

Minutes
Jefferson County Commission
Thursday, January 6th, 2022

A meeting of the Jefferson County Commission was held on Thursday, January 6, 2022 during the first quarterly session at 9:30 a.m. The meeting was held both in person and via GoToWebinar. Present were, Caleb Hudson, President, Steve Stolipher, Vice President, Tricia Jackson, Jane Tabb, and Clare Ath. Also present were Sandy McDonald, Deputy County Administrator, and Brittany Roberts, temporary assistant. (See archived meeting)

PLEDGE OF ALLEGIANCE

Commissioner Stolipher led the Pledge of Allegiance

County Commission Organization

a. Selection of President

Mr. Stolipher nominated Mr. Hudson for President with no other nominations. Mr. Stolipher moved to appoint Mr. Hudson as president. Motion seconded and unanimously approved.

b. Selection of Vice President

Ms. Tabb nominated Mr. Stolipher for Vice President with no other nominations. Ms. Tabb moved to appoint Mr. Stolipher as vice president. Motion seconded and unanimously approved.

c. Committee Assignments

Assignment to Boards, Commissions & Organizations Calendar Year 2022		
Organization	Commissioner 2021	Commissioner 2022
Approval of Bills	Jackson	Jackson

Board of Health	Hudson	Hudson
Charles Town Utility Board Liaison	Hudson	Hudson
Building Repair & Security Courthouse Committee	Hudson	Hudson
Community Corrections Committee- Day Report Center	Jackson	Jackson
Development Authority	Stolipher	Stolipher
E-911 Council	Ath	Ath
Extension Service	Tabb	Tabb
Farmland Protection Board	Tabb	Tabb
Jefferson County Convention & Visitors Bureau	Stolipher	Stolipher
Jefferson County Emergency Services Agency / Fire & Rescue	Jackson/Ath	Jackson
Historic Landmarks Commission	Hudson	Hudson
Homeland Security/LEPC	Jackson	Jackson
Legislative Liaison	County Admin.	County Admin.
MPO Interstate Council	Stolipher	Stolipher
Eastern Panhandle Transportation Authority (EPTA)	Tabb	Tabb
Parks and Recreation	Ath	Ath
Planning Commission	Stolipher	Stolipher
Region 9	Stolipher	Stolipher
Solid Waste Authority	Ath	Ath
Telamon Community Board	Jackson/Ath	Ath
Water Advisory Committee	Tabb	Tabb

Workforce Investment Act Liaison	Jackson	Jackson
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Motion by Mr. Stolipher that committee board assignments remain the same except Telamon board goes to Ms. Clare Ath and Fire and Rescue along with Jefferson County Emergency Services goes to Ms. Jackson. Motion seconded and unanimously approved.

Approval of Accounts Payable

CHECK#		VENDOR NAME	AMOUNT
85625		BUREAU OF CHILD SUPPORT	760.05
85626		COMPTROLLER OF MARYLAND	1,608.09
85627		EFTPS IRS TAXES	95,359.60
85628		EMPOWER RETIREMENT	6,130.88
85629		FEDEX	20.73
85630		GUTTMAN OIL CO	3,642.16
85631		JEFFERSON SECURITY BANK	4,370.00
85632		MARGARET GAINEY	1,170.74
85633		MI INSURANCE GROUP	900.00
85634		MONROE SYSTEMS FOR BUSINESS	110.30
85635		NATIONWIDE RETIREMENT SOLUTIONS	834.00
85636		SHANNON BURLETT	40.52
85637		SOFTWARE SYSTEMS INC	2,962.78
85638		STATE TAX DEPARTMENT	822.22
85639		TAMMY MOBLEY	6,500.00
85640		VA DEPT OF TAXATION	1,026.91
85641		WV DEPUTY SHERIFF RETIREMENT SYSTEM	16,113.38
85642		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	44,107.09
85643		WV STATE TAX DEPARTMENT	35,366.92
85644	FG/009	SHERIFF OF JEFFERSON CO	5,040.83
85645	BS/OII	SHERIFF OF JEFFERSON CO	5,378.69
TOTAL			\$ 232,265.89

Mr. Hudson moved to approve the accounts payable for December 22, 2021 in the amount of \$232,265.89. With no objection, motion approved unanimously.

CHECK#		VENDOR NAME	AMOUNT
85646		CHARLES J ELLIS	29.64
85647		DOUGLAS H FLETCHER	29.79
85648		DR. ROBERT E JONES III	1,000.00
85649		MAZZITTI & SULLIVAN EAP	936.00

85650		MICAH HUTCHINS		2,889.63
85651		RONALD DANTZIC		66.90
85652		WVCORP WV COUNTIES SELF INSURANCE RISK POOL		29,612.25
85653		XEROX CORPORATION		227.22
TOTAL				\$ 34,791.43

Mr. Hudson moved to approve Accounts Payable for December 29, 2021 in the amount of \$34,791.43. With no objection, motion approved unanimously.

85678		MOTOROLA SOLUTIONS INC		38, 97100
85679		NATIONAL VISION ADMIN.		1,726.48
85680		NATIONWIDE RETIREMENT SOLUTIONS		834.00
85681		OLD CHARLES TOWN LIBRARY		1,500.00
85682		OLD CHARLES TOWN LIBRARY		20,625.00
85683		CHRISTOPHER & MICHELLE BRANNAN		806.13
85684		THOMAS LAKE		494.39
85685		PATRIOT FIRE AND SECURITY LLC		170.00
85686		POTOMAC EDISON		26,555.46
85687		R.E. MICHEL CO. LLC		85.88
85688		SHEPHERDSTOWN PUB LIBRARY		20,625.00
85689		SOFTWARE SYSTEMS INC		36.00
85690		SOUTH JEFFERSON PUBLIC LIBRARY		20,625.00
85691		SPECIALTY BUSINESS SUPPLIES		92.00
85692		SPIRIT OF JEFFERSON		213.72
85693		STATE TAX DEPARTMENT		830.67
85694		TEK ADVISORS LLC		4,200.00
85695		THE HARTFORD		3, 649.68
85696		WV DEPUTY SHERIFF RETIREMENT SYSTEM		17,455.97
85697		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		43,441.17
85698		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		166.49
85699		XEROX CORPORATION		571.49
85700		XEROX FINANCIAL SERVICES		249.81
85701	FG/009	SHERIFF OF JEFFERSON CO		4,279.34
85702	BS/OII	SHERIFF OF JEFFERSON CO		8,435.14
85703	AM/053	AXION STAFFING		1, 152.58

85704	AM/053	JEFF CO EMS		457,680.00
85705	AM/053	SHERIFF OF JEFFERSON CO		65,846.41
85706	cv/206	SHERIFF OF JEFFERSON CO		54,318.91
TOTAL				\$ 2,051,955.84

Mr. Hudson moved to approve Accounts Payable for January 6, 2022 in the amount of \$2,051,955.84. With no objection, motion approved unanimously.

Approval of Manual Checks

MANUA- CHECKS				
Check#	Fund	VENDOR		Amount
775	HD/8	SHERIFF OF JEFFERSON CO		\$ 1,398.83

Mr. Hudson moved to approve the Manual Checks for December 23, 2021 in the amount of \$1,398.83. With no objection, motion approved unanimously.

Check#	Fund	VENDOR		Amount
308	DK/003	SHERIFF OF JEFFERSON CO		60.12
438	SF/073	STEPHENS AUTO CENTER		14,272.00
922	CW/05	THIN BLUE LINE USA		499.97
TOTAL				14,832.09

Mr. Hudson moved to approve Manual Checks for December 30, 2021 in the amount of \$14,832.09. With no objection, motion approved unanimously.

Check#	Fund	VENDOR		Amount
538	cs/002	EASTRIDGE HEALTH SYSTEM		1,800.00
539	cs/002	JEFF CO COMMUNITY MINISTRIES		5,000.00
776	HD/008	SHERIFF OF JEFFERSON CO		1,655.88
941	AV/056	J.D. POWER		2,860.00
110	AR/207	JEFF CO PARK & REC		16,147.50
TOTAL				27,463.38

Mr. Hudson moved to approve Manual Checks for January 7, 2022 in the amount of \$27,463.38. With no objection, motion approved unanimously.

Approval of Payroll

Mr. Hudson moved to approve the Payroll for December 23, 2021 in the amount of \$269,113.35. With no objection, motion approved unanimously.

PRESENTATIONS

2. Angie Banks, Assessor — Presented the following Exonerations

NAME	TYPE	DISTRICT	TICKET No.	AMOUNT
Brian S. Grove	pp		307628	\$26.72

Motion by Ms. Tabb to approve the Exoneration for Ticket No. 307628 as presented by the Assessor. Motion seconded and unanimously approved.

NAME	TYPE	DISTRICT	TICKET No.	AMOUNT
Jefferson Utilities Inc	RE	MW	21822	\$953.64

Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 21822 as presented by the Assessor. Motion seconded and unanimously approved.

2. Tom Hansen, Sheriff

- a. Travel Budget Restoration
- b. Salary Adjustments

- **Mr. Stolipher moved to adjust salaries as presented by Sheriff Mr. Hansen budget neutral. Motion seconded and unanimously approved.**

- c. Vision Presentation / Discussion

3. Matt Harvey, Prosecuting Attorney

- a. Supplemental VOCA Grant Contract

- **Motion by Ms. Tabb to approve VOCA Grant Contract and to allow the new president Mr. Hudson to sign. Motion seconded and unanimously approved.**

- b. New Part Time Victim Advocate hiring- Melissa Segura

- Applicant Withdrawn offer

4. Roger Goodwin, Chief County Engineer - Request approval of employment offer to fill the position of Planning Clerk in the Department of Engineering, Planning & Zoning.

- **Motion by Mr. Stolipher to hire Tanya Lions from Summit Point to start on 01/10/2022 as Planning Clerk with a salary of 35,000/yr, Grade 4 level. Motion seconded and unanimously approved.**

5. Interview and Appointment- Jefferson County Board of Zoning Appeals- One 3-year term ending January 1, 2025.

● **Motion by Ms. Tabb to appoint Steven Guier one 3-year term ending January 1, 2025. Motion seconded and unanimously approved.**

6. John Morris - Rezoning request for one acre property located at 16 Old Leetown Pike, Kearneysville — Tax District Middleway (07); Map No. 11; Parcel Nos. 2.2. and 2.1 to change current zoning district from Village to Residential, Light Industrial Commercial (RMC).

○ **Ms. Tabb recused herself from this discussion and vote.**

○ **Motion by Mr. Stolipher to schedule a public hearing to receive input concerning the rezoning request for a one acre property located at 16 Old Leetown Pike, Kearneysville, WV 25430; Tax District — Middleway (07); Map No. 11; Parcel Nos**

2.2 and 2.1 to change current zoning district from Village to Residential Light Industrial Commercial (RMC) to be held on January 20, 2022 at 6:30pm. Motion seconded and passes unanimously with Ms. Tabb recused.

7. Jennifer Brockman, County Planner — Recommendation from the Jefferson County Planning Commission regarding the Zoning Map Amendment (File 21-4-Z) for John Morris rezoning request for two parcels located southwest of the intersection of Old Leetown Pike (WV 15) and Leetown Road (WV 5 1) from Village to General Commercial.

● Mrs. Brockman reported that the planning Commission found that Zoning Map Amendment (File 21-4-2) is not in conformance with the Comprehensive Plan

8. Jennifer Brockman, County Planner — Presentation and overview of the Planning Commission's recommended text amendment to the Envision Jefferson 2035

Comprehensive Plan related to allowing solar facilities are principal permitted uses (PPU's) in the rural and residential zoning districts and requesting that the County Commission schedule their required Public Hearing and vote to accept, reject, or modify the amendment within the required 90 day time frame.

● **Mr. Hudson moved to schedule a Public Hearing to receive input concerning the**

Planning Commission's recommended text amendment to Envision Jefferson 2035

Comprehensive Plan related to allowing solar facilities are principal permitted uses (PPU's) in the rural and residential zoning districts to be held on February 3, 2022 at 10:00am. Motion seconded and passes unanimously with Mr. Stolipher recused.

9. Lynn Fields, Probate Office — Quarterly Review

- **Motion by Ms. Tabb to convene Fiduciary Review Board. Motion seconded and unanimously approved.**
 - **Motion by Ms. Tabb to approve the closure of all estates that have met all statutory requirements. Motion seconded and unanimously approved.**
- **Motion by Mr. Hudson to move into regular county session. Motion seconded and unanimously approved.**

10. Nathan Cochran, Assistant Prosecuting Attorney

- a. Presentation of preliminary report regarding analysis of public safety issues.
- b. 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.
- c. Discussion of legal issues regarding proposed solar text amendment including bonding, comprehensive plan, and related matters, including report by Counsel regarding progress in amending comprehensive plan, and discussion of Jefferson County Circuit Court Civil Action No. 's 202-C-33 through 37, and Jefferson County Circuit Court Civil Action No's 2021 C-46 through 50, WV Supreme Court No's 21-0727, 21-0728, and 21-0731.
- d. Consider matters involving or affecting the construction planning, or purchase, sale or lease of property.
- e. Report by counsel on opioid case. (Jefferson County Commission v. Purdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action 17-OP-45170).
- f. Discussion and review of voting locations, including the location of early voting at the Courthouse and possible creation of alternate and/ or annexed locations.
- g. Discussion of WVHRC case number EREP-49-21.
- h. Discussion of potential revision of the Jefferson County Zoning Ordinance and related issues.
- i. Discussion — Executive Assistant Position — Potential Hire (SS).

- **Mr. Stolipher moved to go into Executive Session to receive legal advice regarding Presentation of preliminary report regarding agenda items No.'s 1, 6, and 7 under presentations of Mr. Nathan Cochran. Also included agenda items No.'s 12, and 19.**
- **Mr. Hudson moved to come out of Executive Session. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to reopen the hiring of Executive Assistant Position to obtain a bigger pool of candidates and have the position open until filled. Motion seconded and unanimously approved.**

11. PUBLIC COMMENT — public comment was provided by the following: David Tabb

- **Motion by Mr. Stolipher to break for lunch until 1:30pm. Motion seconded and unanimously approved.**

Legislative Summit

- Delegates Paul Espinosa, John Doyle and Wayne Clark participated in the Legislative Summit with Commissioners.

New Business

12. Notice of the 2022 Board of Review and Equalization Notice

- **Mr. Stolipher moved to approve the 2022 Board of Review and Equalization Notice times and dates as presented. Motion seconded and unanimously approved.**

13. Discussion — Approval of work performed — 11/22/2021 — Stephanie Grove

- **Motion by Mr. Stolipher to approve the work order for 2hrs. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to approve the change of the corrected effective date effective 11/22/2021. Motion seconded and unanimously approved.**

14. Advertise for Finance Director (SS)

- **Motion by Mr. Stolipher to advertise position for the Finance Director position as Grade level 9 with accompanying salary until position is filled. Motion seconded and unanimously approved.**

COUNTY ADMINSTRATOR REPORTS

█ Signature for grant documents — designate an individual

█ Motion by Mr. Stolipher to designate Sandy McDonald as the individual to sign grant documents as they come in. Motion seconded and unanimously approved.

15. Tom Hansen, Sheriff— Travel Budget Restoration

- **Motion by Mr. Stolipher to restore travel budget up to 75% which moves the total to \$7,000. Motion seconded and unanimously approved.**

16. Discussion County Administrator Candidates

- **Motion by Mr. Stolipher to go into Executive Session to discuss County Administrator Candidates. Motion seconded and unanimously approved.**
- **Motion by Mr. Hudson to come out of Executive Session. Motion seconded and unanimously approved.**

17. The Commission adjourned at 3:04pm on a motion by Mr. Hudson. Motion seconded and unanimously approved.

Caleb Hudson, PRESIDENT

Respectfully Submitted

Brittany Roberts

Temporary Assistant