

Minutes

Jefferson County Commission

Thursday, October 31, 2019

A meeting of the Jefferson County Commission was held on Thursday, October 31, 2019 during the fourth 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, and Patricia Noland and Commissioner Jane Tabb. Commissioner Ralph Lorenzetti was absent with notice. Also present were Sandy McDonald, Deputy County Administrator; Jessica Carroll, Executive Administrative Assistant; and Jim Eddy, Bailiff. (An audio tape of the Thursday, October 31, 2019 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Compton led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Compton to approve the October 17, 2019 Special Session minutes as presented. Motion seconded and unanimously approved.

Motion by Ms. Noland to approve the October 17, 2019 Regular Meeting Minutes with noted correction. Motion seconded and unanimously approved.

Motion by Ms. Tabb to approve the October 22, 2019 Board of Assessment Appeals Minutes as presented. Motion seconded and unanimously approved. (because Commissioners Noland and Compton were absent for this meeting, they abstained from voting on this motion)

APPROVAL OF ACCOUNTS PAYABLE

CHECK#	VENDOR	AMOUNT#
82457	AHA-ARTS & HUMANITIES ALLIANCE	\$ 1,083.78
82458	AMANDA JOHNSON	\$ 309.72
82459	ATWILL TROXELL & LEIGH P.C.	\$ 1,484.44
82460	CAPITAL ELECTRIC	\$ 135.36
82461	CAPITAL ELECTRIC	\$ 51.82
82462	COMPILED TECHNOLOGIES LLC	\$ 20,360.00
82463	DODSON'S SEPTIC TANK CLEANING	\$ 285.00
82464	DOING BETTER BUSINES	\$ 685.06
82465	DR. ROBERT E JONES III	\$ 1,000.00
82466	EMILY MORROW	\$ 363.08
82467	ESI ELECTRONIC SYSTEMS INC	\$ 623.56
82468	J.C. EHRlich	\$ 717.00
82469	J.D. POWER & ASSOC	\$ 25.00
82470	JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	\$ 1,604.80
82471	JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$ 27,094.43
82472	JEFF CO PARKS & RECREATION COMMISSION	\$ 24,405.85
82473	THE CHAPMAN PRINTING COMPANY	\$ 32.87
82474	W.B. MASON CO. INC	\$ 199.28
82475	WV ASSOCIATION OF COUNTIES	\$ 80.00
82476	GENERAL SCHOOL - 004	\$ 26,128.70
TOTAL		\$ 106,669.75

Motion by Ms. Noland to approve the Accounts Payable for October 24, 2019 in the amount of \$106,669.75. Motion seconded and unanimously approved.

CHECK #	VENDOR NAME	AMOUNT
82478	AMERICAN FAMILY LIFE INSURANCE COMPANY ICU	\$ 4,819.59
82479	BUREAU OF CHILD SUPPORT	\$ 169.39
82480	COLONIAL LIFE	\$ 244.80
82481	COMPTROLLER OF MARYLAND	\$ 1,710.38
82482	DELTA DENTAL OF WV	\$ 6,641.51
82483	EFTPS IRS TAXES	\$ 101,315.71
82484	EMPOWER RETIREMENT	\$ 2,610.00
82485	FEDEX	\$ 615.14
82486	GUTTMAN OIL CO	\$ 3,062.10
82487	HIGHMARK WV	\$ 207,255.34
82488	JEFFERSON SECURITY BANK	\$ 5,090.00
82489	JEFFERSON CENTER	\$ 100.00
82490	P/R DEDUCTION	\$ 878.83

82491		P/R DEDUCTION	\$	3,250.00
82492		MILLENIUUM INSURANCE GROUP	\$	900.00
82493		NATIONAL VISION ADMIN.	\$	1,832.62
82494		NATIONWIDE RETIREMENT SOLUTIONS	\$	849.00
82495		P/R DEDUCTION	\$	2,635.92
82496		P/R DEDUCTION	\$	3,250.00
82497		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$	16,020.43
82498		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$	44,953.61
82499		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$	500.00
82500		WV STATE TAX DEPARTMENT	\$	53,640.70
82501		WVCORP WV COUNTIES SELF INSURANCE RISK POOL	\$	3,718.00
TOTAL				\$ 466,063.07

Motion by Ms. Tabb to approve the Accounts Payable for October 31, 2019 in the amount of \$466,063.07. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

		25-Oct-19		
		MANUAL CHECKS		
Check#	Fund	VENDOR		Amount
493	CS/2	EASTRIDGE HEALTH SYSTEM		\$ 3,600.00
753	AV/56	MONROE		\$ 292.96
1731	CO/246	TYLER TECH		3187.5
TOTAL				\$ 7,080.46

Motion by Mr. Compton to approve the Manual Checks for October 25, 2019 in the amount of \$7,080.46. Motion seconded and unanimously approved.

		MANUAL CHECKS		
Check#	Fund	VENDOR		Amount
282	DK/O3	SHERIFF OF JEFFERSON CO		\$ 473.07

Motion by Ms. Tabb to approve the Manual Checks for November 1, 2019 in the amount of \$473.07. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Compton to approve the Payroll for October 17, 2019 in the amount of \$269,747.70. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public comment was made by the following individuals: David Tabb, Nicola Bastian, Eleanor Finn, and Mark Everhart.

Please refer to the archived meetings on the jeffersoncountywv.org website to listen to public comment.

PRESENTATIONS

1. Pete Dougherty, Sheriff
 - a. Requested approval to fill a vacant deputy position
 - **Motion by Ms. Noland to approve the employment of Daryl Cox as a deputy for the Jefferson County Sheriff's Office at a salary of \$47,500 effective November 25, 2019. Motion seconded and unanimously approved.**
 - b. **Request to donate 2011 Ford Crowne Victoria to the Calhoun County Sheriff's Office.**
 - **Motion by Mr. Compton to transfer with no consideration a 2011 Ford Crowne Victoria (identified by last four numbers on VIN 9480) to the Sheriff of Calhoun County/Calhoun County Commission and that Sheriff Dougherty be authorized to sign needed papers to effect the transfer. Motion seconded and unanimously approved.**
2. Jennifer Myers, Director, Jefferson County Parks and Recreation – notified the Commission and the audience of receiving the Eugene M. Fuller Program Award for their Let's Play! Mobile Recreation Program.
3. Russell Burgess, Director, Jefferson County IT Department – requested approval to hire for part-time support desk help.

- **Motion by Mr. Compton to approve the hiring of part-time employee Tyler Amick for Information Technology Support/Helpdesk with emphasis in Cybersecurity for a maximum of twenty hours per week at the rate of \$12.00 per hour. Motion seconded and unanimously approved.**
4. Alexandra Beaulieu, Zoning Administrator – decision on proposed text amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA19-01.
- **Motion by Mr. Compton to remove the limit of 10,000 square feet and change the acreage percentage of 75% agricultural with 25% for alternate farm enterprise to 51/49 and refer back to the Planning Commission for their review before a final vote. Motion seconded and passes on a vote of 4-1 with Commissioner Lorenzetti opposing.**
5. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
6. Nathan Cochran, Assistant Prosecuting Attorney
- 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 & #533-2019-01397
 - Discussion of opioid case, potential litigation, and settlement issues with legal counsel (Jefferson County Commission v. Perdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45107)
 - Discussion of EPA Administrative Complaint #04R-19-R3
- **Motion by Ms. Noland to enter into Executive Session to discuss the opioid case and the EPA Administrative Complaint. Motion seconded and unanimously approved.**
 - **Motion by Ms. Tabb to come out of Executive Session. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to direct counsel to respond to the EPA Administrative Complaint. Motion seconded and unanimously approved.**

UNFINISHED BUSINESS

7. Continuation of discussion regarding MARC Train funding.
- **Motion by Ms. Noland to allocate \$40,000 from the Contingency Fund to the State for the continuation of MARC Train service in the Eastern Panhandle for one year only. Motion seconded and unanimously approved. Motion seconded and passes on a vote of 3-2 with Commissioners Compton and Hudson opposing.**

8. Continuation of discussion on the Net Neutrality Letter of Support – it was the consensus of the Commission to take no action on this matter.

NEW BUSINESS

9. Discussion of letter received from the Jefferson County Fire and Rescue Association – the Commission provided unanimous consent to permit Ms. Grove to refer the letter to the E911 Advisory Board for review.

FINACIAL DIRECTOR REPORTS

Review and Approval of FY2020 Internal Budget Revision 1 for the General Fund

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

COUNTY ADMINSTRATOR REPORTS

Approval of FMLA Policy Revision – Ms. Grove stated she would present the changes to the FMLA Policy during the November 7, 2019 regularly scheduled County Commission meeting.

Discussion of Tax Office Space/Location – it was the consensus of the Commission to retrofit the Smoot Building for the purpose of being the permanent Sheriff's tax office location and allow the Assessor to occupy the unused space in the former tax office.

10. The Commission adjourned at 11:42 am on a motion by Mr. Compton. Motion was seconded and unanimously approved.

Patricia A. Noland, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant

