

Minutes

Jefferson County Commission

Thursday, May 21, 2022

A meeting of the Jefferson County Commission was held on Thursday, May 19, 2022 during the second quarterly session at 6:00 p.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 19, 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 May 5, 2022 Regular Meeting Minutes as amended. Motion seconded and unanimously approved with Commissioner Tabb abstaining.

APPROVAL OF PAYROLL

Motion by Mr. Hudson to approve the Payroll for May 12, 2022 in the amount of \$262,465.94. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the Pollworker Payroll for May 12, 2022 in the amount of \$48,982.72.

APPROVAL OF REQUISITIONS

Motion by Mr. Hudson to approve the Requisitions for May 21, 2022 in the amount of \$124,607.56. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#	VENDOR NAME	AMOUNT
86229	AMERIFLEX	120.80
86230	AT&T	143.94
86231	BUREAU OF CHILD SUPPORT	492.93
86232	CAPITAL ELECTRIC	1,241.29
86233	COMPTROLLER OF MARYLAND	495.71
86234	CORMAC QUINN	180.50
86235	EFTPS IRS TAXES	91,150.69
86236	EMPOWER RETIREMENT	5,862.26
86237	FIFTH THIRD BANK	70,577.62
86238	GLEN KILMER	306.36
86239	J.C. EHRLICH	49.00
86240	JACK JENSEN	180.50
86241	JEFFERSON SECURITY BANK	4,305.00
86242	JEFFERSON RENTAL	228.38
86243	KEITH JOHNSON	180.50
86244	KONE BROOKLYN	1,809.75
86245	LANGUAGE LINE SERVICES	133.61
86246	MAZZITTI & SULLIVAN EAP	936.00
86247	MICHELLE GORDON	6,300.00
86248	NAPA AUTO PARTS	365.61
86249	NATIONWIDE RETIREMENT SOLUTIONS	834.00
86250	PATRIOT FIRE AND SECURITY LLC	220.00
86251	POTOMAC EDISON	27,928.08
86252	RETIREE HEALTH BENEFIT TRUST	7,337.00
86253	RICE TIRES CO	730.13
86254	SAMANTHA COMBS	62.09
86255	SCPDC-SOUTH CENTRAL PLANNING & DEVELOPMENT COMM	2,174.39
86256	SEN COMMUNICATIONS LLC	844.00
86257	SOFTWARE SYSTEMS INC	1,008.00
86258	STATE TAX DEPARTMENT	150.00
86259	THE HARTFORD	2,317.75
86260	THOMAS HANSEN	180.55
86261	TRACY HERRON-RICE RPR	305.55

86262		TYLER PAYTON		180.55
86263		WV DEPUTY SHERIFF RETIREMENT SYSTEM		15,683.14
86264		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		9,245.93
86265		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		166.49
86266		WV REGIONAL JAIL & CORRECTION FACILITY AUTH		74,256.75
86267		XEROX CORPORATION		3,753.69
86268	FG/009	SHERIFF OF JEFFERSON CO		5,009.78
86269	BS/011	SHERIFF OF JEFFERSON CO		6,851.11
TOTAL				344,299.43

Motion by Mr. Hudson to approve the Accounts Payable for May 12, 2022 in the amount of \$344,299.43. Motion seconded and unanimously approved.

CHECK#		VENDOR NAME		AMOUNT
86271		ASBURY UNITED METHODIST CHURCH		\$ 100.00
86272		BETHEL METHODIST CHURCH		\$ 100.00
86273		BLUE RIDGE COMMUNITY CLUB		\$ 100.00
86274		BOLAND TRANE SERVICES INC		\$ 1,931.00
86275		CAMP HILL WESLEY UNITED		\$ 150.00
86276		CASTO & HARRIS INC		\$ 389.40
86277		CHARLES TOWN BAPTIST CHURCH		\$ 100.00
86278		CITIZEN FIRE CO		\$ 150.00
86279		CITY OF CHARLES TOWN		\$ 14.00
86280		COVENANT BAPTIST CHURCH		\$ 100.00
86281		CROSSPOINT CHURCH		\$ 200.00
86282		DALE GOTTSCHALK		\$ 20.11
86283		ESS ELECTION SYSTEMS & SOFTWARE		\$ 1,485.64
86284		FEDEX		\$ 133.47
86285		FELLOWSHIP BIBLE CHURCH		\$ 100.00
86286		FIRST BAPTIST CHURCH		\$ 200.00
86287		GUTTMAN OIL CO		\$ 5,717.03
86288		J.C. EHRLICH		\$ 226.00
86289		JAMIN BRANCH		\$ 1,112.00
86290		JEFFERSON COUNTY COUNCIL ON AGING		\$ 100.00
86291		JENNIFER HOWARD		\$ 875.00
86292		JOSEPH MURPHY		\$ 467.77
86293		KEITH JOHNSON		\$ 35.96
86294		KELSEY STIPANOVIC		\$ 1,230.28
86295		LEETOWN METHODIST CHURCH		\$ 100.00

86296		MARK RENNER		\$ 156.92
86297		OAKLAND METHODIST CHURCH		\$ 100.00
86298		R.E. MICHEL CO. LLC		\$ 280.90
86299		RONALD DANTZIC		\$ 84.87
86300		RUSSELL BURGESS		\$ 3,058.84
86301		SHERWIN-WILLIAMS		\$ 134.09
86302		ST JAMES CATHOLIC CHURCH		\$ 100.00
86303		SUMMIT PT BAPTIST CHURCH		\$ 100.00
86304		TRINITY EPISCOPAL CHURCH		\$ 100.00
86305		US POSTAL SERVICE		\$ 20,000.00
86306		XEROX CORPORATION		\$ 847.77
86307	GS/004	GENERAL CO FUND - GENERAL SCHOOL		\$ 19,479.28
TOTAL				\$ 59,580.33

Motion by Mr. Hudson to approve the Accounts Payable for May 19, 2022 in the amount of \$59,580.33. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
793	HD/8	ATTENTI		\$ 3,280.00
794	HD/8	FIFTH THIRD BANK		\$ 90.92
795	HD/8	SHERIFF OF JEFFERSON CO		\$ 2,657.03
979	AV/56	SEGRA		\$ 622.27
977	AV/56	JUSTTECH		\$ 331.24
976	AV/56	FIFTH THIRD BANK		\$ 308.35
978	AV/56	MARSHALL & SWIFT		\$ 2,084.15
349	FP/57	JEFFERSON CO FARMLAND PROT.		\$ 125,840.68
1774	CO/246	CAPITAL LIGHTING		\$ 628.51
1775	CO/246	FIFTH THIRD BANK		\$ 6,688.00
TOTAL				142,531.15

Motion by Mr. Hudson to approve the Manual Checks for May 13, 2022 in the amount of \$142,531.15. Motion seconded and unanimously approved.

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
550	CS/2	EASTRIDGE HEALTH SYSTEM		\$ 2,600.00
796	HD/8	ENVIVO HEALTH LLC		944
980	AV/56	MILLERS SUPPLIES AT WORK		\$ 1,533.00
1337	IP/249	SHERIFF JEFFERSON CO -SCHOOL		\$ 58.00
1338	IP/249	SHERIFF JEFFERSON CO - LAW		\$ 18,598.94
1339	IP/249	SHERIFF JEFFERSON CO - PARKS		\$ 54,908.63
1340	IP/249	SHERIFF JEFFERSON CO - EMS		\$ 5,804.24
1341	IP/249	SHERIFF JEFFERSON CO - ADMIN		\$ 2,553.82
TOTAL				\$ 87,000.63

Motion by Mr. Hudson to approve the Manual Checks for May 20, 2022 in the amount of \$87,000.63. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public comment was provided by the following: David Tabb, Edward Hannon, Ross Morgan, Justin Morgan, and Stacy Tabb.

PRESENTATIONS

1. Angela Banks, Assessor – requested approval of a change in employment status for Assessor’s Office employee.
 - **Motion by Mr. Stolipher to approve the change of employment from part-time to full-time for Robin Gaynor at a salary of \$43,680.00.**

2. Jacqueline Shadle, County Clerk – requested approval of employment for vacant assistant clerk position
 - **Motion by Mr. Stolipher to approve the hire of Kaitlin Hoffman as a full-time deputy clerk for the County Clerk’s Office at a salary of \$29,000.00, effective May 23, 2022. Motion seconded and unanimously approved.**

3. Tom Hansen, Sheriff
 - a. Ambulance Fee Employee Transfer
 - **Motion by Mr. Stolipher to approve the transfer of Emma Brown from the Sheriff’s Office to the Sheriff’s Tax Office as an ambulance fee clerk at a**

salary of \$35,000.00, effective immediately. Motion seconded and passes on a vote of 4-1 with Commissioner Hudson opposing.

- b. Ambulance Fee Second Position – this request was not fulfilled by the Commission.
- c. Ambulance Fee Software – this request was not fulfilled by the Commission.
- d. Administrative Assistant Hire
 - **Motion by Mr. Stolipher to approve the advertisement of an administrative assistant for the Sheriff’s office at a Grade II. Motion seconded and passes on a vote of 4-1 with Commissioner Hudson opposing.**
4. Bob Burner, Director, Jefferson County Emergency Service Agency – requested the approval of a Proclamation for EMS Week – May 15-21, 2022.
 - **Motion by Mr. Stolipher to approve the Proclamation for EMS Week for May 15-21, 2022. Motion seconded and unanimously approved.**
5. Andrew Rosen, Jefferson County Information Technology – requested the approval of the Homeland Security Grant Program (HSGP) award of \$9,485 for the purchase of Solarwinds Network Configuration Manager.
 - **Motion by Ms. Tabb to approve the Homeland Security Grant Program award of \$9,485.00 for the purchase of Solarwinds Network Configuration Manager Software and for the Commission President to sign all necessary paperwork and documentation. Motion seconded and unanimously approved.**
6. Roger Goodwin, Chief County Engineer, Jefferson County Engineering, Planning & Zoning
 - a. Approval to advertise to fill Building Inspector position
 - **Motion by Mr. Stolipher to approve the advertisement of the Building Inspector position within the Jefferson County office of Engineering, Planning, and Zoning at a not-to-exceed salary of \$45,000. Motion seconded and unanimously approved.**
 - b. Approval to advertise to fill the County Planner position
 - **Motion by Mr. Stolipher to approve the advertisement of the County Planner position within the Jefferson County Office of Engineering, Planning &**

Zoning at a not-to-exceed salary of \$60,000. Motion seconded and unanimously approved.

- c. Request approval to implement Deputy Director position
 - **Motion by Mr. Stolipher to approve the promotion of Alexandra Beaulieu, Zoning Administrator, to the position of Deputy Director of the Department of Engineering, Planning & Zoning at a salary of \$71,000, effective July 1, 2022. Motion seconded and unanimously approved.**
7. Michelle Gordon, Finance Director
 - a. Review and approval of WVCORP Insurance Renewal for FY2023.
 - **Motion by Ms. Tabb to accept the FY23 Risk and Worker's Compensation plan renewal from WVCorp Risk Pool. Motion seconded and unanimously approved.**
 - b. Review and Discussion of FY23 Merit/COLA
 - **Motion by Ms. Tabb to amend the FY23 COLA/Merit using option D at a cost of \$157,949. Motion seconded and unanimously approved.**
8. Nathan Cochran, Assistant Prosecuting Attorney
 - a. Discussion of legal issues regarding proposed solar text amendment including review of the potential recommended solar text amendment regarding solar energy facilities and related matters, and discussion of 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 Ms. Jackson to schedule a public hearing regarding the proposed solar facilities text amendment (File #ZTA22-01) to the Jefferson County Zoning and Land Development Ordinance on Thursday, June 9, 2022 at 9:30 am. Motion seconded and passes on a vote of 4-0 with Commissioner Stolipher abstaining.**

- **Motion by Ms. Tabb to enter into Executive Session to receive legal advice on item B under Mr. Cochran’s agenda items; discuss potential liability issues concerning ambulance services; and to discuss personnel matters related to the County Administrator reports. Motion seconded and unanimously approved.**
- **Motion by Mr. Hudson to come back into regular session. Motion seconded and unanimously approved.**

OLD BUSINESS

9. Discussion and possible action concerning a Tobacco Free Parks policy.

- **Motion by Mr. Stolipher to accept and approve the Tobacco Free Parks Policy 002 for Jefferson County Parks and Recreation as presented. Motion seconded and unanimously approved.**

10. 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 Mr. Stolipher to direct County Administrator John Nissel to develop a plan to create a County Ambulance Service, and authorize him to tak the following actions, subject to Commission approval: develop an organizational structure for the County Ambulance Service; consult with a;; necessary experts, advisors, and contractors to assist with the creation and operation of the service; secure all necessary licenses, certifications, permits, and approvals to accomplish the Commission’s directive to create a County Ambulance Service; propose a final number of ambulances that are required to provide service to the citizens of Jefferson County; negotiate purchases of ambulances and obtain the facilities that are necessary to house and operate the ambulances; and to report to the Commission on progress and seek further authorization as necessary. Motion seconded and unanimously approved.**

NEW BUSINESS

11. Certification of 2022 Primary Election results

- **Motion by Ms. Tabb to convene as Board of Canvassers. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to accept and certify the local 2022 Primary Election Results. Motion seconded and unanimously approved.**

- **Motion by Mr. Hudson to adjourn as a Board of Canvassers and reconvene in regular session. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

- Approval of Hire – Finance Director
 - **Motion by Mr. Stolipher to reinstate Michelle Gordon as the Jefferson County Director of Financial Management at a salary of \$104,000 with two weeks vacation added on the effective date of May 23, 2022; with Ms. Gordon’s anniversary date to revert to September 22 per her original hire date in 2015; that Ms. Gordon’s sick leave bank of 654 hours be restore; and that Ms. Gordon’s leave accrual rate be based on her original hire date of September 22, 2015. Motion seconded and passes on a vote of 4-1 with Commissioner Jackson opposing.**
- Reinstatement of Accrual Rate & Sick Leave for Executive Assistant
 - **Motion by Ms. Tabb to reinstate Jessica Carroll’s vacation accrual rate of 12 hours per month and restore her sick leave balance of 366.5 hours. Motion seconded and unanimously approved.**

ADJOURN

12. The Commission adjourned at 1:17 p.m. on a motion by Mr. Hudson. Motion was seconded and unanimously approved.

Caleb Hudson, PRESIDENT

Respectfully submitted
Jessica Carroll
Executive Administrative Assistant