

Minutes

Jefferson County Commission

Thursday, February 4, 2021

A meeting of the Jefferson County Commission was held on Thursday, February 4, 2021 during the first quarterly session at 9:30 a.m. The meeting was held both in person and via GoToWebinar. Present were Commissioners Jane Tabb, President, Caleb Hudson, Josh Compton, Steve Stolipher and Tricia Jackson. Also present were Stephanie Grove, County Administrator; Sandy McDonald, Deputy County Administrator, and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, February 4, 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. Hudson to approve the January 15, 2021 Special Session Minutes as presented. Motion seconded and unanimously approved.

Motion by Ms. Jackson to approve the January 21, 2021 Regular Meeting Minutes with noted corrections. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the January 25, 2021 Special Session Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the January 28, 2021 Special Session Minutes as presented Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the January 28, 2021 Board of Review and Equalization Minutes as presented. Motion seconded and unanimously approved. Commissioners Compton and Tabb abstained as they were not present for the January 28 BORE.

APPROVAL OF REQUISITIONS

Motion by Mr. Compton to approve the Requisitions for February 4, 2021 in the amount of \$44,241.00 to include Requisition No. 21033. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#		VENDOR NAME		AMOUNT
84304		ADAM WARD		29.97
84305		AHA-ARTS & HUMANITIES ALLIANCE		646.60
84306		DR. ROBERT E JONES III		1,000.00
84307		ELIZABETH WHEELER		1,897.57
84308		FEDEX		92.63
84309		GUTTMAN OIL CO		2,591.92
84310		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION		957.45
84311		JEFFERSON CO CONVENTION AND VISITORS BUREAU		16,164.96
84312		JEFF CO PARKS & RECREATION COMMISSION		14,560.91
84313		MILLENNIUM INSURANCE GROUP		900.00
84314		MONROE SYSTEMS FOR BUSINESS		16.50
84315		POTOMAC EDISON		26,608.06
84316		SHENTEL		1,807.00
84317		SOFTWARE SYSTEMS INC		1,110.00
TOTAL				68,383.57

Motion by Ms. Tabb to approve the Accounts Payable for January 28, 2021 in the amount of \$68,383.57. Motion seconded and unanimously approved.

CHECK#		VENDOR NAME		AMOUNT
84319		BERKELEY GLASS INC		\$ 520.00
84320		BONDED APPLICATORS OF MD INC		\$ 3,350.00
84321		BUREAU OF CHILD SUPPORT		\$ 502.16
84322		CAPITAL ELECTRIC		\$ 556.01
84323		CROCK-HAMRICK REPORTING SERVICES LLC		\$ 319.50
84324		EVERETT W BOOBER		\$ 412.50
84325		EFTPS IRS TAXES		\$ 95,620.33

84326		EMPOWER RETIREMENT		\$ 5,295.09
84327		GUTTMAN OIL CO		\$ 2,777.11
84328		JEFFERSON COUNTY SOLID WASTE AUTHORITY		\$ 10.27
84329		JEFFERSON SECURITY BANK		\$ 4,459.00
84330		LANGUAGE LINE SERVICES		\$ 168.12
84331		MARY K. HURLEY		\$ 61.60
84332		MILLERS SUPPLIES AT WORK		\$ 53.12
84333		NATIONWIDE RETIREMENT SOLUTIONS		\$ 834.00
84334		OLD CHARLES TOWN LIBRARY		\$ 1,500.00
84335		RC AIR AND MOLD SOLUTIONS		\$ 345.00
84336		RICE TIRES CO		\$ 479.58
84337		RUSSELL BURGESS		\$ 1,992.70
84338		SHERIFF OF JEFFERSON COUNTY		\$ 500,000.00
84339		STATE TAX DEPARTMENT		\$ 799.37
84340		TEK ADVISORS LLC		\$ 4,200.00
84341		THE JOURNAL		\$ 533.49
84342		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 17,904.36
84343		WV ENHANCED 911 COUNCIL		\$ 70.00
84344		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 44,735.46
84345		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 166.49
84346		JEFFERSON DAY REPORT CENTER		\$ 39,665.40
TOTAL				\$ 727,330.66

Motion by Mr. Compton to approve the Accounts Payable for February 4, 2021 in the amount of \$727,330.66. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
522	CS/2	EASTRIDGE HEALTH SYSTEM		\$ 1,800.00
720	HD/8	LEGACY AUTO DETAIL		\$ 250.00
853	AV/56	PRINT-O-STAT		\$ 190.00
TOTAL				\$ 2,240.00

Motion by Ms. Tabb to approve the Manual Checks for February 5, 2021 in the amount \$2,240.00. Motion seconded and unanimously approved.

PAYROLL APPROVAL

Motion by Mr. Compton to approve the Payroll for January 21, 2020 in the amount of \$263,214.21. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public Comment was received by the following: no public comment was provided during this meeting.

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

PRESENTATIONS

1. Tom Hansen, Sheriff
 - a. Bailiffs – Sheriff Hansen informed the Commission he'd present this item at a later date as he was awaiting information pertaining to the request.
 - b. Home Confinement Officer – this item was postponed pending an opinion from the Ethics Commission as the potential Home Confinement Officer is related to the Sheriff by marriage.
 - c. Increase of Pledged Securities for the Bank of Charles Town (BCT), Jefferson Security Bank (JSB), and Branch Banking and Trust (BB&T) – Sheriff Hansen informed the Commission of a raise in pledged securities with BCT to \$20,000,000; with JSB to \$1,500,000; and with BB&T to \$3,500,000.
2. Jacqueline Shadle, Clerk of the County Commission – requested approval of employment for two vacant assistant clerk positions.
 - **Motion by Mr. Stolipher to approve the employment of Kelly Sparks as an assistant clerk with a salary of \$33,000, effective March 1, 2021 and Amanda Hefner as assistant clerk with a salary of \$32,000, effective February 18, 2021. Motion seconded and unanimously approved.**

3. Chad Wallen, Gordon Associates – Sheetz Zoning Map Amendment – request for Public Hearing and referral to the Planning Commission to review Zoning Map Amendment Request for the 2.1 acre property identified in Charles Town District (2), Map Number 16, Portion of Parcel 1
 - **Motion by Mr. Compton to accept the Zoning Map Amendment request, refer the request to the Planning Commission for review of Comprehensive Plan consistency and to schedule a public hearing before the County Commission on March 18, 2021 at 6:30pm. Motion seconded and unanimously approved.**
4. Kelly Franklin, Director, Jefferson Day Report Center – requested the approval of the FY22 WV Corrections Grant
 - **Motion by Mr. Compton to authorize Josh Compton, President of the Commission, to act on its behalf to enter into a contractual agreement with the Division of Justice and Administrative Services to receive and administer the grant funds pursuant to the provisions of the Community Corrections Program. Motion seconded and unanimously approved.**
5. Laura Kuhn, Interim Director, Jefferson County Department of Maintenance – requested approval of employment for a full-time custodian position
 - **Motion by Ms. Tabb to approve the employment of Pamela K. Goetz as a Full-time 80-hour Custodian in the Maintenance Department at a Grade II, starting salary of \$31,559.00. Motion seconded and unanimously approved.**
6. Roger Goodwin, Chief County Engineer
 - a. Family Adventure Resort, LLC – River Riders/Clarion Hotel Connector Roads (File #S17-04).
 - **Motion by Mr. Compton to authorize a complete release of Performance Bond #107200295 with Travelers Casualty and Surety Compant of America in the amount of \$72,065.00 construction bond amount for Family Adventure Resort, LLC – River Riders/Clarion Inn Connector Roads (File #S17-04). Motion seconded and unanimously approved.**
 - b. Blossman Gas, Inc. – Burr Industrial Park, Lot 12 (File #19-1-S).

- **Motion by Ms. Tabb to authorize a complete release of Performance Bond #9242691 with Fidelity and Deposit Company of Maryland in the amount of \$170,940.00 construction bond amount for Blossman Gas, Inc. – Burr Business Park, Lot 12 (File #19-1-S). Motion seconded and unanimously approved.**
- c. Presentation of Calendar Year 2020 Annual Report for the Office of Impact Fees
- **Motion by Mr. Compton to accept the Calendar Year 2020 Impact Fees Annual Report for the Office of Impact Fees, as presented. Motion seconded and unanimously approved.**
 - **Motion by Mr. Stolipher to stay the inflationary adjustment to the impact fees. Motion seconded and unanimously approved.**
- d. Presentation of the FY2022 Capital Improvement Plan for the Office of Impact Fees
- **Motion by Mr. Compton to approve the FY2022 Capital Improvement Plan for the Office of Impact Fees as presented. Motion accepted 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-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
 - **Motion by Mr. Compton to enter into Executive Session to receive legal advice and updates re: personnel matters and ongoing litigation. Motion seconded and unanimously approved.**
 - **Motion by Mr. Compton to come out of Executive Session and recess for lunch until 1:30 pm to convene for the Board of Review and Equalization and come back into Executive Session once BORE has recessed. Motion seconded and unanimously approved.**

8. The Commission recessed for lunch at 12:07 pm.
The Commission reconvened at 1:30 pm for the Board of Review and Equalization, for which a separate set of minutes have been prepared.

The Commission reconvened in regular session at 1:42 pm.

- **Motion by Mr. Compton to go back into Executive Session. Motion seconded and unanimously approved.**
- **Motion by Mr. Hudson to come out of Executive Session. Motion seconded and unanimously approved.**

UNFINISHED BUSINESS

- Discussion of evaluation and continuation of Project Manager Position
 - **Motion by Mr. Compton to eliminate the Project Manager Position, effective immediately after close of business. Motion seconded and unanimously approved.**

NEW BUSINESS

- Transfer of GIS Office to the IT Department
 - **Motion by Mr. Stolipher to approve the move of the GIS/Addressing Office under the Jefferson County IT Department effective March 1, 2021. Motion seconded and unanimously approved.**

- Permitting and Inspections of Small Businesses in Jefferson County
 - Motion by Mr. Stolipher to have staff create a dedicated e-mail where questions, comments, and complaints regarding permitting and inspections can be submitted, with notice provided to the public that the e-mail account cannot be used to address permitting relating to the Jefferson County Health Department. Motion seconded and unanimously approved.
- Proffers vs. Impact Fees – Ms. Grove provided information on this topic at Mr. Compton’s request.

COUNTY ADMINISTRATOR REPORTS

- Update on 911 Phone System/Discussion of 911 Complaint and Status of Investigation – Ms. Grove stated she met with the Director of the Communications Center to discuss both the 911 phone system and the anonymous complaint and was still in the process of investigating.
- Extension of Policy 216A: FMLA Leave Expansion and Emergency Paid Sick Leave
 - **Motion by Mr. Compton to extend the FMLA Leave Expansion and Emergency Paid Sick Leave policy through March 2021. Motion seconded and unanimously approved.**
- COVID-19 Vaccination Distribution Update

LEGISLATIVE SUMMIT

The Commission met with Delegates Paul Espinosa and Wayne Clark and Senator Patricia Rucker to discuss local legislative priorities for the upcoming legislative session, including but not limited to the collection of Hotel/Motel fees for AirBnB rentals and the exemption of Parks and Recreation summer camp programs from DHHR’s guidelines for child-care facilities.

9. The Commission adjourned 3:41 p.m. on a motion by Mr. Compton. Motion was seconded and unanimously approved.

Joshua J. Compton, PRESIDENT

Respectfully submitted
Jessica Carroll
Executive Administrative Assistant