

## Minutes

### Jefferson County Commission

Thursday, January 21, 2021

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A meeting of the Jefferson County Commission was held on Thursday, January 21, 2020 during the fourth quarterly session at 9:30 a.m. The meeting was held via GoToWebinar. Present were Commissioners Josh Compton, President, Steve Stolipher, Vice President, Caleb Hudson, Tricia Jackson, and Jane Tabb., Also present were Stephanie Grove, County Administrator; Sandy McDonald, Deputy County Administrator, and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, January 21, 2021 meeting is available on the Jefferson County Commission website.)

#### **PLEDGE OF ALLEGIANCE**

Commissioner Stolipher led the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

**Motion by Mr. Stolipher to approve the January 7, 2021 Regular Meeting Minutes with noted corrections. Motion seconded and unanimously approved.**

#### **APPROVAL OF REQUISITIONS**

**Motion by Mr. Stolipher to approve the Requisitions for January 21, 2021 in the amount of \$20,900.00 to include Requisition Nos. 21028 and 21032. Motion seconded and unanimously approved.**

#### **APPROVAL OF ACCOUNTS PAYABLE**

CHECK#	VENDOR NAME	AMOUNT
84225	AMANDA MASTERS	\$ 23.00
84226	AT&T	\$ 241.64
84227	ATLANTIC OCCUPSYCH INC.	\$ 1,475.00
84228	BANK OF CHARLES TOWN	\$ 60.68

84229		BESSIE NELSON		\$ 35.00
84230		BIEDLERS ELEC MOTOR REP		\$ 244.05
84231		BOLAND TRANE SERVICES INC		\$ 705.00
84232		CAPITAL ELECTRIC		\$ 1,269.95
84233		COLONIAL LIFE		\$ 95.68
84234		DESIGN NINE INC		\$ 9,525.00
84235		DODSON SEPTIC SERVICE LLC		\$ 285.00
84236		DONNA MASON		\$ 1,242.65
84237		EASTERN PANHANDLE PSCHIATRY INC.		\$ 2,700.00
84238		EASTERN PANHANDLE INVESTIGATIONS		\$ 300.00
84239		FIDELITY POWER SYSTEMS		\$ 1,699.00
84240		FIFTH THIRD BANK		\$ 101,304.70
84241		FIRE SAFETY EQUIP		\$ 2,109.00
84242		G & TRIPLE T LLC		\$ 385.00
84243		GUTTMAN OIL CO		\$ 3,346.79
84244		HIGHMARK WV		\$ 202,223.60
84245		J.C. EHRLICH		\$ 748.00
84246		JANE JONES		\$ 1,424.47
84247		JOSEPH MURPHY		\$ 909.60
84248		KONE BROOKLYN		\$ 7,816.00
84249		LISA WALTERS		\$ 1,054.97
84250		MARY K THOMPSON		\$ 873.66
84251		MATTHEW BENDER		\$ 207.10
84252		MEGAN FARIAS		\$ 100.00
84253		NATHAN COCHRAN		\$ 513.52
84254		NICOLE NOBREGA		\$ 827.89
84255		POTOMAC EDISON		\$ 5,308.80
84256		R.E. MICHEL CO. LLC		\$ 215.58
84257		RICE TIRES CO		\$ 1,180.92
84258		RICHARD HAHN		\$ 2,543.31
84259		SHERIFF OF JEFFERSON COUNTY		\$ 167.17
84260		SHERIFF OF JEFFERSON COUNTY		\$ 60.68
84261		SHERIFF OF JEFFERSON COUNTY		\$ 268,000.00
84262		THE HARTFORD		\$ 3,328.86
84263		WV REGIONAL JAIL & CORRECTION FACILITY AUTH		\$ 54,860.25
84264		JEFFERSON DAY REPORT CENTER		\$ 716.40
TOTAL				\$ 680,127.92

**Motion by Mr. Compton to approve the Accounts Payable for January 14, 2021 in the amount of \$680,127.92. Motion seconded and unanimously approved.**

CHECK#		VENDOR NAME		AMOUNT
84266		AMERIFLEX		\$ 128.00
84267		ATLANTIC OCCUPSYCH INC.		\$ 590.00
84268		BOLAND TRANE SERVICES INC		\$ 1,066.00
84269		BUREAU OF CHILD SUPPORT		\$ 502.16
84270		CACH LLC		\$ 282.14
84271		CITY OF CHARLES TOWN		\$ 60.00
84272		CLAYMAN & ASSOCIATES PLLC		\$ 3,000.00
84273		COMPTROLLER OF MARYLAND		\$ 1,741.56
84274		EFTPS IRS TAXES		\$ 93,067.47
84275		EMPOWER RETIREMENT		\$ 5,289.65
84276		ESI ELECTRONIC SYSTEMS INC		\$ 715.41
84277		ESS ELECTION SYSTEMS & SOFTWARE		\$ 6,444.10
84278		FEDEX		\$ 53.21
84279		FRANKLIN & PROKOPIK P.C.		\$ 765.00
84280		GAIL MCMILLION		\$ 50.33
84281		GUTTMAN OIL CO		\$ 2,333.60
84282		HIPLINK SOFTWARE		\$ 408.00
84283		JEFFERSON CO EMERGENCY SERVICES AGENCY		\$ 59,950.11
84284		JEFFERSON SECURITY BANK		\$ 4,459.00
84285		KONE INC.		\$ 1,809.75
84286		LAURA STORM		\$ 1,112.30
84287		NATIONAL VISION ADMIN.		\$ 1,759.70
84288		NATIONWIDE RETIREMENT SOLUTIONS		\$ 834.00
84289		R.E. MICHEL CO. LLC		\$ 279.89
84290		RETIREE HEALTH BENEFIT TRUST		\$ 7,406.00
84291		RONALD DANTZIC		\$ 24.51
84292		SOFTWARE SYSTEMS INC		\$ 66.00
84293		STATE TAX DEPARTMENT		\$ 799.37
84294		W B MASON CO. INC		\$ 15.63
84295		W B MASON CO. INC		\$ 31.24
84296		WILLIAM SCHWEITZER		\$ 439.02
84297		WV ASSOC OF EXTENSION 4-H AGENTS		\$ 95.00
84298		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 16,559.04
84299		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 44,249.40
84300		WV STATE TAX DEPARTMENT		\$ 34,129.71
84301		XEROX CORPORATION		\$ 1,020.04
84302		XEROX FINANCIAL SERVICES		\$ 2,334.50

84303	GS/004	JEFFERSON CO COMMISSION-GEN CO -004		\$ 11,003.12
TOTAL				\$ 304,873.96

**Motion by Mr. Stolipher to approve the Accounts Payable for January 21, 2021 in the amount of \$304,873.96. Motion seconded and unanimously approved.**

### **APPROVAL OF MANUAL CHECKS**

Check#	Fund	VENDOR	Amount
718	HD/8	ATTENTI	\$ 3,078.40
719	HD/8	ENVIVO HEALTH LLC	\$ 248.00
850	AV/56	FIFTH THIRD BANK	\$ 258.35
851	AV/56	JUSTTECH	\$ 165.07
852	AV/56	SEGRA	\$ 625.38
333	FP/57	JEFFERSON CO FARMLAND PROT.	\$ 113,143.11
1265	IP/249	SHERIFF JEFFERSON CO -SCHOOL	\$ 211,058.26
1266	IP/249	SHERIFF JEFFERSON CO - LAW	\$ 1,232.92
1267	IP/249	SHERIFF JEFFERSON CO - PARKS	\$ 15,499.41
1268	IP/249	SHERIFF JEFFERSON CO - EMS	\$ 1,678.92
112	LEO-IP/249	TISCHLERBISE INC	\$ 540.00
121	SCH-IP/249	TISCHLERBISE INC	\$ 1,010.00
136	PRC-IP/249	TISCHLERBISE INC	\$ 660.00
144	EMS-IP/249	TISCHLERBISE INC	\$ 485.00
TOTAL			\$ 349,682.82

**Motion by Mr. Stolipher to approve the Manual Checks for January 8, 2021 in the amount of \$349,682.82. Motion seconded and unanimously approved.**

### **PAYROLL APPROVAL**

**Motion by Ms. Tabb to approve the Payroll for January 7, 2021 in the amount of \$275,519.78. Motion seconded and unanimously approved.**

### **PUBLIC COMMENT**

Public Comment was received by the following: Dixie Dunn.

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
Katherine and William Hershey	PP	CTC	305892	\$347.20

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 305892 as presented. Motion seconded and unanimously approved.**
2. Tom Hansen, Sheriff
    - a. Chief Deputy Appointment
      - **Motion by Mr. Compton to approve Victor Lupis as Chief Deputy in the Jefferson County Sheriff’s Office with a salary modification of \$10,000. Motion seconded and unanimously approved.**
    - b. Chief Bailiff Hire
      - **Motion by Mr. Compton to approve the promotion of Jesse Jones from deputy chief bailiff to Chief Bailiff on a part-time basis with a salary of \$20.00 per hour. Motion seconded and unanimously approved.**
    - c. Vehicles
      - **Motion by Mr. Stolipher to release the funds for the four vehicles ordered in 2020 by the former Sheriff and reassess the current Sheriff’s request for an additional vehicle during the FY22 budget deliberations.**
    - d. Courthouse Modifications – it was the consensus of the Commission to direct Ms. Grove to meet with the Sheriff and Laura Kuhn, interim Director of Maintenance, to discuss the requested Courthouse modifications.
    - e. Part-Time/Temporary Deputies – it was the consensus of the Commission to revisit this request during FY22 budget deliberations.

3. Jefferson County Emergency Services Agency – Update

- Bob Faas, Fire representative to the Jefferson County Emergency Services Agency, and Allen Keyser, Director of the JCESA, provided an update on JCESA happenings to the Commission and the public.

4. Effie Kallas & Lyn Widmyer, League of Women Voters of Jefferson County – LWV Proclamation of Appreciation to Nikki Painter, Elections Clerk.

- Ms. Kallas and Ms. Widmyer presented Ms. Painter with a Proclamation of Appreciation for her work during the 2020 Primary and General elections, specifically her willingness to provide virtual tutorials to the public regarding the electronic voting machines.

5. Lynn Fields, Probate Office

a. Quarterly Review

- **Motion by Mr. Compton to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
- **Motion by Mr. Compton to accept and close the estates that have met the requirements of the probate office for the quarter. Motion seconded and unanimously approved.**

b. Probate in Solemn Form – Last Will and Testament of Ernest Lowndes

- **Motion by Ms. Tabb to accept the copy of Mr. Lowndes’ will and permit the Probate of the Last Will and Testament of Ernest Lowndes, deceased. Motion seconded and unanimously approved.**

5. Dennis Jarvis, II, Director, Jefferson County Development Authority – requested permission to hire an administrative assistant candidate.

- **Motion by Ms. Tabb to approve the hire of Krista Hoffman as administrative assistant within the Jefferson County Development Authority Office at a salary of \$38,500.00, effective February 1, 2021. Motion seconded and passes on a vote of 3-2 with Commissioners Compton and Jackson opposing.**

7. Martin Burke, Jefferson County Historic Landmarks Commission

- Request to waive all fees associated with the restoration of Duffield’s Depot - Discussion/Action

- **Motion by Mr. Compton to waive all fees associated with the restoration of Duffield's Depot totaling approximately \$530.00. Motion seconded and unanimously approved.**

8. Interviews and Appointments to the Eastern Panhandle Transit Authority - two 3-year terms ending January 31, 2024 - Discussion/Action

- Mr. Compton provided his nomination to Andrew Mollohan. Mr. Mollohan received a unanimous vote.
- Ms. Tabb provided her nomination to Joy Lewis. Ms. Lewis received a unanimous vote.
- **Applicants Andrew Mollohan and Joy Lewis were each appointed to the Eastern Panhandle Transit Authority for a term of three years ending January 31, 2024.**
  - Interviews and Appointments to the Jefferson County Planning Commission - one unexpired term ending March 31, 2021 - Discussion/Action
- Mr. Stolipher provided his nomination to Matt Knott. Mr. Knott received four votes (Commissioners Compton, Hudson, Jackson, and Stolipher)
- Ms. Tabb provided her nomination to Maura Ross. Ms. Ross received one vote (Commissioner Tabb)
- **After receiving the majority vote, Matt Knott was appointed to the Jefferson County Planning Commission for one unexpired term ending March 31, 2021.**
  - Interviews and Appointments to the Jefferson County Emergency Services Agency - one unexpired term for Citizens Representative ending June 30, 2022 and one 3-year term for Citizen Representative ending June 30, 2023 - Discussion/Action
- Ms. Jackson provided her nomination for Joshua Stillwell for the unexpired term ending June 30, 2022. Mr. Stillwell received a unanimous vote.
- Mr. Stolipher provided his nomination for Steve Harris for the unexpired term ending June 30, 2023. Mr. Harris received a unanimous vote.
- **Applicants Joshua Stillwell and Steve Harris were appointed as Citizen Representatives to the Jefferson County Emergency Services Agency Board, each for an unexpired term ending June 30, 2022 and June 30, 2023 respectively.**

9. Roger Goodwin, Chief County Engineer – requested approval of a Personnel Requisition for the Planning Clerk position.

- **Motion by Mr. Compton to authorize the Department of Engineering, Planning, and Zoning to offer the Planning Clerk position to Alice Johns at a salary of \$36,000.00, effective February 1, 2021. Motion seconded and passes on a vote of 4-1 with Commissioner Jackson opposing.**

10. Stephen S. Allen, Director, Jefferson County Office of Homeland Security and Emergency Management – requested approval of Consideration of entering into agreement with the Region 9 Planning and Development Council to be part of the Regional Hazard Mitigation Plan with Berkeley and Morgan Counties.

- It was the consensus of the Commission to revisit this matter during the February 4, 2021 regularly scheduled meeting.

1. 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-20. Discussion/Action.
- Discussion of legal issues regarding proposed solar text amendment including bonding and related matters – 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 no. 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

**NEW BUSINESS**

- Discussion of evaluation and continuation of Project Manager Position
- **Motion by Mr. Compton to enter into Executive Session to discuss personnel matters regarding the Project Manager Position. Motion seconded and unanimously approved.**
- **Motion by Mr. Compton to come out of Executive Session. Motion seconded and unanimously approved.**

## COUNTY ADMINISTRATOR REPORTS

- Discuss dues with the County Commissioners' Association of WV of \$3,900.00 – after listening to presentation by Jennifer Piercy, Director of the CCAWV, it was the consensus of the Commission to continue discussion of membership to the CCAWV during the FY22 budget deliberations.
  
- Revision of Meeting Policy – Ms. Grove stated she had amended the County Commission meeting policy to include updates recently made regarding the meeting dates and times, including the elimination of the fifth Thursday meeting (where applicable) and to state the first meeting of each month would be held in a hybrid approach (both in person and virtually) while the second meeting of each month would only be held virtually. Mr. Grove also amended the policy to state the agenda would be published by close of business the Monday prior to the scheduled meeting.
  - **Motion by Mr. Stolipher to approve the amendments to the County Commission meeting policy as presented. Motion seconded and passes on a vote of 4-1 with Commissioner Tabb opposing.**

The Commission adjourned at 9:57p.m. on a motion by\_\_\_\_\_. Motion was seconded and unanimously approved.

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Joshua J. Compton, PRESIDENT

Respectfully submitted  
Jessica Carroll  
Executive Administrative Assistant