

## **Minutes**

### **Jefferson County Commission**

**Thursday, April 2, 2020**

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A meeting of the Jefferson County Commission was held on Thursday, April 2, 2020 during the second 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 (via phone) and Jane Tabb. Also present were Stephanie Grove, County Administrator; Sandy McDonald, Deputy County Administrator and Jim Eddy, Bailiff. (An audio tape of the Thursday, April 2, 2020 meeting is available through the Jefferson County Commission Office.)

#### **PLEDGE OF ALLEGIANCE**

Commissioner Compton led the Pledge of Allegiance.

#### **DISCUSSION AND UPDATE REGARDING COVID-19 AND RELATED ISSUES**

#### **APPROVAL OF MINUTES**

**Motion by Mr. Compton to approve the March 5, 2020 Regular Meeting Minutes with noted corrections. Motion seconded and unanimously approved.**

#### **APPROVAL OF REQUISITIONS**

**Motion by Mr. Compton to approve the Requisitions for April 2, 2020 in the amount of \$10,539.48 to include Requisition No. 20040. Motion seconded and unanimously approved.**

**APPROVAL OF ACCOUNTS PAYABLE**

CHECK #		VENDOR NAME		AMOUNT
83000		AMANDA JOHNSON		\$ 203.59
83001		AMERIFLEX		\$ 121.60
83002		BEST BEST & KRIEGER LLP		\$ 50.00
83003		CHOICE STAFFING INC		\$ 577.88
83004		CITIZENS VOLUNTEER FIRE COMPANY		\$ 82,500.00
83005		CONTROL SYSTEMS INC		\$ 350.00
83006		EMILY MORROW		\$ 97.18
83007		FRANKLIN & PROKOPIK P.C.		\$ 1,147.50
83008		GARY DUNGAN		\$ 150.00
83009		GUTTMAN OIL CO		\$ 3,007.51
83010		J.C. EHRlich		\$ 721.00
83011		JUSTTECH LLC		\$ 78.91
83012		MILLERS SUPPLIES AT WORK		\$ 72.91
83013		MONROE SYSTEMS FOR BUSINESS		\$ 400.93
83014		NATIONWIDE CAPITAL LLC		\$ 180,107.60
83015		R.E. MICHEL CO. LLC		\$ 506.32
83016		REVA MICKEY		\$ 150.00
83017		SHERIFF OF JEFFERSON COUNTY		\$ 23.03
83018		WV REGIONAL JAIL & CORRECTION FACILITY AUTH		\$ 52,206.50
83019		XEROX CORPORATION		\$ 1,094.87
83020		JEFFERSON DAY REPORT		\$ 1,631.80
83021		GENERAL CO FUND -004		\$ 24,890.88
<b>TOTAL</b>				<b>\$ 350,090.01</b>

**Motion by Mr. Compton to approve the Accounts Payable for March 12, 2020 in the amount of 350,090.01. Motion seconded and unanimously approved.**

CHECK #		VENDOR NAME		AMOUNT
83023		84 LUMBER		\$ 159.75
83024		P/R DEDUCTIONS		\$ 406.85
83025		AT&T		\$ 93.32
83026		BUREAU OF CHILD SUPPORT		\$ 298.16
83027		CAPITAL LIGHTING & SUPPLIES LLC		\$ 119.57
83028		CHARLES VANGILDER		\$ 24.94
83029		CHOICE STAFFING INC		\$ 670.00

83030		CITY OF CHARLES TOWN	\$	259.94
83031		CLERK OF JEFFERSON COUNTY COMMISSION	\$	143.36
83032		COMPTROLLER OF MARYLAND	\$	1,108.36
83033		DARYLL WIMER	\$	19.83
83034		P/R DEDUCTIONS	\$	3,303.34
83035		DOUGLAS PITTINGER	\$	45.88
83036		EFTPS IRS TAXES	\$	94,430.29
83037		EMPOWER RETIREMENT	\$	2,610.00
83038		FEDEX	\$	115.26
83039		FORREST RICHARD FEAGANS	\$	12.69
83040		GUTTMAN OIL CO	\$	5,476.26
83041		INSIGHT AUDIO VISUAL SERVICES	\$	1,194.38
83042		J.D. POWER & ASSOC	\$	285.00
83043		JEANNA HOLLER	\$	9.59
83044		JEFFERSON SECURITY BANK	\$	4,870.00
83045		JEFFERSON CENTER	\$	100.00
83046		P/R DEDUCTIONS	\$	1,188.50
83047		P/R DEDUCTIONS	\$	165.64
83048		JUSTTECH LLC	\$	92.78
83049		P/R DEDUCTIONS	\$	509.91
83050		P/R DEDUCTIONS	\$	1,124.27
83051		MILLERS SUPPLIES AT WORK	\$	79.00
83052		NATIONWIDE RETIREMENT SOLUTIONS	\$	849.00
83053		R.E. MICHEL CO. LLC	\$	33.60
83054		P/R DEDUCTIONS	\$	29.39
83055		RANSON POLICE DEPT	\$	803.06
83056		RETIREE HEALTH BENEFIT TRUST	\$	8,646.00
83057		ROBERT L PETERSON SR	\$	39.17
83058		RONALD DANTZIC	\$	37.23
83059		SELEX ES INC	\$	37,440.00
83060		SOFTWARE SYSTEMS INC	\$	1,159.00
83061		SSC-SOUTHERN STATES	\$	134.98
83062		P/R DEDUCTIONS	\$	6,500.00
83063		THE HARTFORD	\$	2,425.70
83064		MOOREFIELD POLICE DEPARTMENT	\$	322.20
83065		VA DEPT OF TAXATION	\$	804.79
83066		WV ASSOCIATION OF CIRCUIT CLERK	\$	775.00
83067		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$	15,529.72
83068		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$	45,198.52
83069		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$	500.00
83070		WV STATE TAX DEPARTMENT	\$	34,681.46

83071		XEROX CORPORATION		\$ 2,334.50
<b>TOTAL</b>				<b>\$ 277,160.19</b>

**Motion by Mr. Compton to approve the Accounts Payable for March 19, 2020 in the amount of \$277,160.19. Motion seconded and unanimously approved.**

CHECK #		VENDOR NAME		AMOUNT
83072		BOLAND TRANE SERVICES INC		\$ 1,771.00
83073		DR. ROBERT E JONES III		\$ 1,000.00
83074		MAZZITTI & SULLIVAN EAP		\$ 936.00
83075		R.E. MICHEL CO. LLC		\$ 47.84
83076		SOFTWARE SYSTEMS INC		\$ 150.00
83077		TEK ADVISORS LLC		\$ 4,200.00
83078		WVCORP WV COUNTIES SELF INSURANCE RISK POOL		\$ 30,138.00
83079		XEROX FINANCIAL SERVICES		\$ 249.81
<b>TOTAL</b>				<b>\$ 38,492.65</b>

**Motion by Mr. Compton to approve the Accounts Payable for March 26, 2020 in the amount of \$38,492.65. Motion seconded and unanimously approved.**

CHECK #		VENDOR NAME		AMOUNT
83081		AGENCY 360		\$ 2,197.00
83082		AHA-ARTS & HUMANITIES ALLIANCE		\$ 735.70
83083		AMERICAN FAMILY LIFE INSURANCE COMPANY ICU		\$ 3,213.06
83084		ATLANTIC OCCUPSYCH, INC.		\$ 590.00
83085		BOLIVAR / HARPERS FERRY PUBLIC LIBRARY		\$ 20,625.00
83086		BUREAU OF CHILD SUPPORT		\$ 298.16
83087		CACH LLC		\$ 283.64
83088		CAPITAL LIGHTING & SUPPLIES, LLC		\$ 1,360.46
83089		CASTO & HARRIS INC		\$ 409.10
83090		CHOICE STAFFING INC		\$ 268.00
83091		COLONIAL LIFE		\$ 163.20
83092		DELTA DENTAL OF WV		\$ 13,190.49
83093		EASTERN PANHANDLE INVESTIGATIONS		\$ 550.00
83094		ECOWATER		\$ 125.00
83095		EFTPS IRS TAXES		\$ 95,603.31

83096		EMPOWER RETIREMENT		\$ 2,630.00
83097		EPTA-EASTERN PANHANDLE TRANSIT AUTHORITY		\$ 5,000.00
83098		G & TRIPLE T LLC		\$ 1,147.00
83099		P/R DEDUCTIONS		\$ 3,250.00
83100		GUTTMAN OIL CO		\$ 2,147.40
83101		HIGHMARK WV		\$ 198,813.20
83102		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION		\$ 1,089.38
83103		JEFFERSON CO EMERGENCY SERVICES AGENCY		\$ 557,836.75
83104		JEFFERSON CO CONVENTION AND VISITORS BUREAU		\$ 18,392.44
83105		JEFFERSON CO CONVENTION AND VISITORS BUREAU		\$ 7,500.00
83106		JEFFERSON COUNTY DEVELOPMENT AUTHORITY		\$ 26,500.00
83107		JEFF CO PARKS & RECREATION COMMISSION		\$ 77,512.36
83108		JEFFERSON DAY REPORT CENTER		\$ 37,502.50
83109		JEFFERSON SECURITY BANK		\$ 4,940.00
83110		JEFFERSON RENTAL		\$ 282.66
83111		JOSEPH MURPHY		\$ 15.96
83112		LANGUAGE LINE SERVICES		\$ 42.90
83113		P/R DEDUCTIONS		\$ 183.50
83114		LTBP DRYWALL		\$ 3,520.00
83115		MILLENIUUM INSURANCE GROUP		\$ 900.00
83116		NATIONAL VISION ADMIN.		\$ 1,827.52
83117		P/R DEDUCTIONS		\$ 1,916.29
83118		NATIONWIDE RETIREMENT SOLUTIONS		\$ 849.00
83119		OLD CHARLES TOWN LIBRARY		\$ 22,125.00
83120		PANHANDLE PRINTING & DESIGN		\$ 10,539.48
83121		PRIORITY DISPATCH		\$ 8,625.00
83122		PSTC 911 CARES-PUBLIC SAFETY TRAINING CONSULTANTS		\$ 1,933.00
83123		R.E. MICHEL CO. LLC		\$ 61.72
83124		P/R DEDUCTIONS		\$ 519.49
83125		SHEPHERDSTOWN PUB LIBRARY		\$ 20,625.00
83126		SHERWIN-WILLIAMS		\$ 510.54
83127		SOUTH JEFFERSON PUBLIC LIBRARY		\$ 20,625.00
83128		TYLER TECHNOLOGIES		\$ 1,275.00
83129		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 16,064.00
83130		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 44,960.40
83131		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 500.00
83132		WVU WEST VIRGINIA UNIVERSITY		\$ 3,700.00
83133		CENTRAL ATLANTIC LEGAL		\$ 1,200.00
<b>TOTAL</b>				<b>\$ 1,246,674.61</b>

**Motion by Mr. Lorenzetti to approve the Accounts Payable for April 2, 2020 in the amount of \$1,246,674.61. Motion seconded and unanimously approved. Please note Commissioner Noland abstained from voting on the Accounts Payable for April 2 as she attended the meeting via phone and was not present to review the April 2, 2020 Accounts Payable.**

**APPROVAL OF MANUAL CHECKS**

<b>MANUAL CHECKS</b>				
Check#	Fund	VENDOR		Amount
689	HD/8	ATTENTI		\$ 4,300.80
690	HD/8	CDA		\$ 348.00
778	AV/56	SEGRA		\$ 594.00
323	FP/57	JEFFERSON CO FARMLAND PROT.		\$ 67,862.79
1743	CO/246	TYLER TECH		\$ 637.50
1225	IP/249	SHERIFF JEFFERSON CO -SCHOOL		\$ 96,345.12
1226	IP/249	SHERIFF JEFFERSON CO - LAW		\$ 1,178.41
1227	IP/249	SHERIFF JEFFERSON CO - PARKS		\$ 7,088.86
1228	IP/249	SHERIFF JEFFERSON CO - EMS		\$ 778.41
<b>TOTAL</b>				<b>\$ 179,133.89</b>

**Motion by Mr. Compton to approve the Manual Checks for March 13, 2020 in the amount of \$179,133.89. Motion seconded and unanimously approved.**

<b>MANUAL CHECKS</b>				
Check#	Fund	VENDOR		Amount
501	CS/2	EASTRIDGE HEALTH SYSTEM		\$ 3,200.00
779	AV/56	GLOBAL SCIENCE & TECH		\$ 655.40
780	AV/56	J.D. POWER & ASSOC		\$ 460.00
1744	CO/246	DEP DEPT OF ENVIRO. PROTECT.		\$ 99.00
<b>TOTAL</b>				<b>\$ 4,414.40</b>

**Motion by Ms. Tabb to approve the Manual Checks for March 20, 2020 in the amount of \$4,414.40. Motion seconded and unanimously approved.**

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
781	AV/56	MR. PRINT		\$ 551.27
782	AV/56	PRINT-O-STAT INC.		\$ 190.00
1745	CO/246	SHERIFF OF JEFF CO		\$ 180,107.60
<b>TOTAL</b>				<b>\$ 180,848.87</b>

**Motion by Mr. Compton to approve the Manual Checks for March 27, 2020 in the amount of \$180,848.87. Motion seconded and unanimously approved.**

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
502	CS/2	EASTRIDGE HEALTH SYSTEM		\$ 400.00
503	CS/2	JEFF CO COMMUNITY MINISTRIES		\$ 2,500.00
691	HD/8	FIFTH THIRD BANK		\$ 207.37
783	AV/56	MILLER'S SUPPLIES		\$ 92.31
784	AV/56	MONROE		\$ 1,435.00
1746	CO/246	STEPHENS AUTO CENTER		\$ 147,380.00
<b>TOTAL</b>				<b>\$ 152,014.68</b>

**Motion by Mr. Compton to approve the Manual Checks for April 3, 2020 in the amount of \$152,014.68. Motion seconded and unanimously approved. Please note Commissioner Noland abstained from voting on the Manual Checks for April 3, 2020 as she attended the meeting via phone and was not present to review the April 3, 2020 Manual Checks.**

### **APPROVAL OF PAYROLL**

**Motion by Ms. Tabb to approve the Payroll for March 5, 2020 in the amount of \$275,205.07. Motion seconded and unanimously approved.**

**Motion by Mr. Compton to approve the Manual Checks for March 19, 2020 in the amount of \$266,322.15. Motion seconded and unanimously approved.**

### **PUBLIC COMMENT**

Public comment was submitted via email by the following individual: David Tabb

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

## **PRESENTATIONS**

1. Stephen S. Allen, Director, Jefferson County Homeland Security and Emergency Management
  - a. Requested the approval of the 2018 EMPG application and request for payment.
- **Motion by Ms. Tabb to approve the 2018 EMPG grant application and associated request for payment, as presented. Motion seconded and unanimously approved.**
  - b. Update regarding COVID-19 planning efforts
2. Nikki Painter, County Clerk's Office – Elections – provided the Commission and the audience with an update regarding the 2020 Primary Election
  - Ms. Painter stated that, per the Secretary of State's Office, the 2020 Primary Election would be postponed until the June 9, 2020 and stated absentee applications would be mailed to registered voters in order for county residents to be able to vote via US mail if they so choose.
3. Steven Holz and Benjamin Williams, Jefferson County Deputy Sheriff's Association – provided the Commission with a discussion regarding the deputy pay scale and retention concerns.
  - No action was requested or taken on this item.
4. The Commission recessed for break at 11:00 am.  
The Commission reconvened at 11:15 am.
5. Interviews/Appointments to the following:
  - Jefferson County Water Advisory Committee
  - **Motion by Ms. Tabb to reappoint Mary Sell to the Jefferson County Water Advisory Committee for one three-year term ending January 31, 2023. Motion seconded and unanimously approved.**
  - Property Safety Enforcement Agency Board

- **Motion by Mr. Compton to reappoint Sharon Wilt to the Jefferson County Property Safety Enforcement Agency Board for a two-year term ending February 8, 2022. Motion seconded and unanimously approved.**
  - Eastern Panhandle Transit Authority
  - **Motion by Ms. Tabb to appoint Keryl Rustin to the Eastern Panhandle Transit Authority for a three-year term ending January 31, 2023. Motion seconded and unanimously approved.**
  - **Motion by Mr. Compton to reappoint Jennie Brockman to the Eastern Panhandle Transit Authority for a three-year term ending January 31, 2023. Motion seconded and unanimously approved.**
6. Stacie Rohn, Boys & Girls Club of the Eastern Panhandle – provided the Commission and the audience with an update on the activities of the Boys & Girls Club.
  7. Doug Estepp, West Virginia Mine Wars Museum, Coal County Tours – requested the donation or loan of the old jail cells that were removed from the Old Jefferson County Jail during restoration.
    - It was the consensus of the Commission to delay action on this item pending further research and discussion with the Jefferson County Historic Landmarks Commission.
  8. Christina M. Vogt, Eastern Panhandle NOW – requested the support of a Proclamation to declare March 2020 as West Virginia Women in History Month.
    - **Motion by Ms. Tabb to approve the Proclamation declaring March 2020 as West Virginia Women in History Month. Motion seconded and unanimously approved.**
  9. Jeffrey Polczynski, ENP, Director of Jefferson County Emergency Communications – requested the approval of a Resolution to declare 9-1-1 Public Safety Dispatchers as First Responders.
    - **Motion by Ms. Tabb to approve the Resolution as presented that recognizes the Public Safety Telecommunicators who staff and work at the Jefferson County Emergency Communications Center as “first responders.” Motion seconded and unanimously approved.**
  10. Christine Wimer, Citizen – made the Commission aware of the The Sunshine Petition, which is a petition to decrease the corporate limits of Ranson (initially annexed by the City of Ranson via pipe stem annexation) and return it to the County.

- It was the consensus of the Commission to defer discussion/action of this petition pending further legal review.

11. 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 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 Jefferson County Circuit Court Civil Action #19-AA-1
  - Discussion of Jefferson County Circuit Court Civil Action #17-C-174
  - Discussion of Jefferson County Circuit Court Civil Action #20-C-26
- 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 thereto.

- Mr. Cochran indicated he had no substantial updates on the items listed above and asked to defer discussion on these matters to a later date due to time constraints.

## **NEW BUSINESS**

12. Proclamation to declare April as Fair Housing Month

- **Motion by Ms. Tabb to approve the Proclamation to declare April as Fair Housing Month. Motion seconded and unanimously approved.**

13. Approval of Records Management and Preservation Grant Agreement and Certification

- **Motion by Mr. Lorenzetti to approve the Records Management and Preservation Grant Agreement and Certification for a large format scanner/printer to digitize large, older record books in the Clerk's Office. Motion seconded and unanimously approved.**

## **COUNTY ADMINISTRATOR REPORTS**

- Emergency COVID-19 Personnel Policies
- **Motion by Mr. Compton to enter into Executive Session to discuss legal ramifications and liability regarding COVID-19 Personnel Policies. Motion seconded and unanimously approved.**

- **Motion by Mr. Hudson to come out of Executive Session. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to delay implementation of the ZMM Contract for a Courthouse Complex study. Motion seconded and unanimously approved.**
- **Motion by Mr. Compton to approve the amended FMLA Leave Expansion and Emergency Paid Sick Leave Policy to allow employees eligible for expanded FMLA to choose whether to supplement their existing leave to receive full pay and remove the paid administrative leave section and revise that section to continue to allow employees to use COVID-19 paid administrative leave until the Commission can determine how administrative leave would be used in conjunction with the Emergency Paid Sick Leave Act. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to extend the first County Commission Emergency Declaration in Relation to COVID-19 be extended through 11:59 pm on April 30, 2020. Motion seconded and unanimously approved.**

14. The Commission adjourned on a motion by Mr. Hudson. Motion was seconded and unanimously approved.

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Jane Tabb, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant

