

## Minutes

### Jefferson County Commission

Thursday, November 21, 2019

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A meeting of the Jefferson County Commission was held on Thursday, November 21, 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, Patricia Noland and Jane Tabb. Commissioner Compton was absent with prior notice. 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, November 21, 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 Ms. Tabb to approve the October 31, 2019 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.**

**Motion by Ms. Tabb to approve the November 7, 2019 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.**

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

CHECK#	VENDORS	AMOUNT
82528	AMERIFLEX	\$ 121.60
82529	AT&T	\$ 149.28
82530	BUREAU OF CHILD SUPPORT	\$ 169.39
82531	EFTPS IRS TAXES	\$ 95,053.98
82532	EMPOWER RETIREMENT	\$ 2,610.00
82533	GUTTMAN OIL CO	\$ 6,356.08

82534		JEFFERSON SECURITY BANK		\$ 5,070.00
82535		NATIONWIDE RETIREMENT SOLUTIONS		\$ 849.00
82536		RETIREE HEALTH BENEFIT TRUST		\$ 8,646.00
82537		STEPHEN S ALLEN		\$ 115.25
82538		VERIZON WIRELESS SERVICES LLC		\$ 50.00
82539		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 14,973.02
82540		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 45,629.62
82541		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 500.00
82542		WV REGIONAL JAIL & CORRECTION FACILITY AUTH		\$ 64,413.75
82543		XEROX CORPORATION		\$ 1,194.65
82544		XEROX FINANCIAL SERVICES		\$ 499.62
82545		JEFFERSON DAY REPORT CENTER		\$ 2,089.50
<b>TOTAL</b>				<b>\$ 248,490.74</b>

**Motion by Ms. Tabb to approve the Accounts Payable for November 14, 2019, in the amount of \$248,490.74. Motion seconded and unanimously approved.**

CHECK #		VENDOR NAME		AMOUNT
82548		84 LUMBER		\$ 288.06
82549		ADAM WARD		\$ 59.50
82550		ADVANTAGE TECHNOLOGY LLC		\$ 4,200.00
82551		AMANDA MASTERS		\$ 32.48
82552		BIEDLERS ELEC MOTOR REP		\$ 370.59
82553		BOLAND TRANE SERVICES INC		\$ 1,493.00
82554		CIOX HEALTH		\$ 24.40
82555		P/R DEDECUTION		\$ 3,186.63
82556		P/R DEDECUTION		\$ 1,192.09
82557		FEDEX		\$ 57.31
82558		FRANKLIN & PROKOPIK P.C.		\$ 6,007.50
82559		FRIENDSHIP FIRE COMPANY		\$ 82,500.00
82560		GUTTMAN OIL CO		\$ 3,097.95
82561		P/R DEDECUTION		\$ 3,250.00
82562		P/R DEDECUTION		\$ 1,177.72
82563		JEFFERSON CENTER		\$ 100.00
82564		JUSTTECH LLC		\$ 99.84
82565		P/R DEDECUTION		\$ 635.73
82566		P/R DEDECUTION		\$ 970.78

82567		NATHAN COCHRAN		\$	514.84
82568		R.E. MICHEL CO. LLC		\$	446.76
82569		RICE TIRES CO		\$	127.18
82570		SOFTWARE SYSTEMS INC		\$	150.00
82571		SUPERIOR AUTO BODY		\$	12,202.87
82572		TAMMY SHAFFER		\$	30.00
82573		THE JOURNAL		\$	482.90
82574		US POSTAL SERVICE		\$	20,000.00
82575		WV ASSOC OF EXTENSION 4-H AGENTS		\$	95.00
82576		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$	45,170.83
82577		GENERAL COUNTY -004		\$	25,507.30
82578		JEFFERSON DAY REPORT CENTER		\$	79,231.30
<b>TOTAL</b>				<b>\$</b>	<b>292,702.56</b>

**Motion by Mr. Lorenzetti to approve the Accounts Payable for November 21, 2019, in the amount of \$292,702.56. Motion seconded and unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
672	HD/8	CDA		\$ 627.75
319	FP/57	JEFFERSON CO FARMLAND PROT.		\$ 91,967.07
1209	IP/249	SHERIFF JEFFERSON CO -SCHOOL		\$ 120,966.53
1210	IP/249	SHERIFF JEFFERSON CO - LAW		\$ 2,085.90
1211	IP/249	SHERIFF JEFFERSON CO - PARKS		\$ 9,351.15
1212	IP/249	SHERIFF JEFFERSON CO - EMS		\$ 1,020.45
<b>TOTAL</b>				<b>\$ 226,018.85</b>

**Motion by Ms. Noland to approve the Manual Checks for November 15, 2019 in the amount of \$226,018.85. Motion seconded and unanimously approved.**

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
675	HD/8	WHITMOYER AUTO GROUP		\$ 22,350.00
1734	CO/246	TYLER TECH		\$ 3,825.00

755	AV/56	MONROE	\$	710.00
495	CS/2	EASTRIDGE HEALTH SYSTEM	\$	1,250.00
<b>TOTAL</b>			<b>\$</b>	<b>28,135.00</b>

**Motion by Ms. Tabb to approve the Manual Checks for November 22, 2019 in the amount of \$28,135.00. Motion seconded and unanimously approved.**

### **APPROVAL OF PAYROLL**

**Motion by Ms. Noland to approve the Payroll for November 14, 2019 in the amount of \$265,413.23. Motion seconded and unanimously approved.**

### **PUBLIC COMMENT**

Public comment was made by the following individuals: David Tabb, Jay Mansfield, Tim Ross, Christine Marshall, and Nicola Bastian. Please refer to the archived meetings on the jeffersoncountywv.org website to listen to public comment.

### **PRESENTATIONS**

1. Jefferson County Commission – Presentation of Resolution to Eleanor Finn – League of Women Voters Commission Observer. Ms. Finn was also presented with plaque of appreciation from LWV President, Effie Kallas.
2. Pete Dougherty, Sheriff – requested approval of renewal grant for Resource Officer at Jefferson High School
  - **Motion by Ms. Tabb to approve the grant request and authorize the Commission President to sign the associated documents. Motion seconded and unanimously approved.**
3. Michael Tolbert, resident – provided the Commission and the audience with a presentation regarding the Jefferson County Development Authority.
4. Alexandra Beaulieu, Zoning Administrator – requested review and possible action on Planning Commission’s recommended Zoning Ordinance Text Amendment File #ZTA19-01 which includes provisions to establish Special Event Facilities in the Rural, Village, and Residential Growth Zoning Districts and provisions to allow an Alternative

Farm Enterprise, which may or may not be agricultural in nature, to be established on a farm as a means to support the agricultural operation.

- **Motion by Ms. Noland to approve section 8.14 – “Special Events” portion of ZTA19-01 as presented, find it consistent with the Comprehensive Plan, and forward back to the Planning Commission. Motion seconded and passes on a vote of 3-1 with Commissioner Lorenzetti opposing.**
  - **Motion by Ms. Noland to send the Planning Commission instructions to finish developing a Mass Gathering Ordinance for approval by the County Commisison. Motion seconded and unanimously approved.**
5. The Commission recessed for break at 7:30 pm.  
The Commission reconvened at 7:45 pm.
6. Roger Goodwin, Chief County Engineer – requested the withdrawal of Site Plan Approval and Complete Construction Bond Release for Bloomery Plantation Distillery, LLC – Bloomery Distillery (File #S11-14)
- **Motion by Ms. Tabb to authorize acceptance of the Withdrawal of Site Plan Approval; and a complete release of the construction bond surety for Bloomery Plantation Distillery, LLC – Bloomery Distillery (File #S11-14), contingent upon the “Withdrawal of Site Plan Approval and Release of Construction Bond” agreement being recorded in the Jefferson County Clerk’s Office. Motion seconded and unanimously approved.**
7. Interviews and Appointments to the Jefferson County E911 Advisory Board – one three-year term ending September 1, 2022 representing Emergency Medical Services
- President Noland nominated Dr. Henry Christie (incumbent) to the Jefferson County E911 Advisory Board.
  - Commissioner Lorenzetti nominated Marshall DeMeritt to the Jefferson County E911 Advisory Board.
  - **After receiving the majority vote (4-0), Dr. Henry Christie was reappointed to the Jefferson County E911 Advisory Board for one three-year term ending September 1, 2022.**

8. Lyn Goodwin, Jefferson County Development Authority – requested the approval of Resolution for the Local Economic Development Grant Program
  - **Motion by Ms. Tabb to approve the attached Resolution of Participation and Cooperation for the JCDA’s application for the Local Economic Development (LED) Grant of \$22,727 from the West Virginia Development Office. Motion seconded and unanimously approved.**
9. Nathan Cochran, Assistant Prosecuting Attorney
  - Discussion of Jefferson County Civil Action #17-C-282
  - Discussion of Renewal of County Cable Franchise Agreement, resolution of franchise fee audit 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 Jefferson County Circuit Court Civil Action #19-C-96
    - Discussion of WV Supreme Court #19-0412 (from Jefferson County Circuit Court Civil Action #17-C-282)
    - Discussion of EPA Administrative Complaint #04R-19-R3
    - Discussion of Jefferson County Circuit Court Civil Action #19-AA-1
  - **Motion by Ms. Tabb to enter into Executive Session to receive legal advice regarding the EPA Administrative Complaint #04R-19-R3 and Jefferson County Circuit Court Civil Action #19-AA-1. Motion seconded and unanimously approved.**
  - **Motion by Ms. Tabb to come out of Executive Session. Motion seconded and unanimously approved.**

## **NEW BUSINESS**

10. Discuss Administrative Order regarding Possession of Deadly Weapons on Premises Housing Courts of Law – no action was taken on this item as it was presented as informational.
11. Acknowledgement of the “Assessor’s Additional Duties” as delineated in WV Code.
  - **Motion by Ms. Noland to acknowledge the “Assessor’s Additional Duties” as delineated in WV State Code and the compensation provided therein. Motion seconded and unanimously approved.**
12. Appointment to the Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Municipality Representative – it was the consensus of the Commission to delay action on this item until the December 5, 2019 regularly scheduled meeting.

13. Appointment to the Jefferson County Development Authority Board of Directors – Representative for the City of Ranson – no action was taken regarding this matter because the City of Ranson only provided one name for the vacancy, and State Code requires the selection of three nominees from which the Commission chooses one appointee.

### **COUNTY ADMINISTRATOR REPORTS**

- Jefferson County Commission/Tax Office location – Ms. Grove stated that upon further discussion with the magistrates, Judge Hammer, and Mr. Polk, the easiest transition would be for the tax office staff to relocate to the first floor of the judicial building, currently occupied by the bailiffs, who would in turn relocate to the unused space on the second floor. The Commission provided unanimous consent for this alternative.
14. The Commission adjourned at 9:37 pm 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

