

Minutes

Jefferson County Commission

Thursday, April 7, 2022

A meeting of the Jefferson County Commission was held on Thursday, April 7, 2022 during the second 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 John Nissel, County Administrator, Sandy McDonald, Deputy County Administrator and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, April 7, 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 March 17, 2022 Regular Meeting Minutes as presented/with noted corrections. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the March 25, 2022 Special Session Minutes as presented/with noted corrections. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the March 30, 2022 Special Session Minutes as presented/with noted correction. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Hudson to approve the Payroll for March 31, 2022 in the amount of \$273,587.82. Motion seconded and unanimously approved.

APPROVAL OF REQUISITIONS

Motion by Mr. Hudson to approve the Requisitions for April 7, 2022 in the amount of \$44,241.00. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#		VENDOR NAME		AMOUNT
85999		CITY OF CHARLES TOWN		\$ 40.00
86000		G WARREN MICKEY		\$ 150.00
86001		GARY DUNGAN		\$ 150.00
86002		HEATHER KETCHENS		\$ 674.08
86003		HIRERIGHT		\$ 66.60
86004		IPC TECHNOLOGIES INC.		\$ 1,114.87
86005		J.D. POWER & ASSOC		\$ 960.00
86006		JACQUELINE SHADLE		\$ 60.26
86007		JOSEPH KENT		\$ 504.66
86008		JOSEPH MURPHY		\$ 114.15
86009		NAPA AUTO PARTS		\$ 66.94
86010		RICE TIRES CO		\$ 665.40
86011		SHERWIN-WILLIAMS		\$ 274.82
86012		SOFTWARE SYSTEMS INC		\$ 972.00
86013		SPIRIT OF JEFFERSON		\$ 215.70
86014		STACI HOVERMALE		\$ 102.57
86015		US POSTAL SERVICE		\$ 20,000.00
86016		XEROX CORPORATION		\$ 743.83
86017	AM/053	AXION STAFFING		\$ 1,144.08
TOTAL				\$ 28,019.96

Motion by Mr. Hudson to approve the Accounts Payable for March 24, 2022 in the amount of \$28,019.96. Motion seconded and unanimously approved.

CHECK#		VENDOR NAME		AMOUNT
86019		84 LUMBER		\$ 584.59
86020		AHA-ARTS & HUMANITIES ALLIANCE		\$ 698.29
86021		BUREAU OF CHILD SUPPORT		\$ 492.93
86022		COMPTROLLER OF MARYLAND		\$ 517.18
86023		DEBBIE LOWE		\$ 2,000.69
86024		DELTA DENTAL OF WV		\$ 6,500.75
86025		DODSON SEPTIC SERVICE LLC		\$ 500.00
86026		DR. ROBERT E. JONES III		\$ 1,000.00

86027		ED HANNON		\$ 19.71
86028		EFTPS IRS TAXES		\$ 94,708.33
86029		EMPOWER RETIREMENT		\$ 6,754.22
86030		EVELYN STEPHENSON		\$ 1,834.94
86031		FEDEX		\$ 51.79
86032		FIRE SAFETY EQUIP		\$ 3,187.02
86033		GUTTMAN OIL CO		\$ 4,614.69
86034		HIGHMARK WV		\$ 200,542.50
86035		J.C. EHRLICH		\$ 761.00
86036		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION		\$ 1,033.99
86037		JEFFERSON CO CONVENTION AND VISITORS BUREAU		\$ 17,457.24
86038		JEFF CO PARKS & RECREATION COMMISSION		\$ 15,724.95
86039		JEFFERSON SECURITY BANK		\$ 4,355.00
86040		MILLENNIUM INSURANCE GROUP		\$ 900.00
86041		NATIONAL VISION ADMIN.		\$ 1,743.14
86042		NATIONWIDE RETIREMENT SOLUTIONS		\$ 834.00
86043		RONALD DANTZIC		\$ 91.13
86044		SOFTWARE SYSTEMS INC		\$ 36.00
86045		STATE TAX DEPARTMENT		\$ 150.00
86046		VA DEPT OF TAXATION		\$ 1,195.18
86047		WHOLESALE TIRES INC.		\$ 237.28
86048		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 15,384.99
86049		WV DIVISION OF LABOR		\$ 90.00
86050		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 45,242.12
86051		WV STATE TAX DEPARTMENT		\$ 49,968.07
86052		WVCORP WV COUNTIES SELF INSURANCE RISK POOL		\$ 29,612.25
86053		XEROX CORPORATION		\$ 777.62
86054		XEROX FINANCIAL SERVICES		\$ 249.81
86055	FG/009	SHERIFF OF JEFFERSON CO		\$ 3,726.24
86056	BS/011	SHERIFF OF JEFFERSON CO		\$ 5,440.14
86057	AM/053	AXION STAFFING GROUP		\$ 988.92
TOTAL				\$ 520,006.70

Motion by Mr. Hudson to approve the Accounts Payable for March 31, 2022 in the amount of \$520,006.70. Motion seconded and unanimously approved.

CHECK#		VENDOR NAME		AMOUNT
86058		AMERICAN FAMILY LIFE INSURANCE COMPANY ICU		\$ 3,675.51
86059		AMERITEL CORP		\$ 273.88

86060		AUTOZONE		\$ 64.44
86061		BOLIVAR / HARPERS FERRY PUBLIC LIBRARY		\$ 20,625.00
86062		CAPITAL ELECTRIC		\$ 290.85
86063		COLONIAL LIFE		\$ 143.52
86064		COMPILED TECHNOLOGIES LLC		\$ 3,600.00
86065		DANIELLE DUCKETT		\$ 147.50
86066		DOROTHY FARMER		\$ 147.50
86067		EMILY MORROW		\$ 134.55
86068		EPTA-EASTERN PANHANDLE TRANSIT AUTHORITY		\$ 15,000.00
86069		ESS ELECTION SYSTEMS & SOFTWARE		\$ 3,835.20
86070		FIDELITY POWER SYSTEMS		\$ 360.50
86071		GAIL MCMILLION		\$ 2,444.93
86072		GUTTMAN OIL CO		\$ 9,030.23
86073		JEFFERSON CO EMERGENCY SERVICES AGENCY		\$ 754,784.50
86074		JEFFERSON COUNTY DEVELOPMENT AUTHORITY		\$ 26,500.00
86075		JEFF CO PARKS & RECREATION COMMISSION		\$ 64,695.00
86076		JEFFERSON DAY REPORT CENTER		\$ 37,502.50
86077		JESSICA EBERSOLE		\$ 147.50
86078		JOSEPH MURPHY		\$ 114.15
86079		KELLY SPARKS		\$ 1,707.56
86080		MICHELLE GORDON		\$ 5,280.00
86081		MID ATLANTIC ENTRY MD LLC		\$ 3,402.00
86082		OLD CHARLES TOWN LIBRARY		\$ 1,500.00
86083		OLD CHARLES TOWN LIBRARY		\$ 20,625.00
86084		POTOMAC EDISON		\$ 34,941.23
86085		R.E. MICHEL CO. LLC		\$ 8.46
86086		RICE TIRES CO		\$ 665.40
86087		SELBY VETERINARY SERVICES		\$ 358.00
86088		SHEPHERDSTOWN PUB LIBRARY		\$ 20,625.00
86089		SOUTH JEFFERSON PUBLIC LIBRARY		\$ 20,625.00
86090		SPECIALTY BUSINESS SUPPLIES		\$ 46.00
86091		THE HARTFORD		\$ 2,330.45
86092		THE HARTFORD		\$ 3,692.58
86093		WVU WEST VIRGINIA UNIVERSITY		\$ 3,700.00
86094		XEROX CORPORATION		\$ 2,558.93
86095	FG/009	BERKELEY CO SHERIFF		\$ 1,408.46
86096	FG/009	RANSON POLICE DEPT		\$ 1,350.35
86097	FG/009	MOOREFIELD POLICE DEPT		\$ 757.99
86098	AM/053	AXIOM STAFFING GROUP		\$ 1,139.47
TOTAL				\$ 1,070,239.14

Motion by Mr. Hudson to approve the Accounts Payable for April 7, 2022 in the amount of \$1,070,239.14. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
546	CS/002	EASTRIDGE HEALTH SYSTEM		\$ 2,800.00
963	AV/056	MR. PRINT		\$ 911.82
1764	CO/246	INSIGHT PUBLIC SECTOR		\$ 580.78
928	CW/059	TOTAL ID SOLUTIONS		\$ 590.00
TOTAL				\$ 4,882.60

Motion by Mr. Hudson to approve the Manual Checks for March 25, 2022 in the amount of \$4,882.60. Motion seconded and unanimously approved.

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
786	HD/8	SHERIFF OF JEFFERSON CO		\$ 2,180.05
964	AV/56	PRINT-O-STAT		\$ 190.00
1765	CO/246	DIGITAL ALLY		\$ 16,820.00
1766	CO/246	EXECUTIVE EMERGENCY LIGHTING		\$ 41,464.92
1767	CO/246	THOS SOMERVILLE		\$ 5,871.92
TOTAL				\$ 66,526.89

Motion by Mr. Hudson to approve the Manual Checks for April 1, 2022 in the amount of \$66,526.89. Motion seconded and unanimously approved.

MANUAL CHECKS				
8-Apr-22				
Check#	Fund	VENDOR		Amount
547	CS/2	JEFF CO COMMUNITY MINISTRIES		\$ 5,000.00
787	HD/8	CONERSTONE DIAGNOSTICS		\$ 1,456.00
1768	CO/246	RE MICHEL CO INC		\$ 706.42
929	CW/059	WV ST AUDITOR		\$ 829.00
930	CW/059	WV ST POLICE		\$ 30.00
388	WV369	WVDSRF		\$ 839.00

TOTAL				\$ 8,860.42

Motion by Mr. Hudson to approve the Manual Checks for April 8, 2022 in the amount of \$11,068.35. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public comment was provided by the following: David Tabb and Lyn Widmyer.

PRESENTATIONS

1. Patricia Rucker, WV State Senator – presented Jennifer Myers, Director of the Jefferson County Parks and Recreation Commission, with a check for the pool feasibility study at Sam Michaels Park.

2. Laura Storm, Circuit Clerk and Laura Kuhn, Director of Fleet and Facilities Management – requested funding for shelving units.
 - **Motion by Mr. Stolipher to authorize the Director of Fleet & Facilities Management to purchase shelving units, up to \$10,000 from the Coal Severance Fund, to be utilized in the storage area to be designated for the Magistrate Clerks’ use. Motion seconded and unanimously approved.**

3. Tom Hansen, Sheriff
 - a. ACO Hire
 - **Motion by Mr. Stolipher to approve the hire of Clayton Dehaven at a salary of \$37,750, effective April 11, 2022. Motion seconded and unanimously approved.**

 - b. Insurance Check
 - **Motion by Mr. Stolipher to approve the transfer of insurance funds in the amount of \$22,000 from received for Sheriff’s Office employees into the Auto Supplies budget line item. Motion seconded and unanimously approved.**

 - c. Vision Zero/SS4A Funding

- **Motion by Mr. Stolipher to form a committee to explore the options of applying for the Safe Streets and Roads for All grant opportunity. Motion seconded and unanimously approved.**

4. Interviews and Appointments to the following:

- Jefferson County Development Authority
 - 2 two-year terms for Citizen Representative ending April 5, 2024
 - 1 three-year terms for Industry Representative ending April 5, 2025
 - 2 three-year term for Business Representative ending April 5, 2025

NAME	REPRESENTING	Current Member	APPOINTED
Judy York	Citizen or Business	N	No
Neil McLaughlin	Citizen	Y	Yes
Greg Mason	Industry	Y	Yes
Andy Colandrea	Citizen or Business	N	No
Colin Stine	Citizen	N	No
Megan Duncan-Murphy	Citizen	N	No

- **Motion by Mr. Stolipher to reappoint the following to the Jefferson County Development Authority Board of Directors: Neil McLaughlin as a Citizen Representative with a term ending April 5, 2024; Greg Mason to as the Industry Representative with a term ending April 5, 2025; and to appoint Bryan Jones as a Business Representative with a term ending April 5, 2025. Motion seconded and unanimously approved.**

- It was the consensus of the Commission to delay the additional Citizen and Business representative vacancies until the next regularly scheduled meeting pending information from counsel regarding an applicant’s eligibility to serve.

- Farmland Protection Board – one unexpired term ending September 7, 2024

- **Motion by Mr. Stolipher to appoint Colin Stine to the Jefferson County Farmland Protection Board for an unexpired term ending September 7, 2024. Motion seconded and unanimously approved.**

5. Jeffrey A. Polczynski, ENP-Director of Communications requested approval of a Proclamation - National Public Safety Telecommunicators Week

- **Motion by Ms. Tabb to approve the Proclamation recognizing the week of April 10-April 16, 2022 as National Public Safety Telecommunicator Week in honor of the men and women of the Jefferson County Emergency Communications Center who answer the call as the first, first responder. Motion seconded and unanimously approved.**
6. Lynn Fields, Probate, Director, Jefferson County Clerk's Office - Quarterly Review of Estates, Accountings & Waivers
- **Motion by Mr. Hudson to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
 - **Motion by Mr. Stolipher to approve the estates, accountings, and waivers brought forth for review and/or closure that have met all requirements for the quarter. Motion seconded and unanimously approved.**
7. Bob Burner, Director, Jefferson County Emergency Services Agency - draft ambulance location alternatives, as requested by Commissioner Stolipher.
- **Motion by Ms. Jackson to direct County Administrator Nissel to contact all Jefferson County fire chiefs to see which companies may be interested in selling their ambulances and potentially lease vehicle storage space to the County Commission. Motion seconded and passes on a vote of 4-1 with Commissioner Tabb opposing.**
8. Nathan Cochran, Assistant Prosecuting Attorney
- a. 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 2021-C-33 through 37 and Jefferson County Circuit Court Civil Action No.'s 2021-C-46 through 50, Jefferson County Circuit Court Civil Action No. CC-19-2022-C-6 and WV Supreme Court No.'s 21-0727, 21-0728, and 21-0731.
 - b. Consider matters involving or affecting the construction planning, or purchase, sale or lease of property.
 - 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).
 - d. Report on West Virginia Supreme Court Case No. 21-0229 (Jefferson County 19-P-69).

- **Motion by Mr. Stolipher to enter into Executive Session to receive legal advice concerning the Fitch Report, including potential action regarding composition and structure of county EMS services, Jefferson County Emergency Services Agency, acquisition and distribution of ambulance resources, and implementation of Fitch recommendations. Motion seconded and unanimously approved.**
- **Motion by Mr. Hudson to come out of Executive Session and resume Regular Session. Motion seconded and unanimously approved.**

OLD BUSINESS

9. Discussion of Fitch Report, including potential action regarding composition and structure of county EMS services, Jefferson County Emergency Services Agency, acquisition and distribution of ambulance resources, and implementation of Fitch recommendations – this item was discussed in Executive Session.
10. Decision - proposed text amendment to the Jefferson County Envision 2035 Comprehensive Plan (approved January 14, 2015) to clarify and/or state that solar facilities are principal permitted uses in the rural and residential zoning districts, in accordance with WV §8A-3-11, 8A-3-6 and related issues – no updates were provided or discussed concerning this item.

COUNTY ADMINISTRATOR REPORTS

- Designation of Authorized Signer on Grant Related Requests for Reimbursements
- **Motion by Ms. Tabb to designate John Nissel, County Administrator, as the designated signer on grant related requests for reimbursements until a new Finance Director has been hired. Motion seconded and unanimously approved.**
- Review and Approval of Contract for Sandy McDonald
- **Motion by Mr. Stolipher to approve the contract for Sandy McDonald to provide part-time professional services, as presented. Motion seconded and unanimously approved.**

11. **ADJOURN**

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

Caleb Hudson, PRESIDENT

Respectfully submitted
Jessica Carroll
Executive Administrative Assistant

