

Minutes

Jefferson County Commission

Thursday, December 01, 2022

A meeting of the Jefferson County Commission was held on Thursday, December 01, 2022 during the third 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, Cindy Rezmer, Deputy County Administrator, Jackie Shadle, County Clerk and Sorayda Pitts, Administrative Assistant (The archived meeting of the Thursday, November 03, 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 October 19, 2022 ARPA Meeting Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the November 14, 2022 General Election Canvas Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the November 17, 2022 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the November 22, 2022 Special Session Meeting Minutes as presented. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Hudson to approve the Poll-Worker Payroll for November 17, 2022 in the amount of \$48,857.12 Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the Payroll for November 25, 2022 in the amount of \$291,646.09 Motion seconded and unanimously approved.

APPROVAL OF REQUISITIONS

Motion by Mr. Hudson to approve the Requisitions for December 01, 2022 in the amount of \$244,809.86.
Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#		VENDOR NAME		AMOUNT
87176		ADAM WARD		\$ 162.00
87177		BUREAU OF CHILD SUPPORT		\$ 373.39
87178		COMPTROLLER OF MARYLAND		\$ 555.82
87179		DARYLL WIMER		\$ 11.95
87180		DAVID BOOBER		\$ 602.80
87181		DAVID WAMPLER		\$ 23.83
87182		DONNA MASON		\$ 315.00
87183		DUANE DUNN		\$ 315.00
87184		EFTPS IRS TAXES		\$ 101,367.42
87185		EMPOWER RETIREMENT		\$ 6,021.09
87186		EQUIPMENT SPECIALISTS		\$ 7,505.00
87187		ETHAN NORTHCRAFT		\$ 15.87
87188		FASTSIGNS		\$ 148.25
87189		FEDEX		\$ 85.67
87190		GREG JONES		\$ 162.00
87191		GUTTMAN OIL CO		\$ 3,547.46
87192		HIRERIGHT		\$ 21.25
87193		JACQUELINE SHADLE		\$ 112.00
87194		JEFFERSON SECURITY BANK		\$ 4,550.00
87195		JOHN P JONES		\$ 22.87
87196		JUSTTECH LLC		\$ 168.80
87197		MADDY STEPHENSON		\$ 315.00
87198		MARION A. HAZEL		\$ 415.46
87199		MARY K THOMPSON		\$ 3,250.00
87200		MATTHEW BENDER		\$ 737.89
87201		MILLENIUM INSURANCE GROUP		\$ 900.00
87202		MORGAN NICK		\$ 162.00
87203		NATHAN COCHRAN		\$ 162.00
87204		NATIONWIDE RETIREMENT SOLUTIONS		\$ 834.00
87205		RONALD DANTZIC		\$ 54.22
87206		SEN COMMUNICATIONS LLC		\$ 170.90
87207		SHENTEL		\$ 1,805.00
87208		SOFTWARE SYSTEMS INC		\$ 1,192.02
87209		STATE TAX DEPARTMENT		\$ 150.00
87210		STEPHEN V GROH		\$ 162.00
87211		TEK ADVISORS LLC		\$ 4,200.00
87212		WENDY SCHUTZ		\$ 315.00

87213		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$ 18,424.13
87214		WV EMERGENCY MEDICAL SERVICES RETIREMENT SYSTEM	\$ 352.95
87215		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 45,889.60
87216		WV STATE TAX DEPARTMENT	\$ 35,172.82
87217		XEROX CORPORATION	\$ 2,319.38
87218	FG/009	SHERIFF OF JEFFERSON CO	\$ 4,334.86
87219	BS/011	SHERIFF OF JEFFERSON CO	\$ 8,194.94
87220	AM/053	SHERIFF OF JEFFERSON CO	\$ 1,618.11
TOTAL			\$ 257,219.75

- **Motion by Mr. Hudson to approve the Accounts Payable for November 23, 2022 in the amount of \$257,219.75. Motion seconded and unanimously approved.**

CHECK#		VENDOR NAME	AMOUNT
87221		AHA-ARTS & HUMANITIES ALLIANCE	\$ 1,253.77
87222		CARLOS FONSECA	\$ 116.02
87223		DELTA DENTAL OF WV	\$ 6,080.38
87224		DOING BETTER BUSINES	\$ 825.84
87225		DR. ROBERT E. JONES III	\$ 1,000.00
87226		FEDEX	\$ 54.08
87227		GUTTMAN OIL CO	\$ 4,355.87
87228		HIGHMARK WV	\$ 186,729.59
87229		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	\$ 1,856.52
87230		JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$ 31,344.30
87231		JEFF CO PARKS & RECREATION COMMISSION	\$ 28,234.00
87232		JENNIFER KROUSE	\$ 55.11
87233		JENNIFER KROUSE	\$ 486.02
87234		JENNIFER KROUSE	\$ 112.00
87235		LANGUAGE LINE SERVICES	\$ 176.15
87236		NATIONAL VISION ADMIN.	\$ 1,679.67
87237		OLD CHARLES TOWN LIBRARY	\$ 1,500.00
87238		SPIRIT OF JEFFERSON	\$ 65.46
87239		WILLIAM WILHELM	\$ 3,250.00
87240	AM/O53	PANHANDLE PRINTING & DESIGNED	\$ 6,429.15
TOTAL			\$ 275,603.93

- **Motion by Mr. Hudson to approve the Accounts Payable for December 01, 2022 in the amount of \$275,603.93. Motion seconded and unanimously approved.**

APPROVAL OF MANUAL CHECKS

OTHER FUNDS				
Check#	Fund	VENDOR		Amount
319	DK/O3	SHERIFF OF JEFFERSON CO		\$ 234.70
824	HD/8	SHERIFF OF JEFFERSON CO		\$ 1,277.32
1023	AV/56	J.D POWER		\$ 3,300.00
1024	AV/56	MILLER'S SUPPLIES		\$ 2,113.79
1025	AV/56	PRINT-O-STAT		\$ 190.00
1026	AV/56	SEGRA		\$ 616.00
137	AR/207	SHERIFF OF JEFFERSON CO		\$ 5,669.57
138	AR/207	EMERGENCY VEH SPEC		\$ 4,747.57
1796	CO/246	INSIGHT PUBLIC SECTOR		\$ 780.28
TOTAL				\$ 18,929.23

- **Motion by Mr. Hudson to approve the Manual Checks for November 25, 2022 in the amount of \$18,929.23. Motion seconded and unanimously approved.**

2-Dec-22

OTHER FUNDS				
Check#	Fund	VENDOR		Amount
563	CS/OO2	EASTRIDGE HEALTH SYSTEM		\$ 2,200.00
131	IP/249	JEFFERSON CO BOARD OF EDUCATION		\$ 469,250.00
TOTAL				\$ 471,450.00

- **Motion by Mr. Hudson to approve the Manual Checks for December 02, 2022 in the amount of \$471,450.00 Motion seconded and unanimously approved.**

PUBLIC COMMENT: Ed Hannon & David Tabb

PRESENTATIONS:

1. Jeff Polczynski-Director-Jefferson County Emergency Communications- Requested
 - a- Re-Appointment of full-time Public Safety Dispatcher (trainee)
 - **Motion by Mr. Stolipher to approve the re-appointment of Dominick Vaillancourt as a Public Safety Dispatcher (Trainee) at the hourly rate of \$22.2822 (\$46,347/year) with the signing bonus of \$2,000 and the post training salary increase once full training has been completed. Start date of January 23, 2023. Motion seconded and unanimously approved.**
 - b- Re-appointment of Chief Christopher Kutcher and Lt. Rob Sell to the E911 Advisory Board
 - **Motion by Mr. Stolipher to approve the re-appointment of Chief Christopher Kutcher and Lt. Rob Sell to the E911 Advisory Board with their term expiring on 09/01/2025. Motion seconded and unanimously approved.**
 - c- Recognition of Dispatcher Staci Hovermale
2. Tom Hansen-Sheriff's Office- Requested the approval for
 - a. Corporal Promotion
 - **Move to December 15th meeting.**
 - b. Vacation Hours
 - **Motion by Mr. Stolipher to get legal counsel and discuss at the December 15th meeting for further action and to include a Financial Impact Analysis. Motion seconded and unanimously approved.**
 - c. Travel and Training Budget
 - **Informational, No Motion required**
3. Laura Kuhn- Director- Fleet & Facilities Management- Requested approval of purchase of a FaxFinder 4-Channel Fax Server
 - **Motion by Mrs. Tabb to approve the purchase of a FaxFinder 4-Channel Fax Server in the amount of \$10,364. Motion seconded and unanimously approved**

4. Lynn Fields-Probate Office-

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

a. Requested the certification of Appointment on the estate of Karine Erlebach, deceased, as Executrix Limited to the German estate

- **Motion by Mr. Stolipher to approve the application for certification of the appointment of executrix of the estate of Karine Erelbach as it pertains to the German probate. Motion seconded and unanimously approved.**

b. Requested approval from the Commission to approve the copy of the will of Raymond Virgil Utterback, deceased, to be probated

- **Motion by Mr. Stolipher to move to have Commission President to sign and accept the copy of the will of Raymond Virgil Utterback, deceased, to be probated. 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. Russell Burgess- Director- Information Technology/ GIS Addressing- Requested the following:

a- Review and approval of Revisions to the E911 Addressing Ordinance.

- **Motion by Mr. Stolipher to approve the revisions to the E911 Addressing Ordinance as noted in the document presented, effective December 01, 2022. Motion seconded and unanimously approved.**

b- Funding for the County Ambulances Equipment Required for Operations

- **Motion by Mr. Stolipher to approve the funding for the County Ambulances Equipment Required for Operations in the amount of \$209,000.99 from the ARPA fund and put into the IT Department. Motion seconded and unanimously approved.**

6. Roger Goodwin- Chief County Engineer-

a- Requested release of Tolling of Bonding Agreement for Quail Ridge Subdivison, Section II, Phase III (Jefferson County Planning Commission File No. 05-55)

- **Motion by Mr. Stolipher to approve the release of the Agreement Regarding**

Bonding Obligations and Declarations of Covenants, Conditions and Restrictions, recorded in Deed Book 1142, page 483, for the Quail Ridge Subdivision, Section II, Phase III, (Jefferson County Planning Commission File No. 05-55), as presented; and to record the release in the office of the County Clerk. Motion seconded and unanimously approved.

- b- Requested release of Tolling of Bonding Agreement for Thorn Hill Subdivision (Jefferson County Planning Commission File No. 02-17).
- **Motion by Mr. Stolipher to approve the release of the Agreement Regarding Bonding Obligations and Declarations of Covenants, Conditions and Restrictions, recorded in Deed Book 1091 page 459, Deed Book 1151, Page 363 and Deed Book 1201, Page 459, for the Thorn Hill Subdivision, Section II, Phase III, (Jefferson County Planning Commission File No. 02-17), as presented; and to record the release in the office of the County Clerk. Motion seconded and unanimously approved.**
- c- Requested release of Performance Bond No.019078845 with Liberty Mutual Insurance Company, Boston, MA, bond security for Sheetz, Inc- Sheetz Store #160 (File #20-10-SP).
- **Motion by Mr. Stolipher to approve the complete release of Performance Bond No.019078845 with Liberty Mutual Insurance Company, Boston, MA, in the amount of \$2,691,620.00 construction amount for Sheetz, Inc #160 (Files #20-10-SP). Motion seconded and unanimously approved.**
- d- Requested release of Performance Bond No.LICX1195988 with Lexon Insurance Company, Mt Juliet, TN construction bond security for D.R Horton, Inc.- Magnolia Springs Subdivision, Phase I (File #18-05-SD)
- **Motion by Mr. Stolipher to approve the partial release of Performance Bond No.LICX1195988 with Lexon Insurance Company, Mt Juliet, TN in the amount of \$2,818,368.00 bond amount for D.R Horton, Inc.- Magnolia Springs Subdivision, Phase I (File #18-05-SD). Motion seconded and unanimously approved.**

7. Bob Burner-Director- Jefferson County Emergency Service Agency-

- a- EMS Transition Monthly Update.
- b- Requested approval of reimbursement in the amount of \$12,745.09 for labor cost of the EMS Transition project through Oct. 31, 2022
- **Motion by Mr. Stolipher to approve the reimbursement in the amount of \$12,745.09 to JCESA for the cost of labor expended on the EMS Transition project through October 31, 2022 to be funded by ARPA fund: EMS System allocation. Motion seconded and unanimously approved.**

c- Requested funding for EMS supply & assets management system-in the amount of \$35,801.

- **Motion by Mr. Stolipher to approve the funding and purchase of the EMS Supply & Assets Management system in the amount of \$35,801.00 to be funded by ARPA fund; EMS System allocation. Motion seconded and unanimously approved.**

8. 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, Jefferson County Circuit Court Civil Action No. 2022-C-103 and WV Supreme Court No.'s 21-0727, 21-0728, and 21- 0731.

b- Report by counsel on opioid case and consideration of recent developments in the case (Jefferson County Commission v. Purdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170) and related matters.

- **Motion by Mr. Stolipher to enter into Executive Session to receive legal advice and updates on item 8a and a Personnel matter as requested by the County Administrator. Motion seconded and unanimously approved.**

**Please note Commissioner Stolipher recused himself from the discussion of item 8a*

- **Motion by Mr. Hudson to come out of Executive Session and reconvene in regular session. Motion seconded and unanimously approved.**

NEW BUSINESS

10- Acknowledgment of Completion of "Assessor's Additional Duties," as delineated in WV Code 7-7-6a Schedule

- **Motion by Mrs. Mrs. Tabb to acknowledge the substantial completion of the Assessor's Additional Duties as outline in WV Code 7-76a and approve the additional compensation of \$15,000 as provided in WV Code 7-7-6a. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

- Selection of Audit Firm for FY23 Financial Statement Audit

Motion by Mr. Stolipher to approve the selection of BHM CPA Group Inc. as the Audit Firm for FY23. Motion seconded and unanimously approved.

- Personnel Action

This item was discuss in Executive Session. It was the consensus of the Commission to hold a special session on Monday Dec. 5th at 9:30am to discuss the position of Finance Director.

ADJOURN

The Commission adjourned at 12:00pm on a motion by Mr. Hudson. Motion was seconded and unanimously approved.

Caleb Hudson, PRESIDENT

Respectfully submitted
Sorayda Pitts
Administrative Assistant