

Minutes

Jefferson County Commission

Thursday, September 01, 2022

A meeting of the Jefferson County Commission was held on Thursday, September 01, 2022 during the third quarterly session at 9:30a.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, Michelle Gordon, Finance Director, Sorayda Pitts, Administrative Assistant and Jessica James, Assistant Deputy County Administrator (The archived meeting of the Thursday, September 01, 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 August 18, 2022 regular Meeting Minutes as presented. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Hudson to approve the Payroll for August 19, 2022 in the amount of **\$290,075.31** Motion seconded and unanimously approved.

APPROVAL OF REQUISITIONS

Motion by Mr. Hudson to approve the Requisitions for September 01, 2022 in the amount of **\$22,331.00** Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#		VENDOR NAME		AMOUNT
86771		AHA-ARTS & HUMANITIES ALLIANCE		1,825.08
86772		BRIAN LONG		22.51
86773		DOING BETTER BUSINES		929.87
86774		DR. ROBERT E. JONES III		1,000.00
86775		FEDEX		118.47
86776		GUTTMAN OIL CO		9,869.08
86777		HIRERIGHT		165.90
86778		J.C. EHRLICH		806.04
86779		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION		2,702.48
86780		JEFFERSON CO CONVENTION AND VISITORS BUREAU		45,626.93
86781		JEFF CO PARKS & RECREATION COMMISSION		41,099.37
86782		JEFFERSON CENTER		100.00
86783		JEFFERSON RENTAL		3,656.67
86784		MICHAEL MONAGHAN		3,106.66
86785		MILLERS SUPPLIES AT WORK		566.50
86786		PETER H. LORENZEN P.S.		600.00
86787		PSYCHOLOGICAL CONSULTING INC		200.00
86788		R.E. MICHEL CO. LLC		112.47
86789		RICE TIRES CO		1,543.12
86790		SPIRIT OF JEFFERSON		115.14
86791		TEK ADVISORS LLC		1,646.28
86792		WV EMERGENCY MANAGMENT COUNCIL		125.00
86793		WV TREASURY		4,800.00
86794		XEROX FINANCIAL SERVICES		249.81
TOTAL				120,987.38

Motion by Mr. Hudson to approve the Accounts Payable for August 25, 2022 in the amount of \$120,987.38 Motion seconded and unanimously approved.

CHECK#		VENDOR NAME		AMOUNT
86796		AMERICAN FAMILY LIFE INSURANCE COMPANY ICU		\$ 2,413.98
86797		BUREAU OF CHILD SUPPORT		\$ 373.39
86798		COLONIAL LIFE		\$ 95.68
86799		COMPTROLLER OF MARYLAND		\$ 778.08
86800		CYNTHIA DANNER		\$ 2,111.14
86801		EFTPS IRS TAXES		\$ 102,529.44

86802		EMPOWER RETIREMENT		\$ 5,871.37
86803		HIGHMARK WV		\$ 191,631.80
86804		JEFFERSON SECURITY BANK		\$ 4,210.00
86805		LORI BROWN		\$ 6,500.00
86806		MARY K. HURLEY		\$ 225.00
86807		MATTHEW BENDER		\$ 113.43
86808		MILLENIUM INSURANCE GROUP		\$ 900.00
86809		NATIONAL VISION ADMIN.		\$ 1,664.44
86810		NATIONWIDE RETIREMENT SOLUTIONS		\$ 834.00
86811		OLD CHARLES TOWN LIBRARY		\$ 1,500.00
86812		SPIRIT OF JEFFERSON		\$ 158.52
86813		STATE TAX DEPARTMENT		\$ 150.00
86814		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 20,152.23
86815		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 44,749.53
86816		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 166.49
86817		XEROX CORPORATION		\$ 410.00
86818	FG/009	SHERIFF OF JEFFERSON CO		\$ 5,063.69
86819	BS/011	SHERIFF OF JEFFERSON CO		\$ 7,134.65
86820	AM/053	SHERIFF OF JEFFERSON CO		\$ 1,630.82
TOTAL				\$ 401,367.68

Motion by Mr. Hudson to approve the Accounts Payable for September 01, 2022 in the amount of \$401,367.68. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

26-Aug-22				
MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
1000	AV/O56	CARLSON SOFTWARE INC		\$ 195.00
1001	AV/O56	PRINT-O-STAT		\$ 190.00
1002	AV/O56	THE JOURNAL		\$ 1,404.00
122	AR/207	CITIZENS VOL FIRE CO		\$ 643,544.00
123	AR/207	SHEPHERDSTOWN FIRE CO		\$ 230,000.00
TOTAL				1,013,142.03

Motion by Mr. Hudson to approve the Manual Checks for August 26, 2022 in the amount of \$1,013,142.03. Motion seconded and unanimously approved.

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
810	HD/8	SHERIFF OF JEFFERSON CO		\$ 2,592.14
1003	AV/56	AWVA ASSOC. OF WV ASSESSORS		\$ 75.00
125	AR/207	SHERIFF OF JEFFERSON CO		\$ 5,605.71
124	AR/207	ATLANTIC EMERGENCY SOLT.		\$ 21,216.00
1787	CO/246	JEFFERSON RENTAL		3656.67
TOTAL				\$ 33,145.52

Motion by Mr. Hudson to approve the Manual Checks for September 02, 2022 in the amount of \$33,145.52. Motion seconded and unanimously approved.

PUBLIC COMMENT : Jacquelyn Milliron, David Tabb and Stacy Tabb.

PRESENTATIONS

1. Debbie Lowe-Sheriff's Office- Requested approval to renew the Governor's Highway Safety Program Grant.
 - **Motion by Mr. Stolipher to approve the application for the Governor's Highway Safety Grant, and authorize the Commission President to sign the grant documents and approve the resolution. Motion seconded and unanimously approved.**

2. Roger Goodwin- Chief County Engineer- Requested Residential, Commercial and Solar Farm/Facilities-Building Permit Fees.
 - **Motion by Mrs. Tabb to accept the Residential, Commercial and Solar/Facilities building permits fees as recommended with the understanding the fee will be reviewed in a year. Motion seconded and unanimously approved.**

3. Lynn Fields-Probate Office

- **Motion by Mr. Hudson to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**

a. Closure of the Estates of Lindsay Hurst, III and Patsy Ann Hurst

- **Motion by Mr. Stolipher to authorize the closing of the Estates of Lindsay R. Hurts, III and Patsy Ann Hurts. Motion seconded and unanimously approved.**

b. Petition to Remove Executor Edward Wise from the Estate of Irma Jean Wise, decease.

- **Motion by Mr. Stolipher to authorize the appointment of Fiduciary Commissioner for the Estate of Irma Jean Wise. Motion seconded and unanimously approved.**

c. Request to Appoint Fiduciary Commissioner for the Estate of Larry K. Crouse, Sr.

- **Motion by Mr. Stolipher to authorize the appointment of a fiduciary commissioner to oversee the administration of the estate of Larry K. Crouse, Sr. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to reconvene as a County Commission. Motion seconded and unanimously approved.**

4. Interviews and Appointments to the following:

a. Jefferson County Farmland Protection Board- Two four year terms ending September 07, 2026. –One representing the public (non-farmer) and the other representing the Conservation District.

- **Motion by Mrs. Tabb to appoint Erik Barrett to the Jefferson County Farmland Protection Board as a representative to the public for a four-year term ending on September 07, 2026. Motion seconded and unanimously approved.**
- **Motion by Mrs. Tabb to appoint Neil Banks to the Jefferson County Farmland Protection Board as a representative to the conservation district for a four-year term ending on September 07, 2026. Motion seconded ff unanimously approved.**

b. Jefferson County Development Authority Board of Directors- for one unexpired term for Citizen Representative ending April 05, 2024.

- **Motion by Mr. Stolipher to appoint Chris Puller to the Jefferson County Development Authority Board of Directors to a one unexpired term for citizen representative ending April 05, 2024. Motion seconded and unanimously approved.**

5. Elizabeth Wheeler-Director- Requested approval of purchase of two agricultural conservation easements.

- **Motion by Mr. Stolipher to authorize the purchase by the Jefferson County Farmland Protection Board for the Jefferson County Farmland Protection program one conservation easement on the property in Jefferson County own by Brown Family Trust-2019 (Property 2019-01). Motion seconded and unanimously approved.**

- **Motion by Mr. Stolipher to authorize the purchase by the Jefferson County Farmland Protection Board for the Jefferson County Farmland Protection program one conservation easement on the property in Jefferson County own by John C. Hendricks (Property 2020-3). Motion seconded and unanimously approved.**

6. Kat Hagedorn- Director Family Resource Network of the Panhandle- Requested time to invite the commission to attend a series of meeting that will be held by the Health and Human Services Collaborative and the Eastern Panhandle United Way on the housing crisis facing the tri-country area.

7. Laurel Ziemianski- Hill Top House Hotel- Requested a special meeting to conduct a Hill Top Hotel TIF Workshp – it was the consensus of the Commission to schedule a special session regarding the Hilltop House Hotel TIF workshop, with date and time to be determined.

8. Michelle Gordon- Finance Director- Requested consideration of a probationary increase for County Administrator – no action was taken on this request.

9. Nathan Cochran- Assistant prosecuting attorney-

- a. Discussion of legal issues and potential action regarding proposed Solar Text Amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA22-01, including bonding, comprehensive plan, and related matters. Discussion of public hearing on proposed text amendment, review and consideration of amendment text, adoption of amendment and/or modification of amendment text and/or Planning Commission review and associated fees. 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, Jefferson County Circuit Court Civil Action No. 2022-C-81, and WV Supreme Court No.'s 21-0727, 21-0728, and 21- 0731.
- b. Discussion of Jefferson County Circuit Court Civil Action No. 22-C-85.
- c. Discussion of Jefferson County Circuit Court Civil Action No. 22-C-48.
- d. Discussion of W.Va. Human Rights Comm. Case No. EREP-49-21.
- e. Consider matters involving or affecting the construction, planning, or purchase, sale, or lease of property.
- f. 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 Mrs. Tabb to enter into Executive Session to receive legal advice and status updates on items 9a & 9d. 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

10. Discussion of permitting and approvals by the West Virginia Fire Marshall/Fire Commission and West Virginia Office of Emergency Medical Services – no updates provided.

AFTERNOON SESSION

11. 1:00 p.m. ARPA Presentation and Discussions

The Commission adjourned at **11:06am** on a motion by Mr. Hudson. Motion was seconded and unanimously approved.

Caleb Hudson, PRESIDENT

Respectfully submitted
Sorayda Pitts
Administrative Assistant