

Minutes
Jefferson County Commission
Thursday, June 2, 2022

A meeting of the Jefferson County Commission was held on Thursday, June 2, 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, June 2, 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 16, 2022 Primary Election Canvass Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the May 21, 2022 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the May 26, 2022 Primary Election Certification Minutes as presented. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Hudson to approve the Payroll for May 26, 2022 in the amount of \$265,920.46. Motion seconded and unanimously approved.

APPROVAL OF REQUISITIONS

Motion by Mr. Hudson to approve the Requisitions for June 2, 2022 in the amount of \$29,986.64. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#		VENDOR NAME		AMOUNT
86309		BUREAU OF CHILD SUPPORT		\$ 492.93
86310		COMPTROLLER OF MARYLAND		\$ 562.88
86311		DELTA DENTAL OF WV		\$ 6,104.13
86312		DR. ROBERT E. JONES III		\$ 1,000.00
86313		EFTPS IRS TAXES		\$ 92,963.15
86314		EMPOWER RETIREMENT		\$ 5,856.45
86315		GUTTMAN OIL CO		\$ 4,619.38
86316		HEATHER KETCHENS		\$ 214.93
86317		JEFFERSON SECURITY BANK		\$ 4,305.00
86318		MILLENIUM INSURANCE GROUP		\$ 250.00
86319		NATIONWIDE RETIREMENT SOLUTIONS		\$ 834.00
86320		STATE TAX DEPARTMENT		\$ 150.00
86321		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 16,527.19
86322		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 28,518.36
86323		WV STATE TAX DEPARTMENT		\$ 33,600.50
86324	FG/009	SHERIFF OF JEFFERSON CO		\$ 5,050.01
86325	BS/011	SHERIFF OF JEFFERSON CO		\$ 7,541.91
TOTAL				\$ 208,590.82

Motion by Mr. Hudson to approve the Accounts Payable for May 26, 2022 in the amount of \$ 208,590.82. Motion seconded and unanimously approved.

CHECK#		VENDOR NAME		AMOUNT
86326		AHA-ARTS & HUMANITIES ALLIANCE		\$ 1,052.72
86327		ALICE N PAINTER		\$ 82.00
86328		AMERICAN FAMILY LIFE INSURANCE COMPANY ICU		\$ 2,450.34
86329		BESSIE NELSON		\$ 82.00
86330		CENTRAL ELEVATOR INSPECTION SERVICES LLC		\$ 800.00

86331		CLAYTON DEHAVEN		\$	318.50
86332		COLONIAL LIFE		\$	95.68
86333		DODSON SEPTIC SERVICE LLC		\$	285.00
86334		DONNA MASON		\$	1,454.77
86335		ED HANNON		\$	14.40
86336		FEDEX		\$	54.45
86337		GUTTMAN OIL CO		\$	11,444.83
86338		HIGHMARK WV		\$	195,194.70
86339		HIRERIGHT		\$	71.13
86340		JACQUELINE SHADLE		\$	82.00
86341		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION		\$	1,558.81
86342		JEFFERSON CO CONVENTION AND VISITORS BUREAU		\$	26,317.88
86343		JEFF CO PARKS & RECREATION COMMISSION		\$	23,706.35
86344		JENNIFER HOWARD		\$	125.00
86345		JOSEPH GRANTHAM		\$	15.96
86346		KATRINA CLARK		\$	82.00
86347		MILLERS SUPPLIES AT WORK		\$	613.00
86348		NATIONAL VISION ADMIN.		\$	1,707.50
86349		OLD CHARLES TOWN LIBRARY		\$	1,500.00
86350		PANSCH INVESTIGATIONS LLC		\$	1,650.00
86351		PERRY & ASSOCIATES CPA'S		\$	32,500.00
86352		POTOMAC EDISON		\$	3,495.27
86353		R.E. MICHEL CO. LLC		\$	1,004.40
86354		REBECCA CHALK		\$	3,250.00
86355		RONALD DANTZIC		\$	40.95
86356		SHERIFF OF JEFFERSON COUNTY		\$	35,400.00
86357		SOFTWARE SYSTEMS INC		\$	22,904.82
86358		VICTOR C LUPIS III		\$	788.73
86359		WV DIVISION OF LABOR		\$	180.00
86360		WV STATE AUDITOR		\$	2,600.00
86361		XEROX CORPORATION		\$	203.87
TOTAL					\$373,127.06

Motion by Mr. Hudson to approve the Accounts Payable for June 2, 2022 in the amount of \$373,127.06. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
313	DK/O3	SHERIFF OF JEFFERSON CO		\$ 34.23
797	HD/8	SHERIFF OF JEFFERSON CO		\$ 2,676.62
932	CW/O59	TAILORING BY TERESA		\$ 150.00
TOTAL				\$ 2,860.85

Motion by Mr. Hudson to approve the Manual Checks for May 27, 2022 in the amount of \$ 2,860.85. Motion seconded and unanimously approved.

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
981	AV/56	MILLERS SUPPLIES AT WORK		\$ 1,308.00
982	AV/56	PRINT-O-STAT		\$ 190.00
1776	CO/246	CROSWELL CHEVROLET		\$25,391.00
934	CW/O59	WV STATE AUDITORU		\$ 1,390.00
933	CW/O59	WV STATE POLICE		\$ 15.00
390	WV369	WVDSRF		\$ 565.00
TOTAL				\$28,859.00

Motion by Mr. Hudson to approve the Manual Checks for June 3, 2022 in the amount of \$ 28,859.00. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public comment was provided by the following: Marc Petitpierre, David Taft, William Dixon, Irene Sanders, Scott Faulkner, David Tabb, Lori Potteiger, Christine Marshall, and Linda Them-Smith.

PRESENTATIONS

1. Tom Hansen, Sheriff- requested approval of a new tax office hire.
 - **Motion by Mr. Stolipher to approve the hire of Urviben Patel as a deputy tax officer in the Sheriff's Tax Office at a salary of \$33,000.00, effective July 5th, 2022 . Motion seconded and unanimously approved**
2. Mark Dyck, Integrity Engineering— requested a rezoning of the SPARC Campus
 - **Motion by Mr. Stolipher to accept the zoning map amendment request, refer to the Planning Commission for review of Comprehensive Plan consistency and to schedule a public hearing on July 21, 2022 before the County Commission. Motion seconded and unanimously approved.**
3. Robert M. Trainor, Mayor, and Todd Wilt, Operations Manager, City of Charles Town - requested an annexation without petition of property from the County into the City.
 - **Motion by Mr. Stolipher that the proposed Order Approving and Confirming the Annexation to the City of Charles Town a parcel of real estate containing 0.39 acres, more particularly described as the Subject Property in the municipal corporation's Certificate dated May 20, 2022, presently located in the Charles Town District, Jefferson County, West Virginia, and owned by Vertias Properties LLC as provide in WV Code 8-6-4 and 8-6-4a (Annexation Without an Election). Motion seconded and unanimously approved.**
4. Mayoral Representation— requested maps be created by the County to provide to fireworks retailers for the benefit of the public to show areas within the County where fireworks can be detonated.
 - **Motion by Mr. Stolipher to request the Jefferson County GIS Department create a map to show where fireworks can be ignited within the county and provide copies to fireworks retailers to display and/or provide at their discretion. Motion seconded and unanimously approved.**
5. Martin Burke, Chair, Jefferson County Historic Landmarks Commission- requested funds to repaint exterior of Peter Burr House.
 - **Motion by Mr. Stolipher to provide \$5,059.69 from the Coal Severance Fund account be transferred to the Jefferson County Historic Landmarks Commission for B&M Painting to repaint the exterior of the Peter Burr House. Motion seconded and unanimously approved.**

6. *Emily Morrow, WVU Extension - requested approval to move Secretary position from 70 HR to 80 HR pay schedule*
 - **Motion by Mr. Stolipher to approve the reclassification of Extension Office employee Amanda Masters to an 80 hr pay schedule, totaling an increase of \$5,054.00, effective July 1, 2022. Motion seconded and unanimously approved.**

7. *Dennis Jarvis, Director, Jefferson County Development Authority - requested approval to advertise for the Agricultural Development Coordinator.*
 - **Motion by Mr. Stolipher to approve the advertisement of the Agricultural Development Coordinator position for the Jefferson County Development Authority. Motion seconded and unanimously approved.**

8. *Lynn Fields, Probate Office - request to petition in Solemn Form*
 - **Motion by Mr. Hudson to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
 - **Motion by Mrs. Tabb to allow the executors of the Estate of Terry Grant to probate in Solemn Form. 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.**

9. *Russell Burgess, Director, Jefferson County Information Technology*
 - a. *Bardane Data Center Refresh/Upgrade*
 - **Motion by Mr. Stolipher to approve the purchase of the related components to refresh/upgrade the Bardane Data Center in the amount of \$238,338.53 from the Capital Outlay Fund in FY2023. Motion seconded and unanimously approved.**
 - b. *Request for Proposal - Multi-functional Digital Copier/Printer/Scanner/Fax to be released for replacement of current Jefferson County Commission equipment*
 - **Motion by Mrs. Tabb to approve the release of the Request for Proposal to the general public as of today's date to obtain proposals for the replacement of said equipment detailed in the Request for Proposal. Motion seconded and unanimously approved.**

- c. Fire Departments Response Plan Programming – this item was informational as the County Commission had formerly approved the expenditures for the Response Plan Programming during the FY23 budget sessions.
10. Laura Kuhn, Director, Fleet & Facilities Management - requested approve to advertise to fill Auto Shop Helper position
- **Motion by Mr. Stolipher to approve the advertising to fill the new position of Auto Shop Helper at a Grade 4, 80-hour starting salary of \$38,127. Motion seconded and unanimously approved.**
11. Steve Allen, Director, Jefferson County Homeland Security and Emergency Management – requested approval of the Jefferson County Program for Public Information, a part of the Community Rating System (CRS) activities for Jefferson County, WV.
- **Motion by Mrs. Tabb to approve the Jefferson County Program for Public Information (PPI), a part of the Community Rating System (CRS) activities for Jefferson County, WV. Motion seconded and unanimously approved.**
12. **Michelle Gordon, Finance Director**
- a. Review of Budget to Actual as of 4/30/22
 - b. Review and Approval of FY2022 State Budget Revision 6 for the General Fund.
 - **Motion by Mrs. Tabb to accept FY22 State Budget Revision 6 for the General Fund. Motion seconded and unanimously approved.**
 - c. Review and Approval of FY2022 State Budget Revision 4 for the Coal Severance Fund.
 - **Motion by Mrs. Tabb to accept FY22 State Budget Revision 6 for the General Fund. Motion seconded and unanimously approved.**
 - d. Review and Approval of State Budget Revision 5 for the Coal Severance Fund
 - **Motion by Ms. Tabb to accept FY22 State Budget Revision 5 for the Coal Severance Fund. Motion seconded and unanimously approved.**
 - e. WVACO - Spring Board Meeting Reception Hospitality Request
 - **Motion by Mr. Stolipher to approve hospitality services for the WVACO Spring Board Meeting Reception up to the amount of \$2,500. Motion seconded and unanimously approved.**

13. Nathan Cochran, Assistant Prosecuting Attorney

- a. Discussion of legal issues regarding proposed solar text amendment including amendment text, bonding, Comprehensive Plan and related matters and discussion of public hearing on proposed text amendment 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. Discussion of Jefferson County Circuit Court Civil Action No. CC-19-2021-C-109.
 - 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. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170).
- **Motion by Ms. Tabb to enter into Executive Session to receive legal advice concerning item 13a; discuss contractual matters concerning item 13c; and discuss issues of liability concerning the Fitch Report and county EMS services. 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.**

OLD BUSINESS

14. Discussion of Fitch Report and potential action regarding composition, organization, and structure of county EMS services and the Jefferson County Emergency Services Agency, including the utilization, scheduling, and compensation of employees, the utilization of volunteers, acquisition and distribution of ambulance resources, acquisition and distribution of ambulance resources, implementation of Fitch recommendations and review and implementation of issues related to the Commission's approved motion in its May 19, 2022 meeting to develop a potential plan to create a County Ambulance Services.

ADJOURN

15. The Commission adjourned at 12:48 p.m. on a motion by Mr. Hudson. Motion was seconded and unanimously approved.

Caleb Hudson, PRESIDENT

Respectfully submitted
Sorayda Pitts
Administrative Assistant