

# Minutes

## Jefferson County Commission

Thursday, October 21, 2021

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A meeting of the Jefferson County Commission was held on Thursday, October 21, 2021 during the fourth quarterly session at 6:00 p.m. The meeting was held via GoToWebinar and in-person. 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, October 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 October 7, 2021 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.**

**Motion by Mr. Stolipher to approve the October 13, 2021 Special Session Minutes with noted correction. Motion seconded and unanimously approved.**

**Motion by Mr. Stolipher to approve the October 15, 2021 Special Session Minutes as presented. Motion seconded and unanimously approved.**

### **APPROVAL OF ACCOUNTS PAYABLE**

CHECK#	VENDOR NAME	AMOUNT
85366	ADAM WARD	616.16
85367	AMERIFLEX	120.80
85368	BERKELEY GLASS INC	1,048.00
85369	BIDDLE CONSULTING GROUP	599.00
85370	BOLAND TRANE SERVICES INC	1,931.00
85371	BUREAU OF CHILD SUPPORT	492.93

85372		CASTO & HARRIS INC		476.63
85373		EFTPS IRS TAXES		92,831.66
85374		EMPOWER RETIREMENT		5,905.89
85375		J.C. EHRLICH		761.00
85376		JEFFERSON SECURITY BANK		4,370.00
85377		JENNIFER M BROCKMAN		475.16
85378		NATIONWIDE RETIREMENT SOLUTIONS		834.00
85379		OLD CHARLES TOWN LIBRARY		1,500.00
85380		R.E. MICHEL CO. LLC		469.23
85381		RETIREE HEALTH BENEFIT TRUST		6,721.00
85382		SOFTWARE SYSTEMS INC		972.00
85383		STATE TAX DEPARTMENT		822.22
85384		WV DEPUTY SHERIFF RETIREMENT SYSTEM		16,438.94
85385		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		44,533.44
85386		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		166.49
85387		WVCORP WV COUNTIES SELF INSURANCE RISK POOL		712.50
85388	FG/009	SHERIFF OF JEFFERSON CO		5,888.39
85389	BS/O11	SHERIFF OF JEFFERSON CO		7,791.89
<b>TOTAL</b>				<b>196,478.33</b>

**Motion by Mr. Stolipher to approve the Accounts Payable for October 14, 2021 in the amount of \$196,478.33. Motion seconded and unanimously approved.**

CHECK#		VENDOR NAME		AMOUNT
85390		CROCK-HAMRICK REPORTING SERVICES LLC		\$ 247.50
85391		GUTTMAN OIL CO		\$ 4,305.98
85392		JENNIFER M BROCKMAN		\$ 6,500.00
85393		JUSTTECH LLC		\$ 111.48
85394		KONE BROOKLYN		\$ 1,809.75
85395		MATTHEW ARMEL		\$ 364.50
85396		MILLENIUUM INSURANCE GROUP		\$ 900.00
85397		MILLENIUUM INSURANCE GROUP		\$ 250.00
85398		POTOMAC EDISON		\$ 2,802.98
85399		RICE TIRES CO		\$ 522.96
85400		SHENTEL		\$ 1,807.00
85401		SOFTWARE SYSTEMS INC		\$ 36.00
85402	SG/010	JEFFERSON DAY REPORT CENTER		\$ 2,089.50
<b>TOTAL</b>				<b>\$ 21,747.65</b>

**Motion by Mr. Stolipher to approve the Accounts Payable for October 21, 2021 in the amount of \$21,747.65. Motion seconded and unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

<b>MANUAL CHECKS</b>				
Check#	Fund	VENDOR		Amount
534	CS/2	<b>EASTRIDGE HEALTH SYSTEM</b>		\$ 2,900.00
927	AV/56	<b>SEGRA</b>		\$ 625.24
342	FP/57	<b>JEFFERSON CO FARMLAND PROT.</b>		\$ 122,981.51
<b>TOTAL</b>				<b>126,506.75</b>

**Motion by Mr. Stolipher to approve the Manual Checks for October 15, 2021 in the amount of \$126,506.75. Motion seconded and unanimously approved.**

<b>MANUAL CHECKS</b>				
Check#	Fund	VENDOR		Amount
928	AV/56	<b>GLOBAL SCIENCE &amp; TECH</b>		\$ 407.98
125	SCH-IP/249	<b>LUTMAN LAND DEVELP.</b>		\$ 5,991.00
126	SCH-IP/249	<b>DONALD PINE</b>		\$ 5,991.00
127	SCH-IP/249	<b>TIMOTHY PAULIN</b>		\$ 5,991.00
140	PARK-IP/249	<b>LUTMAN LAND DEVELP.</b>		\$ 481.00
141	PARK-IP/249	<b>DONALD PINE</b>		\$ 481.00
142	PARK-IP/249	<b>TIMOTHY PAULIN</b>		\$ 481.00
117	LEO-IP/249	<b>LUTMAN LAND DEVELP.</b>		\$ 176.00
118	LEO-IP/249	<b>DONALD PINE</b>		\$ 176.00
119	LEO-IP/249	<b>TIMOTHY PAULIN</b>		\$ 176.00
148	EMS-IP/249	<b>LUTMAN LAND DEVELP.</b>		\$ 52.00
149	EMS-IP/249	<b>DONALD PINE</b>		\$ 52.00
150	EMS-IP/249	<b>TIMOTHY PAULIN</b>		\$ 52.00
<b>TOTAL</b>				<b>\$ 20,507.98</b>

**Motion by Mr. Stolipher to approve the Manual Checks for October 22, 2021 in the amount of \$20,507.98. Motion seconded and unanimously approved.**

**PAYROLL APPROVAL**

**Motion by Mr. Stolipher to approve the Payroll for October , 2021 in the amount of \$262,356.96. Motion seconded and unanimously approved.**

**PRESENTATIONS**

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

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Steve & Jill Schatken	PP	SD	317191	\$103.38

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 317191 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Steven & Jill Schatken	PP	SD	317313	\$90.45

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 317313 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Steven & Jill Schatken	PP	SD	317336	\$84.21

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 317336 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
David & Lisa Barnes	PP	CTC	305153	\$692.32

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 305153 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Timothy Whitley	PP	HF	309035	\$221.06

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 309035 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Joseph & Jess Indomenico	PP	CTC	305689	\$178.20

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 305689 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Teague Run Trust c/o Serena Bodner	RE	SD	29561	\$1255.90

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 29561 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Walter J Truettner, III	RE	CTD	6609	\$19.44

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 6609 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Michael A. Grant Jr. et al	RE	KD	17334	\$1880.20

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 17334 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Stephen & Doris Anderson	RE	RC	23764	\$226.05

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 23764 as presented by the Assessor. Motion seconded and unanimously approved.**

2. Michelle Gordon, Finance Director

- Presentation of the FY21 Financial Statements
- Vendor Misconduct/Debarment – this item was discussed in Executive Session, and it was the consensus of the Commission to discuss this matter further during the next regularly scheduled meeting, pending legal review.

3. Nikki Painter, Chief Deputy Clerk, Clerk of the County Commission

- Redistricting Overview
- Publication Requirements – possible action for order and publication
- Timeline including the need for quick action by the GIS Office and County Commission with the possible impact of residency requirements for candidates

4. Patricia Rucker, Citizen – requested a waiver of ambulance fee late fees.

- **Motion by Mr. Stolipher to waive the ambulance fee late fees accrued for Patricia Rucker for \$45.00 for the following years: 2019, 2020, 2021. Motion seconded and unanimously approved.**

5. Steve Cox, Jefferson County Sheriff Deputy's Civil Service Commissioner – Civil Service Training Request
  - **Motion by Mr. Stolipher to approve the training request by Civil Service Commissioner Steve Cox for a Civil Service Training Seminar (between 4 and 8 hours) that will be held for the benefit of the Jefferson County Civil Service Commissioners, County Commissioners, County Clerk, Sheriff, Civil Service Investigators and any other necessary county or government employees, to include the use of Jefferson County facilities/classroom use during the day of training and a \$500.00 payment to instructor John Teare, from the Coal Severance Fund, and to permit Steve Cox to administer the Training Seminar to its completion. Motion seconded and unanimously approved.**
  
6. Roger Goodwin, Chief County Engineer – requested the approval to advertise to fill the vacant Planning Clerk position.
  - **Motion by Mr. Stolipher to approve advertising to fill the position of the Planning Clerk in the Department of Engineering, Planning & Zoning at a not to exceed salary of \$33,000 – 35,000 per year. Motion seconded and unanimously approved.**
  
7. Board of Assessment Appeals
  - **Motion by Mr. Stolipher to convene as a Board of Assessment Appeals. Motion seconded and unanimously approved.**
  
  - David Tabb
    - Commissioner Tabb recused herself from this hearing and did not participate in the vote.
  
  - **Motion by Mr. Stolipher to uphold the assessment provided to Mr. Tabb by the Assessor's Office. Motion seconded and unanimously approved.**
  
  - Joyce Edwards
    - **After sworn testimony and presentation of exhibits, motion by Mr. Stolipher to uphold the assessment provided to Ms. Edwards by the Assessor's Office. Motion seconded and unanimously approved.**

- **There being no further requests for assessment appeals, motion by Mr. Hudson to reconvene in regular session. Motion seconded and unanimously approved.**
8. Dennis Jarvis, II, Jefferson County Development Authority – request that the Jefferson County Commission assist the Jefferson County Development Authority in the final payment of the agreed legal fees – Jefferson County Vision, Inc. v. Jefferson County Development Authority CC-19-2018-157
- **Motion by Ms. Jackson to assist the Jefferson County Development Authority with the payout of legal fees up to \$20,000 to Jefferson County Vision, Inc. from the Coal Severance Fund. Motion seconded and unanimously approved.**
9. Emily Morrow and Amanda Johnson, WVU Extension Service – requested the use of vacant office space.
- **Motion by Mr. Stolipher to approve the use of additional office space for the Jefferson County WVU Extension Service in the Public Service Building. Motion seconded and unanimously approved.**
10. Public Comment: Joyce Smith, Michael Tolbert, Christine Marshall, Patricia Noland.
11. 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 items b, c, and d as listed above, including the discussion of contractual matters as it relates to item d, and to discuss personnel matters concerning the positions of County Administrator and County Finance Director. 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 refer the new solar facilities text amendment to the Planning Commission for review. Motion seconded and passes on a vote of 3-1 with Commissioner Tabb opposing and Commissioner Stolipher abstaining.**

### **UNFINISHED BUSINESS**

12. Discuss and address public comments that were raised during the October 7, 2021 County Commission meeting and to discuss allegations and personnel matters related to:

- County Administrator (discussion/action)
- County Finance Director (discussion/action)
  - **Motion by Mr. Stolipher to accept the separation date of Ms. Grove as of Friday, November 12, 2021 based on the terms discussed in Executive Session. Motion seconded and passes on a vote of 3-2 with Commissioners Tabb and Hudson opposing.**
  - **Motion by Mr. Stolipher to set up a meeting with the State Auditor to discuss have a comprehensive audit performed. Motion seconded and unanimously approved.**

### **NEW BUSINESS**

13. John “J.B” McCuskey, West Virginia State Auditor – Presentation of West Virginia Checkbook website.

### **COUNTY ADMINISTRATOR REPORTS**

- Transfer part-time employee Christopher Cross from E-911 to Information Technology
  - **Motion by Mr. Stolipher to approve the transfer of employee Christopher Cross from E-911 to Information Technology. Motion seconded and unanimously approved.**
  
- Approve contract for positions for CAD Response Plan Data Entry and CAD Response Plan Data Administration with the Information Technology Department
  - **Motion by Mr. Stolipher to approve the contract position for CAD Response Plan Data Administration with the Jefferson County IT Department up to \$35,000. Motion seconded and unanimously approved.**
  
- Determine if EMS will be included in the Response Plan Method of Dispatch
  - **Motion by Ms. Jackson to support Captain Burner of the Jefferson County Emergency Services Agency in his decision to pull out of the Response Plan Method of Dispatch and keep participating in Quickest Route. Motion seconded and unanimously approved.**

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

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Steve Stolipher, PRESIDENT

Respectfully submitted  
Jessica Carroll  
Executive Administrative Assistant