

Minutes

Jefferson County Commission

Thursday, February 3, 2022

A meeting of the Jefferson County Commission was held on Thursday, February 3, 2021 during the first quarterly session at 9:30 a.m. The meeting was held via GoToWebinar and in-person. Present were Caleb Hudson, President, Steve Stolipher, Vice President, and Commissioners Clare Ath, Tricia Jackson, and Jane Tabb. Also present were Sandy McDonald, Interim County Administrator and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, February 3, 2022 meeting is available on the Jefferson County Commission website.)

PLEDGE OF ALLEGIANCE

Commissioner Hudson led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Hudson to approve the December 16, 2021 Regular Meeting Minutes with noted corrections. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the January 20, 2022 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the January 25, 2022 Special Session Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the January 26, 2022 Special Session Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the January 27, 2022 BORE Minutes as presented. Motion seconded and unanimously approved.

APPROVAL OF REQUISITIONS

Motion by Mr. Hudson to approve the Requisitions for February 3, 2022 in the amount of \$44,112.20. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#	VENDOR NAME	AMOUNT
85761	AHA-ARTS & HUMANITIES ALLIANCE	\$ 751.87
85762	BOLAND TRANE SERVICES INC	\$ 5,639.00
85763	CASTO & HARRIS INC	\$ 524.52
85764	DELTA DENTAL OF WV	\$ 6,127.33
85765	DIANN BROWN	\$ 38.51
85766	ROBERT E. JONES III	\$ 2,000.00
85767	ED HANNON	\$ 10.42
85768	ESI ELECTRONIC SYSTEMS INC	\$ 821.04
85769	FEDEX	\$ 92.55
85770	FIDELITY POWER SYSTEMS	\$ 2,699.66
85771	FIRE SAFETY EQUIP	\$ 2,747.00
85772	GUTTMAN OIL CO	\$ 4,219.85
85773	HIGHMARK WV	\$ 190,738.20
85774	JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	\$ 1,113.34
85775	JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$ 18,796.82
85776	JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$ 8,080.11
85777	JEFFERSON COUNTY DEVELOPMENT AUTHORITY	\$ 26,500.00
85778	JEFF CO PARKS & RECREATION COMMISSION	\$ 16,931.61
85779	KEVIN J. BOYCE	\$ 333.00
85780	KONE BROOKLYN	\$ 1,809.75
85781	NAPA AUTO PARTS	\$ 81.35
85782	NATIONAL VISION ADMIN.	\$ 1,676.80
85783	OLD CHARLES TOWN LIBRARY	\$ 1,500.00
85784	PATRIOT FIRE AND SECURITY LLC	\$ 6,310.00
85785	MICHEL LLC	\$ 146.60
85786	ROBIN MAHONY	\$ 162.25
85787	RONALD DANTZIC	\$ 72.11
85788	STEVEN HOLZ	\$ 315.00
85789	TOWN OF BOLIVAR	\$ 8,080.12

85790		WV CONSOLIDATED PUBLIC RETIREMENT BD	\$ 6,681.49
85791		WVU WEST VIRGINIA UNIVERSITY	\$ 3,700.00
85792	AM/053	AXION	\$ 1,744.80
TOTAL			\$ 320,445.10

Motion by Mr. Hudson to approve the Accounts Payable for January 27, 2022 in the amount of \$320,445.10. Motion seconded and unanimously approved.

CHECK#		VENDOR NAME	AMOUNT
85794		AMERICAN FAMILY LIFE INSURANCE COMPANY ICU	\$ 2,529.78
85795		BUREAU OF CHILD SUPPORT	\$ 760.05
85796		COLONIAL LIFE	\$ 95.68
85797		COMPTROLLER OF MARYLAND	\$ 615.06
85798		EFTPS IRS TAXES	\$ 91,379.69
85799		EMPOWER RETIREMENT	\$ 5,342.39
85800		GUTTMAN OIL CO	\$ 3,528.16
85801		JACQUELINE SHADLE	\$ 141.00
85802		JEFFERSON SECURITY BANK	\$ 4,355.00
85803		JOSEPH MURPHY	\$ 342.45
85804		MICHELLE GORDON	\$ 5,140.00
85805		NATIONWIDE RETIREMENT SOLUTIONS	\$ 834.00
85806		SHANNON BURLETT	\$ 1,836.21
85807		SPIRIT OF JEFFERSON	\$ 272.46
85808		STATE TAX DEPARTMENT	\$ 150.00
85809		THE HARTFORD	\$ 3,754.60
85810		THE HARTFORD	\$ 2,286.00
85811		TRACY HERRON-RICE RPR	\$ 562.60
85812		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$ 17,359.64
85813		WV EMERGENCY MANAGMENT COUNCIL	\$ 125.00
85814		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 43,719.90
85815		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 166.49
85816		XEROX FINANCIAL SERVICES	\$ 249.81
85817	FG/O09	SHERIFF OF JEFFERSON CO	\$ 4,851.00
85818	BS/O11	SHERIFF OF JEFFERSON CO	\$ 7,964.26
85819	AM/O53	AXION STAFFING GROUP	\$ 1,007.58
85820	AM/O53	GLOBAL SCIENCE & TECH	\$ 1,800.00

TOTAL				\$ 201,168.81
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Motion by Mr. Hudson to approve the Accounts Payable for February 3, 2022 in the amount of \$201,168.81. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
541	CS/002	EASTRIDGE HEALTH SYSTEM		\$ 2,000.00
542	CS/002	WV-CASA - COURT APPT SPL		\$ 5,000.00
947	AV/056	MILLERS SUPPLIES AT WORK		\$ 834.00
TOTAL				\$ 7,834.00

Motion by Mr. Hudson to approve the Manual Checks for January 28, 2022 in the amount of \$7,834.00. Motion seconded and unanimously approved.

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
779	HD/8	SHERIFF OF JEFFERSON CO		\$ 1,992.41
948	AV/56	PRINT-O-STAT		\$ 190.00
386	WV369	WVDSRF		\$ 499.00
TOTAL				\$ 2,681.41

Motion by Mr. Hudson to approve the Manual Checks for February 4, 2022 in the amount of \$2,681.41. Motion seconded and unanimously approved.

PAYROLL APPROVAL

Motion by Mr. Hudson to approve the Payroll for January 20, 2022 in the amount of \$250,451.81. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the Payroll for February 4, 2022 in the amount of \$259,244.99. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public comment was provided by the following: David Tabb, Jennifer Krouse, and Christine Marshall.

PRESENTATIONS

1. Jacqueline Shadle, County Clerk – requested approval to change the county payroll date from Thursday to Friday.
 - **Motion by Ms. Jackson to move approve the request to move the county payroll date from Thursdays to Fridays, effective July 1, 2022 to allow time for employees to adjust to the change, with the first payroll date to be July 8, 2022. Motion seconded and passes on a vote of 4-1 with Commissioner Tabb opposing.**
2. Nikki Painter, Chief Deputy Clerk/Voter Registration & Elections – requested approval of the Extended Emergency Absentee Voting Policy
 - **Motion by Mr. Stolipher to approve the Extended Emergency Absentee Voting Policy as presented. Motion seconded and unanimously approved.**
3. Lt. Steve Holz – Jefferson County Sheriff’s Office-Animal Control – requested a new hire and the purchase of a vehicle for the Jefferson County Animal Control Office.
 - Lt. Holz notified the Commission he’d be withdrawing the request to hire as the Animal Control Office was in the process of re-advertising for the vacancy.
 - **Motion by Mr. Stolipher to approve the \$17,782.00 from Capital Outlay towards the purchase of a new vehicle for Jefferson County Animal Control, contingent upon the availability of the funds. Motion seconded and unanimously approved.**
4. Public Hearing – proposed text amendment to the Jefferson County Envision Jefferson 2035 Comprehensive Plan (approved 1/14/15) to clarify and/or state that solar facilities are principal permitted uses in the rural and residential zoning districts, in accordance with WV Code §8A-3-11, 8A-3-6 and related statutes.
 - Commissioner Hudson opened the public hearing at 10:00 am. Public comments were received by the following: Stacy Tabb.

There being no further public comment, the Commission provided unanimous consent to keep the public comment period open for an additional two weeks to allow time for written comment.

5. Interviews and Appointments – Jefferson County Deputy Sheriff Civil Service Commission – one unexpired term ending September 29, 2025.
 - Because this vacancy is supposed to be filled by an appointee from the WV State Bar Association, Mr. Cochran recommended the Commission not yet act on the appointment.
 - Motion by Mr. Stolipher to direct Ms. McDonald to write a letter to the WV State Bar Association requesting they select an appointee to the Jefferson County Deputy Sheriff Civil Service Commission. Motion seconded and unanimously approved.
6. Russell Burgess, Director, Jefferson County Information Technology – requested acceptance of two Records Management and Preservation Board Grants.
 - **Motion by Ms. Tabb to accept the Records Management and Preservation Board Grant awards as follows: County Clerk - \$8,603.00 for the purchase of a map cabinet with Mylar sleeves to preserve the county’s original oversized maps; County Commission - \$9,545.00 to scan and index land development records, starting with building permits. Motion seconded and unanimously approved.**
7. Chad Wallen, Integrity Federal Services

(please note: Mr. Stolipher recused himself from hearing and voting on Mr. Wallen’s requests. The unanimous votes recorded below only reflect the four commissioners who were present for Mr. Wallen’s presentations)

- a. Sheetz Zoning Map Amendment – request to schedule and public hearing and referral to the Planning Commission to review the zoning amendment request for the 0.52 acre property identified in Charles Town District (2), Map Number 16, Portion of Parcel 1.
 - **Motion by Mr. Hudson to accept the Sheetz Zoning Map Amendment for a 0.52 acre property identified in the Charles Town Zoning District (2), Map Number 16, Portion of Parcel 1, refer the amendment to the Jefferson County Planning Commission for review of Comprehensive Plan consistency and to schedule a public hearing before the County Commission on Thursday, March 17, 2022. Motion seconded and unanimously approved.**
- b. Green Hill Zoning Map Amendment – request to schedule a public hearing and referral to the Planning Commission to review the zoning amendment request for a 102.00 acre property identified in the Charles Town Zoning District (2), Map Number 3, portion of Parcel 9.

- **Motion by Mr. Hudson to accept the Green Hill Zoning Map Amendment for a 102.00 acre property identified in the Charles Town Zoning District (2), Map Number 3, Portion of Parcel 9, refer the amendment to the Jefferson County Planning Commission for review of Comprehensive Plan consistency and to schedule a public hearing before the County Commission on March 17, 2022. Motion seconded and unanimously approved.**
8. Kelly Franklin, Director, Jefferson County Day Report Center – requested approval of the FY23 West Virginia Community Corrections Grant.
- **Motion by Mr. Stolipher to authorize the 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 grant funds pursuant to provisions of the Community Corrections Program. Motion seconded and unanimously approved.**
9. Danny Lutz, Bill Blizzard Centennial Committee – requested the use of the Jefferson County Courthouse and bailiffs for play practices and performances related to the Bill Blizzard Centennial.
- The Commission requested Mr. Lutz provide more information regarding his request, such as dates and times for the practices and performances and suggested he contact the Jefferson County Sheriff’s Department to inquire about the availability of bailiffs.
10. Jeffrey A. Polczynski, Director, Jefferson County Emergency Communications – requested the appointment of two full-time public safety dispatchers.
- **Motion by Ms. Tabb to approve the hire of two full-time public safety dispatcher in the Jefferson County Emergency Communications Center as follows: Gabrielle Dugan at \$18.14/hr and Kali Osborne at \$19.05/hr, effective February 28, 2022. Motion seconded and unanimously approved.**
11. Roger Goodwin, Chief County Engineer and Michelle Mason, Impact Fee Program Specialist
- a. Presentation of Calendar Year 2021 Annual Report for the Office of Impact Fees.
 - **Motion by Ms. Tabb to accept the Calendar Year 2021 Impact Fees Annual Report for the Office of Impact Fees, as presented. Motion seconded and unanimously approved.**

- **Motion by Mr. Stolipher to stay the annual inflationary adjustments to the impact fees. Motion seconded and passes on a vote of 4-1 with Ms. Tabb opposing.**
- b. Presentation of the FY23 Capital Improvement Plan for the Office of Impact Fees
- **Motion by Mr. Hudson to approve the FY23 Capital Improvement Plan for the Office of Impact Fees, as presented. Motion seconded and unanimously approved.**

12. 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, and WV Supreme Court No's 21-0727, 21-0728, and 21-0731.
- c. Consider matters involving or affecting the construction, planning or purchase, sale or lease of property.
- d. Report by Counsel on opioid case (Jefferson County Commission v. Purdue Pharmaceutical, et al. Use District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170)
- e. Approval of new paralegal – hire for the Prosecuting Attorney's Office as a replacement for a departing employee.
- **Motion by Mr. Stolipher to approve the hire of Jamie Houser as a paralegal for the Jefferson County Prosecuting Attorney's Office at a salary of \$43,500.00, effective February 22, 2022. Motion seconded and unanimously approved.**
 - **Motion by Mr. Stolipher to enter into Executive Session to receive legal advice concerning 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, and WV Supreme Court No's 21-0727, 21-0728, and 21-0731. Motion seconded and unanimously approved.**

- **Motion by Mr. Hudson to come out of Executive Session and reconvene in Regular Session. Motion seconded and unanimously approved.**

NEW BUSINESS

13. Legislative Updates – none provided.

14. Farmland Protection Board Employee

- **Motion by Ms. Tabb to approve Elizabeth Wheeler, Director of the Jefferson County Farmland Protection Board, as a Department Head who will report to the County Administrator and the Finance Office. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

- FY23 Budget Meeting Schedule – the Commission provided unanimous consent to meet on the following dates to hear budget presentations from department heads, electeds, and component agencies: Monday, February 7, 2022 at 6:00pm; Wednesday, February 9, 2022 at 6:00pm; and Thursday, February 10, 2022 at 6:00pm.

15. The Commission adjourned at 12:37 p.m. on a motion by Mr. Hudson. Motion was seconded and unanimously approved.

Caleb Hudson, PRESIDENT

Respectfully submitted
Jessica Carroll
Executive Administrative Assistant