

:

Minutes

Jefferson County Commission

Thursday, November 4, 2021

A meeting of the Jefferson County Commission was held on Thursday, November 4, 2021 during the fourth quarterly session at 9:30 a.m. The meeting was held in person & via GoToWebinar. Present were, Steve Stolipher, President, Tricia Jackson, Vice President, Clare Ath, Caleb Hudson, 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, November 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. Stolipher to approve the October 21, 2021 Regular Meeting Minutes with noted correction. Motion seconded and unanimously approved.

APPROVAL OF REQUISTIONS

Motion by Mr. Stolipher to approve the Requisition for November 4, 2021 in the amount of \$14,945.55. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#		VENDOR NAME		AMOUNT
85404		AHA-ARTS & HUMANITIES ALLIANCE		\$ 949.61
85405		AT&T		\$ 316.85
85406		BUREAU OF CHILD SUPPORT		\$ 492.93

85407		CITY OF CHARLES TOWN	\$ 112.00
85408		COMPILED TECHNOLOGIES LLC	\$ 20,360.00
85409		COMPTROLLER OF MARYLAND	\$ 1,518.85
85410		DELTA DENTAL OF WV	\$ 6,431.00
85411		DR. ROBERT E JONES III	\$ 1,000.00
85412		EFTPS IRS TAXES	\$ 94,938.31
85413		EMPOWER RETIREMENT	\$ 6,023.37
85414		FEDEX	\$ 142.14
85415		GUTTMAN OIL CO	\$ 3,997.45
85416		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	\$ 1,406.13
85417		JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$ 23,740.16
85418		JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$ 10,633.06
85419		JEFFERSON COUNTY DEVELOPMENT AUTHORITY	\$ 26,500.00
85420		JEFF CO PARKS & RECREATION COMMISSION	\$ 21,384.42
85421		JEFFERSON SECURITY BANK	\$ 4,370.00
85422		LANGUAGE LINE SERVICES	\$ 48.66
85423		MATTHEW BENDER	\$ 523.11
85424		MILLENIUM INSURANCE GROUP	\$ 900.00
85425		NATIONWIDE RETIREMENT SOLUTIONS	\$ 834.00
85426		DONALD & PAMELA PINE	\$ 656.11
85427		MARK & CHRISTINE WHITMORE	\$ 97.50
85428		TIMOTHY & SUSAN PAULIN	\$ 1,301.17
85429		RICE TIRES CO	\$ 545.52
85430		SPIRIT OF JEFFERSON	\$ 79.26
85431		STATE TAX DEPARTMENT	\$ 822.21
85432		THE JOURNAL	\$ 55.67
85433		TOWN OF BOLIVAR	\$ 10,633.06
85434		W B MASON CO. INC	\$ 270.74
85435		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$ 17,225.76
85436		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 44,788.40
85437		WV STATE TAX DEPARTMENT	\$ 33,451.89
85438		WVCORP WV COUNTIES SELF INSURANCE RISK POOL	\$ 5,000.00
85439	GS/004	GENERAL CO - SHERIFF OF JEFFERSON CO	\$ 13,917.39
85440	FG/009	SHERIFF OF JEFFERSON CO	\$ 4,859.43
85441	SG/010	JEFFERSON DAY REPORT CENTER	\$ 40,262.40
85442	BS/011	SHERIFF OF JEFFERSON CO	\$ 9,489.67
85443	AM/053	AXION STAFFING GROUP	\$ 1,886.89
TOTAL			\$ 411,965.12

Motion by Mr. Stolipher to approve the Accounts Payable for October 28, 2021 in the amount of \$411,965.12. Motion seconded and unanimously approved.

CHECK#		VENDOR NAME		AMOUNT
85444		BOLAND TRANE SERVICES INC		\$ 3,040.00
85445		CAPITAL ELECTRIC		\$ 13.23
85446		EDITH COOPER		\$ 2,997.91
85447		KONE BROOKLYN		\$ 594.83
85448		LAURA STORM		\$ 534.12
85449		LAURA STORM		\$ 260.96
85450		MICHAEL MONAGHAN		\$ 2,746.50
85451		NATIONAL VISION ADMIN.		\$ 1,752.40
85452		OLD CHARLES TOWN LIBRARY		\$ 1,500.00
85453		CERTIFIED PAYMENTS		\$ 420.00
85454		SHERWIN-WILLIAMS		\$ 42.07
TOTAL				\$ 13,902.02

Motion by Mr. Stolipher to approve the Accounts Payable for November 4, 2021 in the amount of \$13,902.02. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
763	HD/8	ENVIVO HEALTH LLC		\$ 472.00
764	HD/8	SHERIFF OF JEFFERSON CO		\$ 1,643.17
929	AV/56	MONROE		\$ 1,388.41
TOTAL				\$ 3,503.58

Motion by Mr. Stolipher to approve the Manual Checks for October 29, 2021 in the amount of \$3,503.58. Motion seconded and unanimously approved.

MANUAL CHECKS				
8-Oct-21				
Check#	Fund	VENDOR		Amount
917	CW/O59	VALLEY GUN II		\$ 3,000.00

OCT 1,2021				
Check#	Fund	VENDOR		Amount
437	SF/O73	JPATS USMS		\$ 3,634.00
TOTAL				\$ 6,634.00

Motion by Mr. Stolipher to approve the Manual Checks for November 5, 2021 in the amount of \$6,634.00. Motion seconded and unanimously approved.

PAYROLL APPROVAL

Motion by Mr. Stolipher to approve the Payroll for October 28, 2021 in the amount of \$266,792.63. Motion seconded and unanimously approved.

PRESENTATIONS

1. Angela Banks, Assessor – presented the following Exonerations and Apportionments for approval:

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Joyce Edwards	RE	SD	27327	\$242.92

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. \$242.92 as presented by the Assessor. Motion seconded and unanimously approved.**
2. Interviews and Appointments to the Jefferson County Development Authority Board of Director – one unexpired term for Citizen Representative ending April 5, 2022 and one three-year term for Labor Representative ending April 5, 2024.

- Citizen Representative
 - Mr. Stolipher offered his nomination to John Custer (Stolipher, Jackson, Ath)
 - Ms. Tabb offered her nomination to Andrew Mollohan (Tabb, Hudson)
 - **After receiving the majority vote, John Custer was appointed to the Jefferson County Development Authority Board of Directors as a Citizen Representative for an unexpired term ending April 5, 2022.**

 - Labor Representative
 - **Motion by Mr. Stolipher to appoint Kurk Turney to the Jefferson County Development Authority Board of Directors as the Labor Representative for a three-year term ending April 5, 2024. Motion seconded and unanimously approved.**
3. Nikki Painter, Chief Deputy Clerk
- a. Approval of Increased Letter of Credit for United Bank
 - **Motion by Mr. Stolipher to approve the increased Letter of Credit for United Bank from \$2 million dollars to \$3.5 million dollars, for a total of \$5.5 million dollars total. Motion seconded and unanimously approved.**
 - b. Redistricting Map Presentation and Publication Requirements
 - **Motion by Mr. Stolipher to approve the draft map and order as presented for publication, with a public hearing to be held on Friday, November 19, 2021 at 9:30 am. Motion seconded and unanimously approved.**
4. Lynn Fields, Probate Office – requested the appointment of a Fiduciary Commissioner in the estate of Ronald R. Saul, deceased. – Ms. Painter presented this item for Ms. Fields, and stated the family involved in the Estate had withdrawn their request at this time, therefore no action was necessary.
5. John Thomas, Thomas Management Group and Sunnyside Investment, LLC. – requested a zoning change on a 53 +/- acres in Sunnyside Industrial Park on Wheatland Road from Industrial-Commercial to Residential-Light Industrial-Commercial.
- **Motion by Mr. Stolipher to schedule a public hearing on the rezoning request submitted by Thomas Management Group and Sunnyside Investment, LLC. for a zoning change on 53 +/- acres in Sunnyside Industrial Park on Wheatland Road from Industrial-Commercial to Residential-Light**

Industrial-Commercial, on Thursday, December 2, 2021 at 11:00 am. Motion seconded and unanimously approved.

6. Alexandra Beaulieu, Zoning Administrator – provided an overview of the Planning Commission’s recommended text amendment to the Jefferson County Zoning Ordinance related to short-term rentals (File #ZTA21-01); the draft text amendment includes revisions to Article 2 Definitions; Article 8 Supplemental Use Regulations (creation of Section 8.16 Short Term Rentals); and Appendix C Principal Permitted and Conditional Uses Table.
 - **Motion by Mr. Stolipher to schedule a public hearing on Thursday, December 2, 2021 at 11:15am to receive public input on the proposed text amendment to the Jefferson County Zoning Ordinance regarding the creation of Short Term Rental provisions (File #ZTA21-01). Motion seconded and unanimously approved.**
7. Roger Goodwin, Chief County Engineer, Jefferson County Department of Engineering, Planning, and Zoning
 - a. Release of the \$10,000.00 site stability bond/Tolling of Bond Agreement for B.C.Partners, Inc. for the Breckenridge East Subdivision, Phase 1A, Lots 23-45; Parcels A, B & Residue (File #07-32); and, allowing the recording of the merger deed merging the subdivision back to its original state prior to the recordation of the final plat as found in Plat Book 25 at Page 188 (and 188 A-D)
 - **Motion by Ms. Tabb to authorize a complete release of the remaining funds being held in Cash-in-Escrow Account #33065469 with the Bank of Charles Town as security for the site stability bond/Tolling of Bond Agreement for BC Partners, Inc., for the Breckenridge East Subdivision, Phase 1A, Lots 23-45, Parcels A, B & Residue (File #07-31), which is secured by Cash-in-Escrow with the Bank of Charles Town, Charles Town, WV, once the merger deed has been recorded and documentation provided to staff. Motion seconded and unanimously approved.**
 - b. - Release of the \$10,000.00 site stability bond/Tolling of Bond Agreement for B.C.Partners, Inc. for the Breckenridge East Subdivision, Phase 1A, Lots 1-9; Parcels C and Residue (File #12-01); and, allowing the recording of the merger deed merging the subdivision back to its original state prior to the recordation of the final plat as found in Plat Book 25 at Page 343 (and 343 A-B).
 - **Motion by Mr. Stolipher to authorize a complete release of the remaining funds being held in Cash-in-Escrow Account #33065442 with the Bank of Charles Town as security for the site stability bond/Tolling of Bond Agreement for BC Partners, Inc., for the Breckenridge East Subdivision, Phase 1A, Lots 1-9, Parcels C & Residue (File #12-01), which is secured by**

Cash-in-Escrow with the Bank of Charles Town, Charles Town, WV, once the merger deed has been recorded and documentation provided to staff. Motion seconded and unanimously approved.

8. Steve Allen, Director, Director, JCHSEM – requested the signing of CRS Recertification Request for 5-year verification and recertification in the Community Rating System for the reduction of flood insurance premiums for residents and businesses located in Jefferson County.

- **Motion by Mr. Stolipher to approve the signing of the CRS Community Certification form acknowledging Jefferson County’s continued participation in the activities outlined in the Community Rating System. Motion seconded and unanimously approved.**

9. Public Comment – no public comment was received during this meeting.

10. 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 legal issues regarding proposed solar text amendment including bonding, comprehensive plan, and related matters, including Jefferson County Civil Action No.’s 2021-C-33 through 37 and Jefferson County Civil Action No.’s 2021-C-46 through 50
- c. Report by Counsel regarding County Commission’s assignment of drafting new solar text amendment and presentation of draft amendment. Discussion and potential action by County Commission, including potential referral to Planning Commission, and/or other action required by law.
- d. Consider matters involving or affecting the construction, planning, or purchase, sale or lease of property.

- **Motion by Mr. Stolipher to enter into Executive Session to receive legal advice regarding the items listed above and to discuss matters pertaining to personnel. Motion seconded and unanimously approved.**

- **Motion by Mr. Stolipher to come out of Executive Session. Motion seconded and unanimously approved.**

- **Motion by Ms. Jackson to reconsider her motion made during the October 21, 2021 County Commission meeting and request the Planning Commission review the solar text amendment and consider application of the existing Comprehensive Plan in light of the Judge's Order. Motion seconded and passes on a vote of 4-0 with Commissioner Stolipher abstaining.**

OLD BUSINESS

11. County Administrator – Separation of Employment

- **Motion by Mr. Stolipher to agree to the amendments to Ms. Grove's Separation of Employment agreement as discussed in Executive Session. Motion seconded and passes on a vote of 4-1 with Ms. Tabb opposing.**

12. Comprehensive Audit – WV State Auditor's Office – Mr. Stolipher informed the Commission and the public that he'd been in touch with State Auditor's Office regarding this matter, and that he'd hopefully have more information regarding this matter during the next regularly scheduled County Commission meeting.

NEW BUSINESS

13. Vendor Disbarment (JT)

- **Motion by Ms. Tabb to request the County Commission review the county vendor list. Motion seconded and unanimously approved.**

14. County Clerk and Tyler Technology public presentation of the County's financial system

- **Motion by Ms. Tabb to request Tyler Technology to present information to the public concerning the internal controls and processes of the County financials once the Jefferson County page of the State Auditor's Checkbook website is live. Motion seconded and unanimously approved.**

15. Assignment of Interim County Administrator until position of County Administrator is filled – Compensation during temporary assignment

- **Motion by Mr. Stolipher to appoint Sandy McDonald as the Interim County Administrator until the position is filled, with the increased compensation amount of \$103,454.00 to begin on December 1, 2021 per County policy. Motion seconded and unanimously approved.**

16. County Administrator Position – discuss job description and advertisement of Recruitment Announcement

- **Motion by Ms. Jackson to approve the advertisement for the position of County Administrator at a Grade 10, with Interim County Administrator Ms. McDonald to collect the incoming applications. Motion seconded and unanimously approved.**

17. The Commission adjourned at 12:42 p.m. on a motion by Mr. Stolipher. Motion was seconded and unanimously approved.

Steve Stolipher, PRESIDENT

Respectfully submitted
Jessica Carroll
Executive Administrative Assistant