\$ 89.78
82057		WENDY JENKINS	\$ 2,250.00
82058		WV BUREAU OF EMPLOYMENT UNEMPLOYMENT COMP. DIV.	\$ 2,544.00
82059		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$ 14,445.56
82060		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 500.00
82061		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 44,023.08
82062		WV REGIONAL JAIL & CORRECTION FACILITY AUTH	\$ 79,564.25
82063		WV STATE TAX DEPT	\$ 34,318.62
82064		WV STATE TREASURER'S OFFICE	\$ 4,800.00
82065		XEROX CORPORATION	\$ 2,334.50
82066		XEROX FINANCIAL SERVICES	\$ 1,377.30
82067		GENERAL CO FUND-JEFFERSON CO COMMISSION -004	\$ 28,816.65
82068		CENTRAL ATLANTIC LEGAL GROUP PLLC	\$ 766.50
<b>TOTAL</b>			<b>\$ 407,049.12</b>

**Motion by Mr. Hudson to approve the Accounts Payable for July 25, 2019 in the amount of \$407,049.12. Motion seconded and unanimously approved.**

CHECK NUMBER		VENDOR NAME	CHECK AMOUNT
82069		AHA-ARTS & HUMANITIES ALLIANCE	\$ 1,393.82
82070		AMERICAN FAMILY LIFE INSURANCE COMPANY ICU	\$ 3,189.44
82071		BEST BEST & KRIEGER LLP	\$ 257.27
82072		BOLAND TRANE SERVICES INC	\$ 1,763.00
82073		BRYAN PERKINS	\$ 181.31
82074		CAPITAL ELECTRIC	\$ 51.66
82075		CHARLES VANGILDER	\$ 12.77
82076		CHRISTOPHER CROSS	\$ 137.50
82077		COLONIAL LIFE	\$ 163.20
82078		DELTA DENTAL OF WV	\$ 6,547.67
82079		DONNA MASON	\$ 2,250.00
82080		DOUGLAS PITTINGER	\$ 9.69
82081		DUANE DUNN	\$ 1,345.57
82082		GUTTMAN OIL CO	\$ 3,881.11
82083		HIGHMARK WV	\$ 203,034.25
82084		J.C. EHRLICH	\$ 702.00
82085		J.D. POWER & ASSOC	\$ 40.00
82086		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	\$ 2,063.90
82087		JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$ 34,845.60
82088		JEFF CO PARKS & RECREATION COMMISSION	\$ 31,387.87

82089		JEFFERSON CENTER	\$ 100.00
82090		JOSEPH FORMAN	\$ 61.95
82091		LECTOR DENISE RIDEOUTT	\$ 2,233.61
82092		MARY K. HURLEY	\$ 242.55
82093		MATTHEW LISTON	\$ 7.51
82094		MILLERS SUPPLIES AT WORK	\$ 31.16
82095		NATIONAL VISION ADMIN.	\$ 1,828.78
82096		OLD CHARLES TOWN LIBRARY	\$ 1,500.00
82097		POTOMAC EDISON	\$ 129.79
82098		REBECCA F BURNS	\$ 821.71
82099		RONALD DANTZIC	\$ 27.37
82100		SOFTWARE SYSTEMS INC	\$ 329.50
82101		THE HARTFORD	\$ 2,374.90
82102		THE HARTFORD	\$ 3,907.62
82103		WILLIAM CLARKE	\$ 140.00
82104		WV STATE TAX DEPARTMENT	\$ 16,577.99
82105		XEROX FINANCIAL SERVICES	\$ 249.81
82106		SHERIFF OF JEFFERSON	\$ 200,000.00
<b>TOTAL</b>			<b>\$ 523,821.88</b>

**Motion by Ms. Tabb to approve the Accounts Payable for August 1, 2019 in the amount of \$523,821.88. Motion seconded and unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

<b>MANUAL CHECKS</b>			
Check#	Fund	VENDOR	Amount
489	CS/2	EASTRIDGE HEALTH SYSTEM	\$ 1,900.00
738	AV/56	MONROE	\$ 175.33
315	FP/57	JEFFERSON CO FARMLAND PROT.	\$ 118,954.13
1722	CO/246	MINGHINI'S	\$ 37,525.00
<b>TOTAL</b>			<b>\$ 158,554.46</b>

**Motion by Ms. Tabb to approve the Manual Checks for July 26, 2019 in the amount of \$163,854.71. Motion seconded and unanimously approved.**

<b>MANUAL CHECKS AUGUST 2, 2019</b>			
Check#	Fund	VENDOR	Amount
661	HD/8	FIFTH THIRD BANK	\$ 56.94
739	AV/56	ESRI	\$ 10,000.00
740	AV/56	PRINT-O-STAT	\$ 548.06
<b>TOTAL</b>			<b>\$ 10,605.00</b>

**Motion by Mr. Lorenzetti to approve the Manual Checks for August 2, 2019 in the amount of \$10,605.00. Motion seconded and unanimously approved.**

### **APPROVAL OF PAYROLL**

**Motion by Mr. Hudson to approve the Payroll for July 25, 2019 in the amount of \$265,503.74. Motion seconded and unanimously approved.**

### **PUBLIC COMMENT**

Public comment was made by the following individuals: Lyn Widmyer, Cathie Burke, Cynthia Rider, Eleanor Finn, Richard Dennis, Nicola Bastian, and David Tabb.

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 and Split Tickets:

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
David Gray/Gray Family Trust	PP	SD	316242	\$16.24

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 316242 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
James Bise & Natalie Bowers	PP	SD	315578	\$13.92

- **Motion by Mr. Hudson to approve the Exoneration for Ticket No. 315578 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Lawrence Toth	PP	SD	317608	248.14

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 317608 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Jeral A. Milton	PP	KD	0000310893	\$6.96

- **Motion by Mr. Lorenzetti to approve the Exoneration for Ticket No. 0000310893 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Kenneth Page	PP	KD	311012	\$37.11

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 311012 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Ronald Beach	PP	KD	309690	\$350.20

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 309690 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Robert & Alma Hardy	PP	BC	300148	\$89.22

- **Motion by Mr. Lorenzetti to approve the Exoneration for Ticket No. 300148 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
James Patrick Coulter	PP	BC	300082	\$209.92

- **Motion by Mr. Hudson to approve the Exoneration for Ticket No. 300082 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
James Patrick Coulter	PP	BC	300081	\$243.98

- **Motion by Mr. Hudson to approve the Exoneration for Ticket No. 300081 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Mark Castle II	PP	MD	311992	\$83.49

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 311992 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
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Toni Schaefer	PP	CTD	200001150	\$51.69
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- **Motion by Mr. Lorenzetti to approve the Exoneration for Ticket No. 200001150 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Nancy & Gary Taylor	PP	CTD	304597	\$64.94

- **Motion by Mr. Hudson to approve the Exoneration for Ticket No. 304597 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
John & Sandra Geary	PP	HFD	307740	\$245.84

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 307740 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
First Date Merchant Services Corp	RE	RC	314291	\$1,593.90

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 314291 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
John Paul Karman Jr.	RE	CTC	8577	\$2,877.00

- **Motion by Mr. Hudson to approve the Exoneration for Ticket No. 8577 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Floyd & Sheree Everhart	RE	CTD	2398	\$2,695.38

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 2398 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Bryan Bittle	PP	MD	311831	\$243.52
Mackenzie Bittle				\$282.94

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 311831 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Michael Hefner	PP	HFD	307934	\$113.65
Megan Hefner				\$273.67

- **Motion by Mr. Lorenzetti to approve the Exoneration for Ticket No. 307934 as presented. Motion seconded and unanimously approved.**

2. Anita and Michael Henderson, Citizens – requested an appeal of their 2018 Tax Assessment

- **Motion by Ms. Tabb to approve the personal property exoneration for Anita and Michael Henderson, ticket no. 302251, as presented. Motion seconded and unanimously approved.**

3. Michelle Gordon, Finance Director

a. Review and Approval of FY2020 State Budget Revision 1 for the General Fund

- **Motion by Ms. Tabb to approve the FY2020 State Budget Revision 1 for the General Fund as presented. Motion seconded and unanimously approved.**

b. Review and Approval of FY2020 State Budget Revision 1 for the Coal Severance Fund

- **Motion by Mr. Lorenzetti to approve the FY2020 State Budget Revision 1 for the Coal Severance Fund. Motion seconded and unanimously approved.**
- c. Review of FY2020 Budget to Actual as of 6/30/19
4. The Commission recessed for break at 10:45 am.  
The Commission reconvened at 11:00 am.
  5. Russell Burgess, Director, Jefferson County Information Technology – requested the approval of an additional IT Intern
    - **Motion by Ms. Tabb to approve Tyler Amick as an intern for the Jefferson County IT Department at \$10/hour for 100 hours. Motion seconded and unanimously approved.**
  6. Stephen Allen, Director, Jefferson County Department of Homeland Security and Emergency Management – requested the approval of the 2018 Jefferson County Emergency Operation Plan
    - This item was postponed until the August 15 regularly scheduled County Commission meeting.
  7. Alexandra Beaulieu, Zoning Administrator
    - a. Provided an overview of the proposed Zoning Ordinance Text Amendment (ZTA 19-02) to change Churches from “Not Permitted” to “Conditional Use” in the Industrial Commercial zoning district and to request the County Commission schedule a public hearing on the amendment per WV Code 8A-7-8
      - **Motion by Ms. Tabb to schedule a public hearing on ZTA 19-02 on Thursday, August 29, 2019 at 11:00 am. Motion seconded and unanimously approved.**
    - b. Requested a total refund of the zoning variance fee for Roger and Helen Gilley
      - **Motion by Ms. Tabb to provide a full refund of \$150.00 Zoning Variance fee to Roger and Helen Gilley. Motion seconded and unanimously approved.**
  8. 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 of WV Supreme Court of Appeals #19-0412 (appealed from Jefferson County Circuit Court Civil Action #17-C-282) – Discussion/Action
  - 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 and communication with FEMA regarding potential resolution
  - Discussion of US District Court (Northern District) Civil Action #3:18-CV-122
- **Motion by Ms. Lorenzetti to direct counsel to write a letter to the State Attorney General regarding reimbursement of successful legal defense fees for ethics violations claims against a county appointed board member. Motion seconded and unanimously approved.**

### **NEW BUSINESS**

9. Easements across property and jurisdictional boundaries
  
10. The Commission adjourned at 11:48 am on a motion by Ms. Tabb. Motion was seconded and unanimously approved.

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Patricia A. Noland, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant

