

Minutes

Jefferson County Commission

Thursday, January 30, 2020

A meeting of the Jefferson County Commission was held on Thursday, January 16, 2020 during the first 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, January 16, 2020 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Noland led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the January 16, 2020 Regular Meeting Minutes as presented/amended. Motion seconded and unanimously approved.

APPROVAL OF REQUISITIONS

Motion by Mr. Compton to approve the requisitions for January 30, 2020 in the amount of \$89,106.39 to include requisition nos. 20024, 20025 and 20026. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

| CHECK # | | VENDOR NAME | | AMOUNT |
|--------------|--|--|--|----------------------|
| 82778 | | ADVANCE PUBLIC SAFETY, LLC | | \$ 6,820.00 |
| 82779 | | AT&T | | \$ 212.13 |
| 82780 | | AUTOZONE | | \$ 7.99 |
| 82781 | | BIDDLE CONSULTING GROUP | | \$ 607.99 |
| 82782 | | BOLAND TRANE SERVICES INC | | \$ 1,771.00 |
| 82783 | | BUREAU OF CHILD SUPPORT | | \$ 169.39 |
| 82784 | | CAPITAL LIGHTING & SUPPLIES | | \$ 986.32 |
| 82785 | | CITY OF CHARLES TOWN | | \$ 193.24 |
| 82786 | | COMPTROLLER OF MARYLAND | | \$ 1,115.58 |
| 82787 | | EFTPS IRS TAXES | | \$ 97,135.64 |
| 82788 | | EMPOWER RETIREMENT | | \$ 2,450.00 |
| 82789 | | FIDELITY POWER SYSTEMS | | \$ 437.90 |
| 82790 | | GUTTMAN OIL CO | | \$ 5,858.48 |
| 82791 | | JEFFERSON SECURITY BANK | | \$ 4,900.00 |
| 82792 | | NENA NATIONAL EMERGENCY NUMBER ASSOC | | \$ 284.00 |
| 82793 | | NATIONWIDE RETIREMENT SOLUTIONS | | \$ 849.00 |
| 82794 | | PATRIOT FIRE AND SECURITY | | \$ 3,600.00 |
| 82795 | | POTOMAC EDISON | | \$ 3,313.70 |
| 82796 | | POTOMAC EDISON | | \$ 23.23 |
| 82797 | | POTOMAC EDISON | | \$ 27,601.80 |
| 82798 | | RC AIR AND MOLD SOLUTIONS | | \$ 445.00 |
| 82799 | | SOFTWARE SYSTEMS INC | | \$ 1,278.50 |
| 82800 | | MOOREFIELD POLICE DEPARTMENT | | \$ 468.66 |
| 82801 | | VA DEPT OF AGRICULTURE & CONSUMER SERVICES | | \$ 120.00 |
| 82802 | | VITAL SIGNS | | \$ 595.00 |
| 82803 | | WV DEPUTY SHERIFF RETIREMENT SYSTEM | | \$ 15,988.26 |
| 82804 | | WV PUBLIC EMPLOYEE RETIREMENT SYSTEM | | \$ 44,294.25 |
| 82805 | | WV PUBLIC EMPLOYEE RETIREMENT SYSTEM | | \$ 500.00 |
| 82806 | | WV STATE TAX DEPARTMENT | | \$ 35,503.06 |
| 82807 | | XEROX CORPORATION | | \$ 3,423.12 |
| | | | | |
| TOTAL | | | | \$ 260,953.24 |

Motion by Ms. Noland to approve the Accounts Payable for January 23, 2020 in the amount of \$260,953.24. Motion seconded and unanimously approved.

| CHECK # | | VENDOR NAME | | AMOUNT |
|--------------|--|---|--|---------------------|
| 82808 | | APRIL BLAKER | | \$ 336.34 |
| 82809 | | ATLANTIC OCCUPSYCH INC. | | \$ 590.00 |
| 82810 | | BERKELEY GLASS INC | | \$ 84.40 |
| 82811 | | DIANN BROWN | | \$ 3,250.00 |
| 82812 | | DUSTIN TABLER | | \$ 268.84 |
| 82813 | | JASON MICKEY | | \$ 434.63 |
| 82814 | | KONE INC. | | \$ 1,809.75 |
| 82815 | | OX PAPERBOARD CO | | \$ 35.00 |
| 82816 | | POTOMAC EDISON | | \$ 46.72 |
| 82817 | | VICTORIA MYERS | | \$ 2,169.28 |
| 82818 | | WV BUREAU OF EMPLOYMENT UNEMPLOYMENT COMP. DIV. | | \$ 6,730.00 |
| 82819 | | XEROX FINANCIAL SERVICES | | \$ 249.81 |
| 82820 | | GENERAL CO COMMISSION -004 | | \$ 18,001.65 |
| | | | | |
| TOTAL | | | | \$ 34,006.42 |

Motion by Mr. Compton to approve the Accounts Payable for January 30, 2020 in the amount of \$34,006.32. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

Motion by Ms. Noland to approve the Manual Checks for January 24, 2020 in the amount of \$42,010.32. Motion seconded and unanimously approved.

| | | MANUAL CHECKS | | |
|--------------|--------|---------------------------|--|---------------------|
| Check# | Fund | VENDOR | | Amount |
| 765 | AV/56 | GLOBAL SCIENCE & TECH | | \$ 940.25 |
| 766 | AV/56 | MILLER'S SUPPLIES AT WORK | | \$ 38.07 |
| 1740 | CO/246 | SOFTWARE SYSTEMS | | \$ 41,032.00 |
| TOTAL | | | | \$ 42,010.32 |

| MANUAL CHECKS | | | | |
|---------------|------|-------------------------|--|-------------|
| Check# | Fund | VENDOR | | Amount |
| 500 | CS/2 | EASTRIDGE HEALTH SYSTEM | | \$ 1,200.00 |

Motion by Mr. Compton to approve the Manual Checks for January 31, 2020 in the amount of \$1,200.00. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Ms. Tabb to approve the Payroll for January 23, 2020 in the amount of \$272,265.47. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public comment was made by the following individuals: Judy Robison, Lee Dody, Ray Sibley, Susan Pipes, and Eleanor Finn. Please refer to the archived meetings on the jeffersoncountywv.org website to listen to public comment.

PRESENTATIONS

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

| NAME | TYPE | DISTRICT | TICKET NO. | AMOUNT |
|--------------------------|------|----------|------------|---------|
| Michael and Beverly Ryan | PP | CTD | 304076 | \$32.42 |

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 304076 as presented. Motion seconded and unanimously approved.**

| NAME | TYPE | DISTRICT | TICKET NO. | AMOUNT |
|--------------------------|------|----------|------------|----------|
| Lawrence and Diane Myers | PP | MD | 312573 | \$610.80 |

- **Motion by Ms. Noland to approve the Exoneration for Ticket N. 312573 as presented. Motion seconded and unanimously approved.**
2. Eric Lewis, Greenhouse Wellness WV Dispensaries, LLC. – requested a letter of endorsement for an application for medical cannabis dispensary license to be located in Jefferson County.
 - **Motion by Ms. Noland to state the Jefferson County Commission has no objection to a medical cannabis facility locating in Jefferson County as long as the facility complies with all state and local laws and zoning regulations regarding medical dispensaries. Motion seconded and unanimously approved.**
 3. Interview/Appointment to the North Eastern Regional EMS, Inc. Board – one two year term ending October 31, 2021
 - **Motion by Ms. Tabb to reappoint Craig Horn to the NEREMS, Inc. Board for one two-year term ending October 31, 2021. Motion seconded and unanimously approved.**
 4. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
 5. Lynn Fields, Probate Office
 - a. Request approval of Quarterly Review and Petition to Probate in Solemn Form, amended.
 - **Motion by Ms. Noland to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to approve the Quarterly Review as presented. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to approve the amended Petition to Probate in Solemn Form in the estate of Marian Virginia Washington. Motion seconded and unanimously approved.**
 - b. Removal of Executor in the Estates of Ada and James Hatchett
 - **Motion by Ms. Noland to reappoint Mr. David DeJarnett as the Fiduciary Commissioner to decide the matter of the removal of the Executor in the Estates of Ada and James Hatchett. Motion seconded and unanimously approved.**

- c. Objection to Appointment and Petition for Removal of Administrator in the Estate of Dr. Kriesta Watson, deceased.
 - **Motion be Ms. Noland to appoint first available Fiduciary Commissioner to decide the matter of the removal of Administrator in the Estate of Dr. Kriesta Watson. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to convene in regular session. Motion seconded and unanimously approved.**
6. Laura Kuhn, Interim Director of Maintenance – requested the approval of temporary custodial employee and work agreement for staffing services from Choice Staffing, Inc.
 - **Motion by Ms. Tabb to approve the work agreement for staffing services from Choice Staffing, Inc. to provide a temporary custodial employee. Motion seconded and unanimously approved.**
7. 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
 - Report by Counsel as previously assigned by Commission: creation of Jefferson County Fire Board, Jefferson County Emergency Ambulance Service Board and organization of Jefferson County Emergency Services Agency, including potential structure, financial issues, and matters related therero.
 - **Motion by Ms. Noland to enter into Executive Session to receive legal advice regarding WV Supreme Court #19-0412 and the possible creation of a Jefferson County Fire Board. Motion seconded and unanimously approved.**
 - **Motion by Ms. Tabb to come out of Executive Session. Motion seconded and unanimously approved.**
8. The Commission recessed for lunch at 12:15 pm.

UNFINISHED BUSINESS

9. Decision – Zoning Map amendment (rezoning) for the property designated as Tax District: Middleway (07); Tax Map: 2; Parcel: 1.3. The property is located on the southeast corner of Coast Guard Drive and Charles Town Road, near the Jefferson and Berkeley County lines.
 - **Motion by Mr. Compton to approve the zoning map amendment as presented and find it consistent with the Comprehensive Plan. Motion seconded and unanimously approved.**

NEW BUSINESS

10. Amendment to Emergency Services Ordinance to add an additional “citizen” voting member to JCESA Board.
 - **Motion by Ms. Tabb to amend the Emergency Ambulance Service Fee Ordinance to add an additional voting citizen member. Motion seconded and unanimously approved.**
11. Legislative Updates
12. The Commission adjourned at 1:40 pm on a motion by Ms. Noland. Motion was seconded and unanimously approved.

Patricia A. Noland, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant

