

**JEFFERSON COUNTY COMMISSION
FOURTH QUARTERLY SESSION - OCTOBER - DECEMBER 2020
THURSDAY, DECEMBER 17, 2020
6:00 P.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 9, 2020 General Election Canvass - Part 1
- November 10, 2020 General Election Canvass - Part 2
- December 3, 2020 Regular Meeting
- December 10, 2020 Special Session

APPROVAL OF REQUISITIONS

- December 17, 2020

APPROVAL OF ACCOUNTS PAYABLE

- December 10, 2020
- December 17, 2020

APPROVAL OF MANUAL CHECKS

- December 11, 2020
- December 18, 2020

APPROVAL OF PAYROLL

- December 10, 2020

PRESENTATION OF A RESOLUTIONS

- Approval of Resolutions - Discussion/Action

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. 6:30 p.m. Angie Banks, Assessor
- Exonerations - Discussion/Action
2. 6:40 p.m. Pete Dougherty, Sheriff
- PRO Grant Contract - Discussion/Action
3. 6:50 p.m. Matt Harvey, Prosecuting Attorney
- Annual Leave Accrual Maximums - Discussion/Action
4. 7:00 p.m. Jacki Shadle, County Clerk
- Advertise for the open assistant clerk position - Discussion/Action
5. 7:10 p.m. Laura Storm, Circuit Clerk
- Request to fill a vacancy in the Circuit Clerk's office - Discussion/
Action
6. 7:20 p.m. Broadband Study Presentation - Discussion/Action
7. 7:40 p.m. Michelle Gordon, Finance Director
- Review and Approval of FY2021 State Budget Revision 2 for the General
County Fund - Discussion/Action
- FY21 COVID19 Emergency Financial Policy - Discussion/Action
- Review of FY22 Budget Charge for Departments - Discussion/Action
- Review of FY21 financials as of 11/30/2020 - Discussion/Action
8. 8:00 p.m. Roger Goodwin, Chief County Engineer
- Partial Release of construction bond security for Roderick Planes, LLC -
Aspen Greens Subdivision, Phase 1A (File #07-15) - Discussion/Action
9. 8:10 p.m. Stephen S. Allen, Director, Jefferson County Office of Homeland Security and
Emergency Management
- Signing of Integrated Public Alert and Warning System (IPAWS)

Memorandum of Agreement - Discussion/Action

10. 8:20 p.m. Elizabeth Wheeler, Director, Jefferson County Farmland Protection Board
- Approval of purchase of one Agriculture Conservation Easement -
Discussion/Action
11. 8:45 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 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

NEW BUSINESS

12. Discuss request for funding: COVID-19 Pandemic Block Grant \$100,000 - Discussion/Action
13. Set date, time, and location for the first regular meeting of 2021 - Discussion/Action

14. **Approval of Contract for Professional Services - Broadband Study Grant - Discussion/Action**
15. **Decision - 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 - Discussion/Action**
16. **Decision - 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 - Discussion/Action**
17. **Decision - Zoning Map Amendment (rezoning) for the property designated as Tax District: Shepherdstown (09); Tax Map: 8; Parcels: 10.2, 13, 14 & 15.2. The properties are located at 7948 Martinsburg Pike, Shepherdstown, WV. The property owner is James Van Evera III, et al. The contract purchaser is Sheetz, Inc. The total combined acreage of all the parcels is 23.48 acres; however, 5.4 acres is subject to the request. The property is currently zoned Residential Growth and a petition has been made to the County Commission by the property owner to change the zoning classification for 5.4 acres to Residential-Light Industrial-Commercial (Planning Commission File #20-1-Z) - Discussion/Action**

COUNTY ADMINISTRATOR REPORTS

- **Discuss Civil and Non-Civil employees Annual Leave Accrual Maximums - Discussion/Action**

COUNTY COMMISSION REPORTS

18. **ADJOURN**

CORRESPONDENCE/INFORMATION

Impact Fee Status Report received for November, 2020.

Notice of Intent to Appoint to the Jefferson County Board of Zoning Appeals

Public Comment received from Al Cobb regarding the Impact Fee Study Report.

Public comment received from David Tabb regarding the December 3, 2020 agenda.