

# Minutes

## Jefferson County Commission

Thursday, March 18, 2021

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A meeting of the Jefferson County Commission was held on Thursday, March 18, 2021 during the first quarterly session at 6:00 pm. 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 and Jessica Carroll, Executive Administrative Assistant. (The archived meeting of the Thursday, March 18, 2021 meeting is available on the Jefferson County Commission website.)

### PLEDGE OF ALLEGIANCE

Commissioner Tabb led the Pledge of Allegiance.

### APPROVAL OF MINUTES

**Motion by Mr. Hudson to approve the February 18, 2021 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.**

**Motion by Mr. Stolipher to approve the March 4, 2021 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.**

### APPROVAL OF REQUISITIONS

**Motion by Ms. Tabb to approve the Requisitions for March 18, 2021 in the amount of \$8,117.72 as presented. Motion seconded and unanimously approved.**

### APPROVAL OF ACCOUNTS PAYABLE

CHECK#	VENDOR NAME	AMOUNT
84453	ADAM WARD	\$ 108.56
84454	AMERICAN FAMILY LIFE INSURANCE COMPANY ICU	\$ 2,970.20
84455	AMERIFLEX	\$ 128.00
84456	AT&T	\$ 124.25
84457	BERKELEY GLASS INC	\$ 670.00
84458	BOLAND TRANE SERVICES INC	\$ 1,771.00
84459	CARL E. WOLF PFD.	\$ 1,375.00
84460	CITY OF CHARLES TOWN	\$ 52.47

84461		FEDEX		\$ 158.29
84462		FIDELITY POWER SYSTEMS		\$ 880.90
84463		FIFTH THIRD BANK		\$ 82,991.83
84464		GRUBER LATIMER RESTORATION LLC		\$ 7,400.00
84465		GUTTMAN OIL CO		\$ 7,128.47
84466		INDEPENDENT FIRE COMPANY		\$ 82,500.00
84467		J.C. EHRLICH		\$ 750.00
84468		JUSTTECH LLC		\$ 153.75
84469		LANGUAGE LINE SERVICES		\$ 201.96
84470		LAURA STORM		\$ 100.19
84471		LISA WALTERS		\$ 302.09
84472		MARGARET GAINEY		\$ 65.00
84473		MATTHEW HARVEY		\$ 699.57
84474		MAZZITTI & SULLIVAN EAP		\$ 936.00
84475		MILLER'S SUPPLIES AT WORK		\$ 4,519.12
84476		MR PRINT		\$ 619.58
84477		NATIONAL VISION ADMIN.		\$ 1,799.81
84478		RETIREE HEALTH BENEFIT TRUST		\$ 7,130.00
84479		RICE TIRES CO		\$ 653.70
84480		SHERIFF OF JEFFERSON COUNTY		\$ 3,000,000.00
84481		SOFTWARE SYSTEMS INC		\$ 1,033.00
84482		SPECIALTY BUSINESS SUPPLIES		\$ 1,861.19
84483		THE HARTFORD		\$ 3,418.38
84484		THE HARTFORD		\$ 2,413.00
84485		TODD FAGAN		\$ 572.03
84486		MOOREFIELD POLICE DEPARTMENT		\$ 87.66
84487		VITAL SIGNS		\$ 400.00
84488		WHOLESALE TIRES INC.		\$ 99.47
84489		WV REGIONAL JAIL & CORRECTION FACILITY AUTH		\$ 47,140.25
84490		XEROX CORPORATION		\$ 1,101.49
84491	004/GS	GENERAL CO - GENERAL SCHOOL-004		\$ 12,467.50
84492	053/AM	CENTRAL ATLANTIC LEGAL GROUP		\$ 1,327.50
TOTAL				\$ 3,278,111.21

**Motion by Mr. Compton to approve the Accounts Payable for March 11, 2021 in the amount of \$3,278,111.21. Motion seconded and unanimously approved.**

CHECK#		VENDOR NAME		AMOUNT
84494		BUREAU OF CHILD SUPPORT		\$ 502.16
84495		CITY OF CHARLES TOWN		\$ 28.00
84496		COMPTROLLER OF MARYLAND		\$ 1,762.48
84497		DEBBIE LOWE		\$ 2,440.23

84498		EFTPS IRS TAXES		\$ 97,083.15
84499		EMPOWER RETIREMENT		\$ 5,378.82
84500		FEDEX		\$ 62.24
84501		GUTTMAN OIL CO		\$ 6,248.55
84502		INFORMER SYSTEMS LLC		\$ 5,304.00
84503		JEFFERSON SECURITY BANK		\$ 4,459.00
84504		KELSEY STIPANOVIC		\$ 3,250.00
84505		NATIONWIDE RETIREMENT SOLUTIONS		\$ 834.00
84506		POTOMAC EDISON		\$ 31,447.58
84507		SCPDC-SOUTH CENTRAL PLANNING & DEVELOPMENT COMM		\$ 13,500.00
84508		SHENTEL		\$ 1,807.00
84509		SOFTWARE SYSTEMS INC		\$ 143.00
84510		STATE TAX DEPARTMENT		\$ 799.37
84511		VA DEPT OF TAXATION		\$ 739.39
84512		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 16,701.00
84513		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 45,220.75
84514		WV STATE TAX DEPARTMENT		\$ 34,882.61
<b>TOTAL</b>				<b>\$ 272,593.33</b>

**Motion by Mr. Stolipher to approve the Accounts Payable for March 18, 2021 in the amount of \$272,593.33. Motion seconded and unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

CHECK#		VENDOR NAME		AMOUNT
723	HD/8	ATTENTI		\$ 2,195.20
724	HD/8	FIFTH THIRD BANK		\$ 57.90
725	HD/8	SHERIFF OF JEFFERSON CO		\$ 1,026.29
864	AV/56	FIFTH THIRD BANK		\$ 687.74
865	AV/56	GLOBAL SCIENCE & TECH		\$ 1,678.86
866	AV/56	JUSTTECH		\$ 163.76
867	AV/56	MONROE		\$ 719.86
868	AV/56	SEGRA		\$ 616.00
335	FP/57	JEFFERSON CO FARMLAND PROT.		\$ 66,008.28
<b>TOTAL</b>				<b>\$ 73,153.89</b>

**Motion by Ms. Tabb to approve the Manual Checks for March 12, 2021 in the amount \$73,153.89. Motion seconded and unanimously approved.**

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
869	AV/56	MONROE		\$ 609.00
1273	IP/249	SHERIFF JEFFERSON CO -SCHOOL		\$ 121,328.87
1274	IP/249	SHERIFF JEFFERSON CO - LAW		\$ 2,396.77
1275	IP/249	SHERIFF JEFFERSON CO - PARKS		\$ 9,438.21
1276	IP/249	SHERIFF JEFFERSON CO - EMS		\$ 1,020.89
<b>TOTAL</b>				<b>\$ 134,793.74</b>

**Motion by Mr. Compton to approve the Manual Checks for March 19, 2021 in the amount \$134,793.74. Motion seconded and unanimously approved.**

**PAYROLL APPROVAL**

**Motion by Ms. Tabb to approve the Payroll for March 4, 2021 in the amount of \$280,406.04. Motion seconded and unanimously approved.**

**PUBLIC COMMENT**

Public Comment was received by the following: Amanda Stroud

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

**PRESENTATIONS**

1. Public Hearing

- Zoning Map amendment (rezoning) for property designated as Tax District: Charles Town (02); Tax Map: 16; Parcel: 1. The property is located northeast of Augustine Avenue and Route 340 intersection in Charles Town, WV.

- o Vice President Stolipher recused himself and President Compton opened the public hearing at 6:30 pm. Chad Wallen, representation for the applicant, explained the requested amendment and Jennie Brockman, Planning Director, stated the Planning Commission found the request to compatible with the Comprehensive Plan. Public comments were made by the following:

- Amanda Stroud, Resident – spoke in favor of the rezoning request.
- Richard Ziegler, Resident – spoke in favor of the rezoning request.

- **There being no further public comment, motion by Mr. Compton to close the public hearing and approve the Sheetz Zoning Map Amendment (Rezoning) Request for the 2.5 acre portion of the property identified as Tax District: Charles Town (02); Tax Map: 16;**

**Parcel: a portion of parcel 1 located northeast of Augustine Avenue/Route 340 intersection and rezone 2.5 acres of the 4.4 acre parcel from Rural to Highway Commercial. Motion seconded and passes 3-1 with Commissioner Tabb opposing and Commissioner Stolipher abstaining.**

2. Michelle Gordon, Finance Director

a. Review and Approval of the FY2021-2022 Draft Budget (Levy Estimate)

- **Motion by Mr. Compton to approve the release of the FY2021-2022 Draft Levy Estimate as amended by Ms. Gordon. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to amend Mr. Compton's motion to include merit and COLA increases for all county employees to approved in the FY2021-2022 Draft Levy Estimate in the amount of \$270,000 contingent upon receipt of the first American Rescue Plan payment and final guidance that allows for use of the funds in the proposed manner. Motion dies for lack of a second.**

b. Review of FY21 financials as of 02/28/2021

c. FY21 COVID19 Emergency Financial Policy

- **Motion by Ms. Tabb to amend the COVID-19 Emergency Financial Policy and remove the restrictions on equipment, materials, and supplies, contracted and professional services and vacant positions and leave the four other categories in effect. Motion seconded and unanimously approved.**

d. Revisions to Policy 304 P-Card Procedures

- **Motion by Mr. Compton to approve County Policy 304 – P-Card Procedures as presented by Ms. Gordon on March 18, 2021 and effective March 18, 2021. Motion seconded and unanimously approved.**

3. Debra Young, Victim Assistant Program – requested the approval and signing of VOCA Grant Application.
  - **Motion by Mr. Compton to approve the VOCA Grant application and authorize the President of the Commission to sign the associated documents. Motion seconded and unanimously approved.**
4. Russell Burgess, Department of Information Technology – requested approval of hiring of the Department of Information Technology Support/Helpdesk Technician Level 1
  - **Motion by Ms. Tabb to approve the hire of Spencer Fraiser as a full time Support/Helpdesk Technician Level 1 for the Jefferson County Department of IT, with a salary of \$35,000.00, effective April 1, 2021. Motion seconded and unanimously approved.**
5. Erin Bajada, Citizen, requested letter of Support for Peace Ridge Gardens Co-op and Company 501c-3 to apply for the USDA Rural Development Community Facilities Loan and Grant
  - **Motion by Mr. Compton to provide a letter of support for Peace Ridge Gardens Co-Op to apply for a USDA Rural Development Community Facilities Loan. Motion seconded and passes on a vote of 4-1 with Ms. Tabb opposing.**
6. Anne Ditto, Citizen, requested exoneration of Ambulance Fee late fees.
  - This item was not presented to the Commission as the applicant withdrew her request.
7. Jeffrey B. Shores, Colonel, USAF (Ret.) - Shannondale Enterprises, Inc. dba Mountain Lake Club - requested Approval for WV ABC (Beer & Wine) License
  - **Motion by Mr. Stolipher to approve and direct the release of the required letter to the WV ABC stating the Mountain Lake Club is located in an approved zone for the attached liquor license application by Shannondale Enterprises, Inc. dba Mountain Lake Club. Motion seconded and unanimously approved.**
8. Christy Huddle, Harpers Ferry Water Commission - request from Harpers Ferry Water Commission to place a temporary sign advertising the impending water treatment plant upgrade on the existing poles near the frontage of the Welcome Center on W. Washington Street near Rt 340.
  - **Motion by Mr. Compton to approve the placement of a temporary sign for 90 days on the existing poles next to the frontage of the Welcome Center on W Washington St. that will inform the water customers in the service area of the impending improvements to the water treatment plant. Motion seconded and unanimously approved.**

9. Nathan Cochran, Assistant Prosecuting Attorney

- a. 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
  - b. Discussion of issues regarding impact fees, proffers, and TischlerBise Impact Fee Study - Discussion/Action
  - c. Report by counsel on opioid case. (Jefferson County Commission v. Purdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170) - Discussion/Action
  - d. Discussion of Greenway contract and zoning reorganization - Discussion/Action
  - e. Discussion of Jefferson County Civil Action No. 2021-C-22 - Discussion/Action
- **Motion by Mr. Compton to enter into Executive Session to receive legal advice regarding the items as listed above. Motion seconded and unanimously approved.**
  - **Motion by Mr. Compton to come out of Executive Session. Motion seconded and unanimously approved.**
  - **Motion by Mr. Stolipher to authorize the President of the Commission to sign the contract revision with Greenway Engineering. Motion seconded and unanimously approved.**

## **UNFINISHED BUSINESS**

10. Set date and time for joint meeting for the Jefferson County Fire and Rescue Association, Jefferson County Emergency Services Agency, and Jefferson County Commission
  - It was the consensus of the Commission to direct Ms. Grove to contact representatives from JCESA and JCFRA to discuss potential dates for a joint meeting with County Commission.

## **NEW BUSINESS**

11. Overview of the Planning Commission's recommended Zoning Ordinance Text Amendment (ZTA 19-03). The draft amendment proposes to allow Solar Energy Facilities to process as a Principal Permitted Use (by right) in the following zoning districts: General Commercial, Highway Commercial, Light Industrial, Major Industrial, Rural, Residential Growth, Residential-Light Industrial-Commercial, and Industrial Commercial. The text amendment proposes revisions to Article 2 Definitions; Article 8 Supplemental Use Regulations (creation of Section 8.20 Solar Energy Facilities); and Appendix C Principal Permitted and Conditional Uses Table
  - It was the consensus of the Commission to schedule the matter for a virtual public hearing to be held on Monday, April 12, 2021 at 6:00pm.
12. Set date and time for Public Hearing - Repeal the County ATV Ordinance and revert to existing state law
  - It was the consensus of the Commission to schedule a public hearing on the repeal of the County ATV Ordinance on Tuesday, April 6, 2021 at 6:00 pm.
13. Approval of Resolution authorizing participation in the Eastern Panhandle HOME Consortium of West Virginia for the Period July 1, 2021 to June 30, 2022
  - **Motion by Mr. Compton to approve the Resolution authorizing participation in the Eastern Panhandle HOME Consortium of West Virginia for the Period July 1, 2021 to June 30, 2022. Motion seconded and unanimously approved.**

## **COUNTY ADMINISTRATOR REPORTS**

- Legislative Updates

- Update - Charles Town E. Liberty St. Streetscape Design and Impact on County Parking Lot Reconstruction Project
  - It was the consensus of the Commission to accept the City of Charles Town's concept plan for the Charles Town E. Liberty St. Streetscape Design and Impact on County Parking Lot Reconstruction Project.

14. There being no further business, the meeting adjourned at 9:38 pm on a motion by Mr. Compton. Motion was seconded and unanimously approved.

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Joshua J. Compton, PRESIDENT

Respectfully submitted  
Jessica Carroll  
Executive Administrative Assistant

