

## Minutes

### Jefferson County Commission

Thursday, August 29, 2019

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A meeting of the Jefferson County Commission was held on Wednesday, June 19, 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 Josh Compton, Caleb Hudson, Ralph Lorenzetti, Patricia Noland, and Jane Tabb. Also present were Stephanie Grove, County Administrator; Jessica Carroll, Executive Administrative Assistant; Jacqueline Shadle, Clerk of the County Commission; and Jim Eddy, Bailiff. (An audio tape of the Thursday, August 29, 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. Lorenzetti to approve the August 15, 2019 Regular Meeting Minutes as presented/ with noted correction. Motion seconded and unanimously approved.**

#### **APPROVAL OF ACCOUNTS PAYABLE**

CHECK #		VENDOR NAME		CHECK AMOUNT
82152		AT&T		\$ 158.32
82153		COMPTROLLER OF MARYLAND		\$ 1,250.36
82154		CPI-COMPUTER PROJECTS OF ILLINOIS		\$ 1,800.00
82155		DR. ROBERT E JONES III		\$ 1,000.00
82156		EFTPS IRS TAXES		\$ 101,753.83
82157		FEDEX		\$ 174.50
82158		FRANKLIN & PROKOPIK P.C.		\$ 4,477.50
82159		GUTTMAN OIL CO		\$ 4,361.84
82160		JUSTTECH LLC		\$ 169.24
82161		LAURA L KUHN		\$ 289.00
82162		MATTHEW BENDER		\$ 88.08

82163		MATTHEW BENDER		\$	88.08
82164		MATTHEW BENDER		\$	1,407.07
82165		MID ATLANTIC ENTRY MD LLC		\$	588.00
82166		MONROE SYSTEMS FOR BUSINESS		\$	75.59
82167		AMANDA RING		\$	289.00
82168		PROFESSIONAL APPRAISAL CORPORATION		\$	4,500.00
82169		RAYMOND E BOYCE		\$	68.44
82170		RC AIR AND MOLD SOLUTIONS		\$	295.00
82171		RELX INC.		\$	1,100.00
82172		ROGER OR HELEN GILLEY		\$	150.00
82173		SHARON GALLAHER		\$	91.06
82174		RONALD DANTZIC		\$	13.38
82175		SHERIFF OF JEFFERSON COUNTY		\$	600,000.00
82176		THE JOURNAL		\$	208.00
82177		VINCENT TIONG		\$	54.86
82178		WV STATE TAX DEPT		\$	35,187.25
82179		XEROX CORPORATION		\$	2,334.50
82180		XEROX FINANCIAL SERVICES		\$	1,094.14
82181		JEFFERSON CO COMMISSION GEN CO 004		\$	320,020.08
82182		JEFFERSON DAY REPORT CENTER		\$	15,787.32
<b>TOTAL</b>				<b>\$</b>	<b>1,098,874.44</b>

**Motion by Ms. Noland to approve the Accounts Payable for August 22, 2019 in the amount of \$1,098,874.44. Motion seconded and unanimously approved.**

CHECK #		VENDOR NAME		CHECK AMOUNT
82183		AHA-ARTS & HUMANITIES ALLIANCE		\$ 1,815.83
82184		P/R DEDUCTION		\$ 30.57
82185		BUREAU OF CHILD SUPPORT		\$ 169.39
82186		CHARLES VANGILDER		\$ 15.85
82187		CITY OF CHARLES TOWN		\$ 1,419.69
82188		DARYLL WIMER		\$ 27.71
82189		P/R DEDUCTION		\$ 3,250.00
82190		EMPOWER RETIREMENT		\$ 2,630.00
82191		FUTURITY IT INC		\$ 1,000.00
82192		THE RESORT GLADE SPRINGS		\$ 1,655.40
82193		GUTTMAN OIL CO		\$ 3,438.33
82194		HARDY COUNTY SHERIFFS OFFICE		\$ 98.82
82195		J.C. EHRLICH		\$ 713.00
82196		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION		\$ 2,688.80

82197		JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$ 45,395.83
82198		JEFF CO PARKS & RECREATION COMMISSION	\$ 40,891.20
82199		JEFFERSON SECURITY BANK	\$ 4,685.00
82200		P/R DEDUCTION	\$ 3,250.00
82201		LANGUAGE LINE SERVICES	\$ 78.64
82202		MARGARET GAINEY	\$ 1,192.10
82203		MILLENIUM INSURANCE GROUP	\$ 900.00
82204		MOOREFIELD POLICE DE	\$ 2,581.15
82205		NATIONWIDE RETIREMENT SOLUTIONS	\$ 849.00
82206		OLD CHARLES TOWN LIBRARY	\$ 1,500.00
82207		WITNESS	\$ 161.00
82208		P/R DEDUCTION	\$ 1,385.46
82209		POTOMAC EDISON	\$ 116.81
82210		RANSON POLICE DEPT	\$ 2,801.86
82211		RETIREE HEALTH BENEFIT TRUST	\$ 8,646.00
82212		WITNESS	\$ 253.22
82213		WITNESS	\$ 161.00
82214		TOTAL ID SOLUTIONS INC.	\$ 820.00
82215		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$ 15,456.90
82216		WV EMERGENCY MANAGMENT COUNCIL	\$ 125.00
82217		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 46,656.93
82218		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 500.00
82219		XEROX FINANCIAL SERVICES	\$ 249.81
<b>TOTAL</b>			<b>\$ 197,610.30</b>

**Motion by Ms. Tabb to approve the Accounts Payable for August 29, 2019 in the amount of \$197,610.30. Motion seconded and unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
490	CS/2	EASTRIDGE HEALTH SYSTEM		\$ 2,600.00
744	AV/56	GLOBAL SCIENCE & TECH		\$ 275.99
1725	CO/246	MINGHINI'S		\$ 60,562.50
1726	CO/246	TYLER TECH		\$ 1,350.00
<b>TOTAL</b>				<b>\$ 64,788.49</b>

**Motion by Ms. Tabb to approve the Manual Checks for August 23, 2019 in the amount of \$64,788.49. Motion seconded and unanimously approved.**

MANUAL CHECKS			
Check#	Fund	VENDOR	Amount
745	AV/56	PRINT-O-STAT	\$ 34,116.98
1727	CO/246	TYLER TECH	\$ 1,275.00
<b>TOTAL</b>			<b>\$ 35,391.98</b>

**Motion by Mr. Lorenzetti to approve the Manual Checks for August 30, 2019 in the amount of \$35,391.98. Motion seconded and unanimously approved.**

**APPROVAL OF PAYROLL**

**Motion by Ms. Tabb to approve the Payroll for August 22, 2019 in the amount of \$278,955.36. Motion seconded and unanimously approved.**

**PUBLIC COMMENT**

Public comment was provided by the following list of individuals. Please review the video archives of this meeting to review the comments received: Jay Mansfield, Mark Everhart, Ruth Hatcher, David Tabb, Catherine Jozwick, Barbara Stiefel, and Giuliana Brogna.

**PRESENTATIONS**

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

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Cindy Jones	PP	HF	310177	\$41.75
Darryl Fitzwater				\$83.49

- **Motion by Ms. Tabb to approve the Split Ticket for Ticket No. 310177 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Laura Anderson	PP	BC	300009	\$169.74

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 300009 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Betty Poland	PP	CTD	303749	\$48.70

- **Motion by Mr. Lorenzetti to approve the Exoneration for Ticket No. 303749 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Richard Belisle	PP	SD	315550	\$62.62

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 315550 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Ronald & Loretta Shade	PP	MD	313375	\$78.85

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 313375 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Jessica & Craig Pullen	PP	CTC	306455	\$123.20

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 306455 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Michael & Linda Butner	PP	HF	307257	\$438.33

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 307257 as presented. Motion seconded and unanimously approved.**
2. Peter Dougherty, Sheriff – requested the approval of an Unclaimed Property Resolution
    - **Motion by Ms. Tabb to approve the Sheriff’s seizure of unclaimed property on behalf of the County Commission and authorize the President of the Commission to sign the Resolution. Motion seconded and unanimously approved.**
  3. Lynn Fields, Probate – requested the closure of the estate of Billy Clevenger, deceased.
    - **Motion by Ms. Tabb to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
    - **Motion by Ms. Noland to close the estate of Billy Clevenger, deceased. Motion seconded and unanimously approved.**
    - **Motion by Mr. Hudson to reconvene as a County Commission. Motion seconded and unanimously approved.**
  4. The Commission recessed for break at 10:45 am.  
The Commission reconvened at 11:00 am.
  5. Public Hearing – Proposed text amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA19-02

Alexandra Beaulieu, Zoning Administrator, provided the Commission and the audience with an overview of the amendment, which would allow churches in the Industrial Commercial Zoning District by way of a Conditional Use Permit.

Ms. Noland opened the floor for public comment at 11:04 am. Comments were made by the following:

Darryl Fitzwater - provided his support for the text amendment as he’s the Pastor of a church that’s currently located in the Industrial Commercial Zoning District.

There being no further comment, Ms. Noland closed the floor at 11:06 am and stated the record would remain open for two weeks to allow time for written comment, with a decision to be made on during the September 19, 2019 regularly scheduled Commission meeting.

6. Ronda Eddy, Jefferson Day Report Center – requested the approval of Resolution and Grant Contract
  - **Motion by Ms. Tabb to approve the Resolution, contract, and grant document for 20-CC-07 in the amount of \$155,000.00 and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded and unanimously approved.**
  
7. Interview/Appointment to the Eastern West Virginia Regional Airport Authority for one 3-year term ending July 2, 2022.
  - Ms. Noland provided her nomination for Mr. Dan Zappe and received two votes (Commissioners Noland and Compton)
  - Ms. Tabb provided her nomination for Mr. John Allen and received three votes (Commissioners Tabb, Hudson, and Lorenzetti)
  - **After receiving the majority vote, Mr. Allen was appointed to the Eastern West Virginia Regional Airport Authority for one three-year term ending July 2, 2022.**
  
8. Jennifer Brockman, County Planner; Roger Goodwin, Director, Jefferson County Engineering, Planning and Zoning; and Steve Stolipher, Vice President of the Jefferson County Planning Commission – requested the approval of the Planning and Engineering Services proposal from Greenway Engineering to update the Jefferson County Zoning and Land Development Ordinance and Subdivision and Land Development Regulations
  - **Motion by Ms. Tabb to approve the proposal date 8/19/2019 submitted by Greenway Engineering in the amount of \$48,600.00 from the Coal Severance Fund to update and reorganize the Jefferson County Zoning and Land Development Ordinance and Subdivision and Land Development Regulations and Authorize President Noland to sign the scope of services contract. Motion seconded and passes on a vote of 4-1 with Commissioner Compton opposing.**
  
9. Alexandra Beaulieu, Zoning Administrator – provided an overview of the Planning Commission’s recommended Zoning Ordinance Text Amendment (ZTA 19-01) and to request that the County Commission schedule a public hearing.
  - **Motion by Ms. Noland to schedule a public hearing on Thursday, September 19, 2019 at 7:00 pm to receive input on the draft text amendment to the**

**Jefferson County Zoning Ordinance, File #ZTA 19-01, which proposes to create provisions to establish Special Event Facilities in the Rural, Residential Growth, and Village zoning districts. Motion seconded and unanimously approved.**

10. Stephen Allen, Director, Jefferson County HSEM

- a. Approval of the 2019 Jefferson County Emergency Operations Plan (EOP)
  - **Motion by Ms. Tabb to approve the updates to the 2019 Emergency Operations Plan, including the addition of ESF 11 – Agriculture and Natural Resources. Motion seconded and unanimously approved.**
- b. Resolution to proclaim September 2019 as National Preparedness Month in Jefferson County
  - **Motion by Ms. Noland to approve the proclamation and resolve to observe September 2019 as National Preparedness Month in Jefferson County. Motion seconded and unanimously approved.**

11. Jeffrey A. Polczynski, ENP – Director of Communications

- a. Appointment Request – Deputy Director
  - **Motion by Ms. Tabb to approve the appointment of Mr. Joseph Murphy as the Deputy Communications Director at a salary of \$63,500.00 with a starting date of September 16, 2019. Motion seconded and unanimously approved.**
- b. Appointment of two full-time Public Safety Dispatcher II
  - **Motion by Ms. Noland to approve the full time employment of John-Mark Michael and Jeffrey Finley as Full-Time Public Safety Dispatchers at a salary of \$37,488.00 with subsequent step increases after completion of their training. Motion seconded and unanimously approved.**

12. Nathan Cochran, Assistant Prosecuting Attorney

- Discussion of Renewal of County Cable Franchise Agreement and related issues
- Discussion of EEOC Charge #533-2017-00706 and 533-2019-01397
- Discussion of Jefferson County Circuit Court Civil Action#18-C-171
- Discussion of Jefferson County Circuit Court Civil Action #17-C-282
- Discussion of Jefferson County Circuit Court Civil Action #19-P-69
- Discussion Jefferson County Circuit Court Civil Action #19-AA-1
- Discussion of and communication with FEMA regarding potential resolution. US District Court (Northern District) Civil Action #3:18-CV-122

- Discussion of and issues regarding potential reimbursement of former Jefferson County Public Service District board member William Strider and/or Strider, LLC. for successful defense of ethics complaint
  - **Motion by Ms. Tabb to enter into Executive Session re: potential liability issues and personnel matters re: EEOC complaints 533-2017-00706 and 533-2019-01397. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**

### **NEW BUSINESS**

13. Possible letter of support for continuation of current MARC service

- **Motion by Mr. Lorenzetti to direct Ms. Grove to send letters to both the Maryland Transit Authority and Governor Justice regarding support for MARC train service in the Eastern Panhandle. Motions seconded and unanimously approved.**

14. The Commission adjourned at 12:30 pm on a motion by Ms. Noland. Motion was seconded and unanimously approved.

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Patricia A. Noland, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant

