

## **Minutes**

### **Jefferson County Commission**

**Thursday, May 5, 2022**

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A meeting of the Jefferson County Commission was held on Thursday, May 5, 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 Tricia Jackson, Clare Ath, and Jane Tabb. Also present were John Nissel, County Administrator, and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, May 5, 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 April 19, 2022 Lay the Levy Minutes as presented.  
Motion seconded and unanimously approved with Commissioner Tabb abstaining.

Motion by Mr. Hudson to approve the April 21, 2022 Regular Meeting Minutes as presented.  
Motion seconded and unanimously approved with Commissioner Tabb abstaining.

Motion by Mr. Hudson to approve the April 22, 2022 Special Session Minutes as presented.  
Motion seconded and unanimously approved with Commissioner Tabb abstaining.

#### **APPROVAL OF PAYROLL**

Motion by Mr. Hudson to approve the Payroll for April 28, 2022 in the amount of \$265,026.97.  
Motion seconded and unanimously approved.

## **APPROVAL OF REQUISITIONS**

Motion by Mr. Hudson to approve the Requisitions for May 5, 2022 in the amount of \$30,508.00. Motion seconded and unanimously approved.

## **APPROVAL OF ACCOUNTS PAYABLE**

<b>CHECK#</b>	<b>VENDOR NAME</b>	<b>AMOUNT</b>
86154	AHA-ARTS & HUMANITIES ALLIANCE	\$ 1,242.58
86155	BUREAU OF CHILD SUPPORT	\$ 492.93
86156	CASTO & HARRIS INC	\$ 1,674.18
86157	COMPTROLLER OF MARYLAND	\$ 501.72
86158	DALE GOTTSCHALK	\$ 11.84
86159	DARYLL WIMER	\$ 12.01
86160	DELTA DENTAL OF WV	\$ 6,477.84
86161	DODSON SEPTIC SERVICE LLC	\$ 285.00
86162	DR. ROBERT E. JONES III	\$ 1,000.00
86163	EFTPS IRS TAXES	\$ 93,003.84
86164	ELIZABETH DUTKO	\$ 1,964.15
86165	EMPOWER RETIREMENT	\$ 5,844.44
86166	ESI ELECTRONIC SYSTEMS INC	\$ 942.51
86167	ESS ELECTION SYSTEMS & SOFTWARE	\$ 46,136.40
86168	FIDELITY POWER SYSTEMS	\$ 2,148.00
86169	GUTTMAN OIL CO	\$ 4,712.39
86170	HIGHMARK WV	\$ 200,542.50
86171	JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	\$ 1,839.95
86172	JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$ 31,064.43
86173	JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$ 4,497.20
86174	JEFF CO PARKS & RECREATION COMMISSION	\$ 27,981.90
86175	JEFFERSON SECURITY BANK	\$ 4,335.00
86176	JOSEPH MURPHY	\$ 4,301.11
86177	KEITH JOHNSON	\$ 97.01
86178	LYNDSEY W MATSCHAT	\$ 100.00
86179	MARION A. HAZEL	\$ 505.56
86180	MILLENIUM INSURANCE GROUP	\$ 900.00
86181	NATIONAL VISION ADMIN.	\$ 1,745.14
86182	NATIONWIDE RETIREMENT SOLUTIONS	\$ 834.00
86183	NEOPOST USA INC.	\$ 397.90
86184	R.E. MICHEL CO. LLC	\$ 22.10
86185	RICE TIRES CO	\$ 1,208.32

86186		RONALD DANTZIC		\$ 68.18
86187		SHERIFF OF JEFFERSON COUNTY		\$ 16.40
86188		SOFTWARE SYSTEMS INC		\$ 879.00
86189		STATE CHEMICAL SOLT.		\$ 447.93
86190		STATE TAX DEPARTMENT		\$ 150.00
86191		THOMAS HANSEN		\$ 397.50
86192		TOWN OF BOLIVAR		\$ 4,497.20
86193		TYLER TECHNOLOGIES		\$ 32,652.58
86194		WV BUREAU OF EMPLOYMENT UNEMPLOYMENT COMP. DIV.		\$ 496.90
86195		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 15,847.97
86196		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 43,621.35
86197		WV STATE TAX DEPARTMENT		\$ 33,269.89
86198		XEROX FINANCIAL SERVICES		\$ 249.81
86199	FG/009	SHERIFF OF JEFFERSON COUNTY		\$ 4,647.76
86200	BS/011	SHERIFF OF JEFFERSON COUNTY		\$ 6,738.91
<b>TOTAL</b>				<b>\$ 590,803.33</b>

**Motion by Mr. Hudson to approve the Accounts Payable for April 28, 2022 in the amount of \$ 590,803.33. Motion seconded and unanimously approved.**

CHECK#		VENDOR NAME		AMOUNT
86201		84 LUMBER		\$ 136.44
86202		AMANDA JOHNSON		\$ 143.33
86203		AMERICAN FAMILY LIFE INSURANCE COMPANY ICU		\$ 2,450.34
86204		ANGELA L BANKS		\$ 145.70
86205		ARIN ELIZABETH FLOOK		\$ 800.25
86206		CITY OF CHARLES TOWN		\$ 68.00
86207		COLONIAL LIFE		\$ 95.68
86208		ELIZABETH JUNE BOWERS		\$ 86.70
86209		GUTTMAN OIL CO		\$ 5,561.91
86210		HEATHER KETCHENS		\$ 1,011.12
86211		J.C. EHRLICH		\$ 937.00
86212		LYNDSEY W MATSCHAT		\$ 37.44
86213		NATIONAL BAND & TAG CO		\$ 2,660.00
86214		OLD CHARLES TOWN LIBRARY		\$ 1,500.00
86215		R.E. MICHEL CO. LLC		\$ 133.44
86216		RHONDA WILLINGHAM		\$ 145.70
86217		SPIRIT OF JEFFERSON		\$ 133.68

86218		TEK ADVISORS LLC		\$ 4,200.00
86219		THE CHAPMAN PRINTING COMPANY		\$ 32.87
86220		THE HARTFORD		\$ 3,591.56
86221		TRACY HERRON-RICE RPR		\$ 1,397.55
86222		VICTORIA MYERS		\$ 86.70
86223		WV ASSOCIATION OF CIRCUIT CLERK		\$ 228.00
86224		XEROX CORPORATION		\$ 197.52
86225	FG/009	BERKELEY CO SHERIFF'S		\$ 413.60
86226	SG/010	JEFFERSON DAY REPORT CENTER		\$ 40,322.10
86227	AM053	AXIOM		\$ 464.75
<b>TOTAL</b>				<b>\$ 66,981.38</b>

**Motion by Mr. Hudson to approve the Accounts Payable for May 5, 2022 in the amount of \$66,981.38. Motion seconded and unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

<b>MANUAL CHECKS</b>				
Check#	Fund	VENDOR		Amount
548	CS/2	<b>EASTRIDGE HEALTH SYSTEM</b>		\$ 2,600.00
792	HD/8	<b>SHERIFF OF JEFFERSON CO</b>		\$ 1,772.36
<b>TOTAL</b>				<b>\$ 4,372.36</b>

**Motion by Mr. Hudson to approve the Manual Checks for April 29, 2022 in the amount of \$4,372.36. Motion seconded and unanimously approved.**

<b>MANUAL CHECKS</b>				
Check#	Fund	VENDOR		Amount
549	CS/2	HINKLE CONSELING & PSYCHOLOGICAL		\$ 163.52
973	AV/56	WVACO		\$ 80.00
974	AV/56	PRINT-O-STAT		\$ 190.00
975	AV/56	MILLERS SUPPLIES AT WORK		\$ 160.52
1773	CO/246	HOFFMAN FORD SALES		\$ 143,420.20
931	CW/O59	WV ST AUDITOR		\$ 1,035.00
389	WV369	WVDSRF		\$ 758.00
<b>TOTAL</b>				<b>\$ 268,296.09</b>

**Motion by Mr. Hudson to approve the Manual Checks for May 6, 2022 in the amount of \$268,296.09. Motion seconded and unanimously approved.**

**PUBLIC COMMENT**

Public comment was provided by the following: David Tabb

**PRESENTATIONS**

1. Angela Banks, Assessor – requested approval of the following Exonerations:

NAME	TYPE	DISTRICT	TICKET No.	AMOUNT
Wade Lischefske	PP	KD	310722	\$154.78

- **Motion by Mr. Stolipher to approve the exoneration for ticket no. 310722 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET No.	AMOUNT
Isabelle and James May	RE	SD	28462	\$279.36

- **Motion by Mr. Stolipher to approve the exoneration for ticket no. 28462 as presented. Motion seconded and unanimously approved.**

2. Tom Hansen, Sheriff

a. Part-time Bailiff Hire

- **Motion by Mr. Stolipher to approve the hire of Melissa Goodwin as a part-time bailiff for the Jefferson County Sheriff’s Department at \$13/hr., effective May 9, 2022. Motion seconded and unanimously approved.**

b. Ambulance Fee Employees

- **Motion by Ms. Jackson to approve the advertisement for a full-time ambulance fee collections clerk as an 80 hour Grade II employee. Motion seconded and unanimously approved.**
- c. AED Donation
  - No action was taken on this item as the Commission requested more information about the budgetary impact of this request.
- d. Bank Bonding
  - **Motion by Mr. Stolipher to approve the amendments to the annual banking boning and securities letter as presented. Motion seconded and unanimously approved.**
- e. COPS Hiring
  - **Motion by Mr. Stolipher to approve the Sheriff's Office application for the COPS Hiring Grant. Motion seconded and passes on a vote of 4-1 with Commissioner Hudson opposing.**
- f. Health Insurance Increase/Raises Concern
  - The Sheriff addressed the Commission concerning employees' COLAs and merit raises and suggested the Commission either give all employees their raises on July 1 or hold the health insurance premium increase until the employee receives their raise. Commissioner Tabb requested this matter be added to a future agenda for further discussion.
- 3. Interviews and Appointments to the Jefferson County Building Commission – 3 five-year terms ending July 27, 2027 – no action was taken on this item as there were no applicants for the Jefferson County Building Commission.
- 4. Lynn Fields, Probate, Jefferson County Clerk's Office – presented a Petition to Remove Administrators in the Estate of Robert Lee Holmes
  - **Motion by Mr. Hudson to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
  - **Motion by Ms. Tabb to refer the Petition to Remove Administrators in the Estate of Robert Lee Holmes to a fiduciary commissioner for their review and recommendation concerning the Petition. Motion seconded and unanimously approved.**
  - **Motion by Mr. Hudson to adjourn as a Fiduciary Review Board and reconvene in regular session. Motion seconded and unanimously approved.**

5. Jennifer Myers, Director, Jefferson County Parks and Recreation – requested a discussion and possible action on approval of Tobacco Free Parks Policy
  - **Motion by Ms. Tabb to table the topic until the next regularly scheduled county commission meeting to allow counsel an opportunity to review the policy. Motion seconded and unanimously approved.**
6. Russell Burgess, Director, Jefferson County IT & GIS Department – requested approval to hire GIS Analyst
  - **Motion by Mr. Stolipher to approve the hire of Rebecca Westbrook as a full-time level I GIS Analyst in the Information Technology/GIS office, effective May 31, 2022. Motion seconded and unanimously approved.**
7. 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 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 to consider contractual matters involving or affecting the construction planning, or purchase, sale or lease of property and to discuss liability issues related to the ambulance service Motion seconded and unanimously approved.**
    - Commissioner Stolipher recused himself from the Executive Session discussion concerning the solar text amendment.

- **Motion by Mr. Hudson to come back into regular session. Motion seconded and unanimously approved.**
- **Motion by Ms. Jackson to direct staff to prepare and publish a notice of public hearing of the County Commission to be held Friday, May 27, 2022 at 9:30 am, to receive input concerning the recommendation for the solar text amendment to the Envision Jefferson 2035 Comprehensive Plan. Motion seconded and fails on a vote of 2-2 with Commissioners Hudson and Tabb opposing and Commissioner Stolipher abstaining.**

### **OLD BUSINESS**

8. Discussion of Fitch Report, including potential action regarding composition and structure of county EMS services, Jefferson County Emergency Services Agency, including the utilization, scheduling, and compensation of employees, the utilization of volunteers, acquisition and distribution of ambulance resources, and acquisition and implementation of Fitch recommendations.
  - **Motion by Ms. Tabb to make available on the County website the Jefferson County Fire & Rescue Association's presentation on alternative service models. Motion seconded and unanimously approved.**

### **NEW BUSINESS**

9. Set time and location for Primary Election Canvass to be held Monday, May 16, 2022
  - **Motion by Mr. Stolipher to meet as a board of canvassers on Monday, May 16, 2022 at 9:30 am in the small courtroom in the Jefferson County Courthouse. Motion seconded and unanimously approved.**
10. SB552 – Review and Correction of Delinquent Tax Lists by the County Commission
  - **Motion by Mr. Stolipher to approve the delinquent tax list as presented by the Chief Deputy Tax Officer and forward to the County Clerk. Motion seconded and unanimously approved.**

### **COUNTY ADMINISTRATOR REPORTS**

Approval of Hire – Administrative Assistant

- **Motion by Mr. Stolipher to approve the hire of Sorayda Pitts as a full-time administrative assistant in the Jefferson County Commission Office at a salary of \$35,000, effective May 23, 2022. Motion seconded and unanimously approved.**



**ADJOURN**

11. The Commission adjourned at 12:47 p.m. on a motion by Mr. Hudson. Motion was seconded and unanimously approved.

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Caleb Hudson, PRESIDENT

Respectfully submitted  
Jessica Carroll  
Executive Administrative Assistant