

Minutes

Jefferson County Commission

Thursday, July 30, 2020

A meeting of the Jefferson County Commission was held on Thursday, July 30, 2020 during the third quarterly session at 9:30 a.m. The meeting was held via GoToWebinar. Present were Commissioners Jane Tabb, President, Patricia Noland, Ralph Lorenzetti, Caleb Judson, and Josh Compton.. Also present were Sandy McDonald, Deputy County Administrator; and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, July 30, 2020 meeting is available on the Jefferson County Commission website.)

PLEDGE OF ALLEGIANCE

Commissioner Compton led the Pledge of Allegiance.

APPROVAL OF MINUTES

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

APPROVAL OF ACCOUNTS PAYABLE

CHECK#	VENDOR NAME	AMOUNT
83505	AMERIFLEX	121.60
83506	BUREAU OF CHILD SUPPORT	248.31
83507	CACH LLC	275.99
83508	CAPITAL LIGHTING & SUPPLIES, LLC	131.95
83509	CASTO & HARRIS INC	497.83
83510	CITY OF CHARLES TOWN	142.68
83511	COMPTROLLER OF MARYLAND	1,392.11
83512	CRYSTAL SPRING	51.50
83513	DOING BETTER BUSINES	787.82
83514	DR. ROBERT E JONES III	1,000.00

83515		EFTPS IRS TAXES		94,907.73
83516		EMPOWER RETIREMENT		4,515.14
83517		ESI ELECTRONIC SYSTEMS INC		715.41
83518		ESS ELECTION SYSTEMS & SOFTWARE		4,675.00
83519		EVELYN STEPHENSON		69.12
83520		FEDEX		96.03
83521		FIDELITY POWER SYSTEMS		7,015.00
83522		G & TRIPLE T LLC		720.00
83523		GUTTMAN OIL CO		4,973.78
83524		J.C. EHRLICH		729.00
83525		JEFFERSON SECURITY BANK		4,720.00
83526		JEFFERSON RENTAL		282.66
83527		JOSEPH MOFFETT		2,061.50
83528		KONE INC.		1,809.75
83529		NATIONWIDE RETIREMENT SOLUTIONS		849.00
83530		RANSON POLICE DEPT		420.19
83531		RETIREE HEALTH BENEFIT TRUST		8,392.00
83532		RICE TIRES CO		276.00
83533		SOFTWARE SYSTEMS INC		1,375.46
83534		MOOREFIELD POLICE DEPARTMENT		1,073.12
83535		W.B. MASON CO. INC		199.75
83536		WV BUREAU OF EMPLOYMENT UNEMPLOYMENT COMP. DIV.		3,296.72
83537		WV DEPUTY SHERIFF RETIREMENT SYSTEM		14,776.17
83538		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		46,278.80
83539		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		500.00
83540		WV STATE TAX DEPARTMENT		33,910.06
83541		WV ASSOCIATION OF COUNTIES		6,500.00
83542		XEROX CORPORATION		4,669.00
TOTAL				254,456.18

Motion by Mr. Compton to approve the Accounts Payable for July 23, 2020 in the amount of \$254,456.18. Motion seconded and unanimously approved.

CHECK#		VENDOR NAME		AMOUNT
83543		AHA-ARTS & HUMANITIES ALLIANCE		\$ 769.06
83544		AUTOZONE		\$ 58.98
83545		AWVA-ASSOCIATION OF WV ASSESSORS		\$ 100.00
83546		CASTO & HARRIS INC		\$ 919.33
83547		COAST TO COAST COMPUTER PRODUCTS		\$ 747.12
83548		COMPILED TECHNOLOGIES LLC		\$ 2,500.00
83549		CRYSTAL SPRING		\$ 689.56
83550		DOING BETTER BUSINES		\$ 565.01
83551		ESS ELECTION SYSTEMS & SOFTWARE		\$ 8,346.40
83552		GUTTMAN OIL CO		\$ 2,612.06
83553		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION		\$ 1,138.78
83554		JEFFERSON CO CONVENTION AND VISITORS BUREAU		\$ 19,226.47
83555		JEFF CO PARKS & RECREATION COMMISSION		\$ 17,318.63
83556		JOYCE A. JOHNS		\$ 4,200.00
83557		LANGUAGE LINE SERVICES		\$ 175.54
83558		JENNIFER BLIMLINE		\$ 100.00
83559		PATRICK SHUNNEY		\$ 100.00
83560		SOFTWARE SYSTEMS INC		\$ 89.00
83561		US POSTAL SERVICE		\$ 20,000.00
83562		WV STATE TAX DEPARTMENT		\$ 13,934.63
83563		WV TREASURY		\$ 4,800.00
83564		WVCORP WV COUNTIES SELF INSURANCE RISK POOL		\$ 5,000.00
TOTAL				103,390.57

Motion by Ms. Noland to approve the Accounts Payable for July 30, 2020 in the amount of \$103,390.57. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
510	CS/2	EASTRIDGE HEALTH SYSTEM		\$ 1,000.00

Motion by Ms. Tabb to approve the Manual Checks for July 24, 2020 in the amount of \$1000.00. Motion seconded and unanimously approved.

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
814	AV/56	MILLERS SUPPLIES AT WORK		\$ 161.95

Motion by Mr. Lorenzetti to approve the Manual Checks for July 31, 2020 in the amount of \$161.95. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Ms. Noland to approve the Payroll for July 23, 2020 in the amount of \$266,537.84. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public comment was received by David Tabb (via e-mail), Keith Berkeley, Susan Hough, Stacy Hough, Catherine Jozwick, and Lanae Johnson.

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

PRESENTATIONS

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

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Christopher McDounough	PP	Ranson	314761	\$8.43

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 314761 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
John E. Lowery	PP	Shepherdstown	316752	\$74.21

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 316752 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
John E. Lowery	PP	Shepherdstown	316630	\$93.80

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 316630 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
John E. Lowery	PP	Shepherdstown	316784	\$61.45

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 316784 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Belinda Tiambeng	PP	Ranson	315251	\$249.84

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 315251 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Mark Aswall	PP	Charles Town District	300549	\$138.84

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 300549 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
John M. and Lisa A. Murphy	PP	Charles Town District	303457	\$40.97

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 303457 as presented. Motion seconded and unanimously.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Rebecca Buchanan	PP	Kabletown	309777	\$61.45

- **Motion by Mr. Lorenzetti to approve the Exoneration for Ticket No. 309777 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Jody and Albert Meadows	PP	Middleway	312974	\$27.31

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 312974 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Nilan Baddeliyanage	PP	Kabletown	309622	\$13.66

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 309622 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Jessie James Ramsey	PP	Harpers Ferry	308709	\$207.12

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 308709 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Diana Hawk	PP	Charles Town District	305814	\$74.74

- **Motion by Ms. Compton to approve the Exoneration for Ticket No. 305814 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Semper Fi Transport LLC	PP	Charles Town District	304194	\$525.76

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 304194 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
John E. Lowery	PP	Shepherdstown	316102	\$115.11

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 316102 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Gagan & Preeti Batra	PP	Charles Town District	300656	\$223.06

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 300656 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Digna E. Zavala and Elvis R. Amaya	RE	Ranson Corp.	316194	\$2151.40

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 316194 as presented. Motion seconded and unanimously approved.**

2. Jacqueline Shadle, Clerk of the County Commission – Resolution for Gail Magaha, Retirement – Ms. Shadle was unavailable to present this item.

3. Pete Dougherty, Sheriff – requested approval for the submission of the PRO Program Grant Application.
 - **Motion by Ms. Noland to approve the Sheriff’s Office grant application for the Prevention Resource Officer grant program and authorize the Commission President to affix her signature to the associated documents. Motion seconded and unanimously approved.**

4. Robert M. Trainor, Mayor, and Daryl Hennessy, City Manager – requested an annexation for the City of Charles Town
 - **Motion by Ms, Noland to approve the proposed Order Approving and Confirming the Annexation to the Ciry of Charles Town a parcel of real estate containing 14.29 acres, more particularly described as the Subject Property in the municipal corporation’s Certificate dated July 13, 2020, presently located in the Charles Town District, Jefferson County, West Virginia, and owned by University Healthcare Foundation, Inc., as provided by West Virginia Code SS 8-6-4 & 8-6-4a (Annexation Without an Election). Motion seconded and unanimously approved.**

5. Interview/Appointment to the Jefferson County Planning Commission – one unexpired term ending March 31, 2023.
 - Mr. Lorenzetti offered his nomination for Mr. Christopher Garcia (2 votes – Commissioners Lorenzetti and Tabb and one nay vote from Ms. Noland)
 - Mr. Hudson offered his nomination for Mr. Curt Compton (2 votes – Commissioners Hudson and Compton and one nay vote from Ms. Noland)
 - **Motion by Ms. Noland to re-advertise the unexpired Planning Commission term to appoint at a future County Commission meeting. Motion seconded and unanimously approved.**

6. **Roger Goodwin, Chief County Engineer**
 - a. Seneca Crossing, LLC – Seneca Crossing Subdivision, Lots 1-3 (Files #18-25-SD)
 - **Motion by Ms. Tabb to authorize a partial release of Irrevocable Letter of Credit #300025580-44 with United Bank in the amount of \$702,736.00 construction bond amount for Seneca Crossing, LLC – Seneca Crossing Subdivision, Lots 1-3 (File #18-25-SD). Motion seconded and unanimously approved.**

b. Berkeley Medical Center – Lot 1 Seneca Crossing Subdivision (File #19-3-S)

- **Motion by Ms. Noland to authorize a partial release of Irrevocable Letter of Credit #4832790-44 with United Bank in the amount of \$223,159.00 construction bond amount for Berkeley Medical Center – Lot 1 Seneca Crossing Subdivision (File #19-3-S). Motion seconded and unanimously approved.**

c. Adoption of the 2020 Building Code Enforcement Ordinance

- **Motion by Ms. Tabb to adopt the Resolution and the Building Code Enforcement Ordinance as presented. Motion seconded and unanimously approved.**

7. Nathan Cochran, Assistant Prosecuting Attorney

- Discussion of renewal of County cable franchise agreement, resolution of franchise fee audit, and related issues. Discussion/Action.
- Discussion of EEOC Charge #533-2017-00706 & #533-2019-01397. Discussion/Action.
- Discussion of Jefferson County Circuit Court Civil Action #19-P-69. Discussion/Action.
- Discussion of WV Supreme Court #19-0412 (from Jefferson County Circuit Court Civil Action #17-C-282). Discussion/Action.
- Discussion of WV Supreme Court #20-0012 (from Jefferson County Circuit Court Civil Action #19-AA-1). Discussion/Action.
- 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.
- Discussion of Jefferson County Circuit Court Civil Action #17-C-174. Discussion/Action.
- Discussion of Jefferson County Circuit Court Civil Action #20-C-26. Discussion/Action.
- Review and report on aspects of county policies and local government/component/agency/department involvement based on C-19 crisis – Discussion/Action.
- Discussion of Jefferson County Circuit Court Civil Action #20-C-20
- Discussion of legal issues regarding proposed solar text amendment including bonding and related matters.
- Discussion of issues regarding implementation of compensation standards for certain employees under compensation policy 204 and associated policies.

- Mr. Cochran stated he did not have any updated to provide on the matters listed on the agenda.

NEW BUSINESS

8. Senate Bill 690 and the Jefferson County Ordinance relating to the regulation of All-Terrain Vehicles – it was the consensus of the Commission to request Counsel to further research SB690 and discuss at a future meeting to better inform the public as to whether special use vehicles would be permitted on the streets and highways in Jefferson County.
9. Millville Dam area, large number of folks gathering, trash and related issues – it was the consensus of the Commission to discuss this issue in tandem with the Jefferson County Sheriff's Office and the Solid Waste Authority and potentially draft a litter ordinance.
10. Discussion on workshop format: invite experts to educate the Commission of all aspects of Solar Facilities - it was the consensus of the Commission to hold an informational workshop with staff during the August 6, 2020 regularly scheduled County Commission meeting with no experts at this time.
11. Discuss possibility of VFD funding via P-card – it was the consensus of the Commission to issue P-cards to the seven volunteer fire departments in the amounts of the quarterly distribution for which they'll be responsible and allow staff to provide assistance to the departments should they need it.
12. Discuss possible funding for the Broadband Grant Survey
 - **Motion by Ms. Noland to approve the funding of the \$10,931.00 for the reimbursable grant for the mailing of the Broadband Planning Grant Surveys to county residents. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

Ms. McDonald stated she had no updates to provide at the time.

13. The Commission adjourned at 11:44 a.m. on a motion by Ms. Noland. Motion was seconded and unanimously approved.

Jane M. Tabb, PRESIDENT

Respectfully submitted
Jessica Carroll
Executive Administrative Assistant