

AGENDA
JEFFERSON COUNTY COMMISSION
FOURTH QUARTERLY SESSION - OCTOBER - DECEMBER 2020
THURSDAY, DECEMBER 3, 2020
9:30 A.M.

County Commission Meeting Room
located at the Old Charles Town Library
200 E. Washington Street, Charles Town, WV

***This meeting will NOT be a LIVE broadcast on our website. Instead, it will be accessible live through GoToWebinar. Invites will be posted on Facebook and email alerts.*

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- November 5, 2020 - Regular Meeting
- November 19, 2020 - Regular Meeting

APPROVAL OF REQUISITIONS

- December 3, 2020

APPROVAL OF ACCOUNTS PAYABLE

- November 26, 2020
- December 3, 2020

APPROVAL OF MANUAL CHECKS

- November 27, 2020
- December 4, 2020

APPROVAL OF PAYROLL

- November 25, 2020

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT

*** You may participate in public comment during the virtual meeting by raising your hand. Please submit comments via email to info@jeffersoncountywv.org. Your comments will be included in the minutes and agenda correspondence. Please include your name.*

PRESENTATIONS

- 1. 9:45 a.m. Pete Dougherty, Sheriff
- Part-time Bailiff Budget Adjustment - Discussion/Action**
- 2. 10:00 a.m. Lynn Fields, Probate Office
- Accept and approve the final paperwork on the estates of: Geraldine Bolyard, deceased and Gary Lee Taulton, deceased, and approve both estates to be closed - Discussion/Action**
- 3. 10:15 a.m. Kelly Franklin, Jefferson County Day Report Center, Inc.
- Follow-up from the Case Management Support Request Presented in October, 2020 - Discussion/Action**
- 4. 10:30 a.m. Interview and Appointment to the Jefferson County Emergency Services Agency - one 3-year term ending June 30, 2023 - Discussion/Action**
- 5. 10:45 a.m. Annette Gavin Bates, Jefferson County CVB
- JCCVB presents Annual Report and request JCC to waive maintenance costs associated with Jefferson County WV Welcome Center - Discussion/Action**
- 6. 11:00 a.m. Laura Kuhn, Maintenance Department
- Request to begin advertising and application process to fill an upcoming vacancy of a custodial position within the Maintenance Department - Discussion/Action**
- 7. 11:15 a.m. Dennis Jarvis, Jefferson County Development Authority
- Approval of Resolution of Participation and Cooperation for Local Economic Development Grant Program - Discussion/Action**
- 8. 11:30 a.m. Roger Goodwin, Director & Chief County Engineer and Michelle Mason, Impact Fee Program Specialist - Discussion/Action
- Impact Fees 2020 Recalculation Study - Presentation of Results Discussion/Action**

9. 12:15 p.m. 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 and 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/Action
 - Discussion of Jefferson County Circuit Court Civil Action #17-C-174 - Discussion/Action
 - Discussion of Jefferson County Circuit Court Civil Action #20-C-20 - Discussion/Action
 - Discussion of legal issues regarding proposed solar text amendment including bonding and related matters - Discussion/Action
 - Discussion of Department of Interior inquiry of Historic Landmarks Commission activity for docket number PCRNPS-04-20 - Discussion/Action
 - Discussion with Counsel regarding Charles Town City Council changes to Article 147 - Discussion/Action
 - Discussion of all aspects of case, issues, potential for resolution, and use of outside counsel regarding Jefferson County Circuit Court Civil Action #20-C-125 and #s20-C-132-137 - Discussion/Action
10. 1:30 p.m. Public Hearing
- Proposed text amendment to the Zoning Ordinance regarding Commercial Cemeteries File #ZTA20-01). The draft amendment proposes to allow Commercial Cemeteries to process as a Conditional Use in the Rural zoning district, and a Principal Permitted Use (by right) in the Residential-Light Industrial-Commercial and Industrial Commercial zoning districts. The text amendment proposes revisions to Article 2 Definitions; Article 8 Supplemental Use Regulations (creation of Section 8.21 Commercial Cemeteries); and Appendix C Principal Permitted and Conditional Uses Table.

11. 1:45 p.m. Public Hearing
Proposed text amendment to the Zoning Ordinance regarding Drive Through Restaurants (ZTA20-02). The draft amendment proposes to change the classification for Drive-Through Restaurants in the Residential-Light Industrial-Commercial zoning district from Conditional Use (CU) to Permitted Use (P). The text amendment proposes revisions to Article 5 District Regulations; Section 5.8C.3 Residential-Light Industrial-Commercial (R-LI-C) District; and Appendix C Principal Permitted and Conditional Uses Table.

12. 2:00 p.m. Public Hearing
Sheetz Zoning Map Amendment (rezoning): referral to Planning Commission to review zoning amendment request for the 5.4 acre property identified in Shepherdstown District (9), Map Number 8, Parcel 13, 15.2 and portions of 10.2 and 14.

UNFINISHED BUSINESS

13. Request to start the process to advertise for the position of JCDA Office Manager - Discussion/Action

NEW BUSINESS

14. Certification of the 2020 General Election Results for Federal and State elections - Discussion/Action

15. Approval of 2021 Holiday Schedule - Discussion/Action

FINANCE DIRECTOR

- Highmark One-time premium Credit Issued - Discuss options for the employee portion of the premium credit - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

- Remote Work Policy - Discussion/Action
- COVID Quarantine and Return To Work Policy - Discussion/Action

COUNTY COMMISSION REPORTS

16. ADJOURN

CORRESPONDENCE/INFORMATION

County Commission meeting for December 31, 2020 is canceled.

Public Comment for the December 3, 2020 meeting received from the League of Women Voters of Jefferson County.

Correspondence received from the West Virginia State Auditor regarding §7-7-7a Limit of Budget Expenditures.

Correspondence received from the Governor of West Virginia regarding Victims of Crime Act (VOCA) grant award.

Correspondence received from the Governor of West Virginia regarding Justice Assistance Grant (JAG) award of \$15,000.

Correspondence received from the Department of Health and Human Resources regarding Administrative Order EE-20-39 - Rock Spring Church.

Correspondence received from the Department of Health and Human Resources regarding Administrative Order EE-20-34 - Potomac Farms Water Co.

Correspondence received from Comcast regarding price changes.

Harpers Ferry/Bolivar PSD meeting minutes for October, 2020 were received.

At all times the County Commission reserves the right to rearrange agenda times because of time constraints and to accommodate the Commission schedule or the public.