

## **Minutes**

### **Jefferson County Commission**

**Thursday, January 05, 2023**

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A meeting of the Jefferson County Commission was held on Thursday, January 05, 2023 during the second quarterly session at 9:30 am. The meeting was held via GoToWebinar and in-person. Present were, Steve Stolipher, Vice President, Clare Ath and Commissioners Tricia Jackson, Jane Tabb and Jennifer Krouse. Also present were John Nissel, County Administrator, Cindy Rezmer, Deputy County Administrator, Jacki Shadle-County Clerk and Sorayda Pitts Administrative Assistant (The archived meeting of the Thursday, January 05, 2023 meeting is available on the Jefferson County Commission website.)

#### **PLEDGE OF ALLEGIANCE**

Commissioner Stolipher led the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

Motion by Mr. Stolipher to approve the December 05, 2022 Special Session Meeting Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Stolipher to approve the December 15, 2022 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

#### **APPROVAL OF PAYROLL**

Motion by Mr. Stolipher to approve the Payroll for December 23, 2022 in the amount of **\$ 288,750.44**. Motion seconded and unanimously approved.

Motion by Mr. Stolipher to approve the Payroll for January 06, 2023 in the amount of **\$ 286,883.09**. Motion seconded and unanimously approved.

## **APPROVAL OF REQUISITIONS**

Motion by Mr. Stolipher to approve the Requisitions for January 5, 2023 in the amount of \$ 117,691.85. Motion seconded and unanimously approved.

## **APPROVAL OF ACCOUNTS PAYABLE**

	<b>VENDOR NAME</b>		<b>AMOUNT</b>
	ADAM WARD		\$ 261.88
	BOLAND TRANE SERVICES INC		\$ 1,939.00
	BUREAU OF CHILD SUPPORT		\$ 373.39
	COMPILED TECHNOLOGIES LLC		\$ 20,360.00
	COMPTROLLER OF MARYLAND		\$ 716.67
	CORMAC QUINN		\$ 33.15
	DARYLL WIMER		\$ 48.68
	DAVID WAMPLER		\$ 6.35
	EFTPS IRS TAXES		\$ 101,415.49
	EMPOWER RETIREMENT		\$ 6,264.01
	GREGORY JONES		\$ 702.73
	GUTTMAN OIL CO		\$ 3,716.03
	INDEPENDENT FIRE COMPANY		\$ 70,000.00
	J.C. EHRLICH		\$ 773.18
	JEFFERSON COUNTY SOLID WASTE AUTHORITY		\$ 91.00
	JEFFERSON SECURITY BANK		\$ 4,520.00
	JEFFERSON RENTAL		\$ 5,679.32
	JENNIFER KROUSE		\$ 832.25
	MIDDLEWAY FIRE COMPANY		\$ 70,000.00
	MILLENIUUM INSURANCE GROUP		\$ 900.00
	MORGAN NICK		\$ 268.75
	NATHAN COCHRAN		\$ 260.00
	NATIONWIDE RETIREMENT SOLUTIONS		\$ 834.00
	PANHANDLE PRINTING & DESIGN		\$ 1,448.40
	POTOMAC EDISON		\$ 2,798.53
	RALPH B SWIGER II DDS FAGD		\$ 340.56
	RICE TIRES CO		\$ 542.92
	RONALD DANTZIC		\$ 124.59
	SANDRA SLUSHER MCDONALD		\$ 1,120.00
	SMOOT'S LLC		\$ 4,982.08
	SPIRIT OF JEFFERSON		\$ 212.36

	SSC-SOUTHERN STATES		\$ 734.02
	STATE TAX DEPARTMENT		\$ 150.00
	STEPHEN V GROH		\$ 260.00
	VA DEPT OF TAXATION		\$ 1,697.25
	WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 17,958.45
	WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 45,289.56
	WV STATE TAX DEPARTMENT		\$ 37,697.54
	WVU WEST VIRGINIA UNIVERSITY		\$ 2,544.78
	XEROX CORPORATION		\$ 410.00
FG/009	BERKELEY CO SHERIFF DEPT		\$ 1,157.72
FG/009	SHERIFF OF JEFFERSON CO		\$ 6,066.16
BS/011	SHERIFF OF JEFFERSON CO		\$ 7,530.88
AM/053	SHERIFF OF JEFFERSON CO		\$ 1,618.11
			<b>\$ 424,679.79</b>

- **Motion by Mr. Stolipher to approve the Accounts Payable for December 22, 2022 in the amount of \$ 424,679.79. Motion seconded and unanimously approved.**

CHECK#		VENDOR NAME		AMOUNT
87359		AT&T MOBILITY - CC		\$ 219.85
87360		ESS ELECTION SYSTEMS & SOFTWARE		\$ 2,354.97
87361		LANGUAGE LINE SERVICES		\$ 210.41
87362		DR. ROBERT E. JONES III		\$ 1,000.00
<b>TOTAL</b>				<b>\$ 3,785.23</b>

- **Motion by Mr. Stolipher to approve the Accounts Payable for December 28, 2022 in the amount of \$ 3,785.23. Motion seconded and unanimously approved.**

### **APPROVAL OF MANUAL CHECKS**

		OTHER FUNDS		
Check#	Fund	VENDOR		Amount
566	CS/002	WILLIAM ROHRBAUGH		\$ 25,000.00
565	CS/002	EASTRIDGE HEALTH SYSTEM		\$ 4,600.00
320	DK/O3	SHERIFF OF JEFFERSON CO		\$ 78.63
829	HD/008	SHERIFF OF JEFFERSON CO		\$ 629.91
140	AR/207	EMERGENCY VEHICLE SPECIAL		\$ 2,647.21

141	AR/207	JCESA		\$ 25,537.82
142	AR/207	SHERIFF OF JEFFERSON CO		\$ 5,424.36
143	AR/207	WV CASA COURT		\$ 10,000.00
1798	CO/246	INSIGHT PUBLIC SECTOR		\$ 182.34
<b>TOTAL</b>				<b>\$ 74,100.27</b>

- **Motion by Mr. Stolipher approve the Manual Checks for December 23, 2022 in the amount of \$ 74,100.27. Motion seconded and unanimously approved.**

29-Dec-22

OTHER FUNDS				
Check#	Fund	VENDOR		Amount
1799	CO/246	JEFFERSON RENTAL		5679.32

- **Motion by Mr. Stolipher approve the Manual Checks for December 29, 2022 in the amount of \$ 5,679.32. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:** Joanne Curran, David Tabb, Eleanor Fiovan and (Mark Everhart-comment was provided via email)

## **PRESENTATIONS**

### 1. County Commission Organization

#### a. Selection of President

- Commissioner Krouse offered her nomination to Commissioner Jackson for President of the Commission for 2023. She received one vote. (Krouse)
- Commissioner Tabb offered her nomination to Commissioner Stolipher for President of the Commission for 2023. He received two votes (Tabb, Ath)
- **By majority vote, Commissioner Mr. Stolipher was selected as President of the Jefferson County Commission for 2023.**

b. Selection of Vice President

- Commissioner Stolipher offered his nomination to Commissioner Ath for Vice President of the Commission for 2023. Unanimously vote.
- **Unanimously vote, Commissioner Ath was selected as Vice President of the Jefferson County Commission for 2023.**

c. Committee Assignments

## 2023 Jefferson County Commission Assignments to Boards, Commissions, and Organizations

<b>Organization</b>	<b>2022</b>	<b>2023</b>
Approval of Bills	Jackson	Tabb/Krouse
Board of Health – BOH	Hudson	Ath
Building Repair & Security Courthouse Committee	Hudson	Krouse
Charles Town Utility Board Liaison - CTUB	Hudson	Ath
Community Corrections Committee – Day Report Center	Jackson	Jackson
Development Authority – JCDA	Stolipher	Stolipher
E911 Council	Ath	Ath
Extension Service	Tabb	Tabb
Farmland Protection Board – JCFPB	Tabb	Tabb
Jefferson County Convention & Visitors Bureau - JCCVB	Stolipher	Stolipher
Jefferson County Emergency Services Agency – JCESA /Fire & Rescue Association - JCFRA	Jackson	Jackson/Krouse
Historic Landmarks Commission – JCHLC	Hudson	Krouse
Homeland Security/LEPC	Jackson	Jackson
Legislative Liaison	Co. Administrator	Co. Administrator
Jefferson County Parks and Recreation Commission	Ath	Krouse
Jefferson County Planning Commission	Stolipher	Stolipher

Region 9	Stolipher	Ath
Solid Waste Authority	Ath	Ath
Water Advisory Committee	Tabb	Tabb
Hagerstown-Eastern Panhandle Metropolitan Planning Org. (HEPMPO)	Stolipher	Stolipher
Eastern Panhandle Transit Authority (EPTA)	Tabb	Tabb
Workforce Investment Act Liaison	Jackson	Jackson

2. Angie Banks- Assessor- Requested approval of the:

- a. 2023 Board of Review and Equalization Notice and Scheduling of Board of Assessment Appeals Hearing(s)
  - **Motion by Mr. Stolipher to approve the 2023 Board of Review and Equalization notice. Motion seconded and unanimously approved.**
- b. Scheduling of Board of Assessment Appeals Hearing(s)

3. Lynn Dillow- Probate Office- Requested approval for the Quarterly Review of Accountings and Waivers.

- **Motion by Mrs. Tabb to approve the Quarterly Review of Accountings and Waivers that have met all the requirements of the probate office and are ready to be closed and approve new estates that have been opened since last quarterly review. Motion seconded and unanimously approved.**

**Regular Term**

**JANUARY 2023**

**State of West Virginia, County of Jefferson, to-wit:**

At a Regular Term of the County Commission of said County and State, begun and held at the Old Charles Town Library thereof, on Thursday, January 5<sup>th</sup>, 2023 at 9:30AM.

**PRESENT:** County Commissioners: Steve Stolipher, Jane Tabb, Tricia Jackson, Jennifer Krouse, Claire Ath

**A list of Wills Probated, Executors qualified and Administrators appointed since the last Regular Term of this Commission, to-wit: October 2022 Term, thereof was this day presented to the Commission by the Clerk thereof, examined by it, and ordered filed:**

Estate of Nancy Louise Alger Williams, deceased, First and Final Accounting, Crystal Yoder, Administratrix

Estate of Ruth Anna Anderson, deceased, First and Final Accounting, Ann E. Kelican, Executrix

Estate of Charles Lee Ferguson, deceased, First and Final Accounting, Evelyn Stephenson, Executrix

Estate of Russell Brown Roper, deceased, First and Final Accounting, Arthena Roper, Administratrix

Estate of Joel Phillip Ryan, deceased, First and Final Accounting, Tametta Gisele Ryan-Bellotte, Executrix

Estate of Regina Ann Wines, deceased, First and Final Accounting, Howard L. Wines, Jr., Administrator

**The following Waivers of Final Settlement were this day examined by the Commission and there being no exceptions thereto, and none appearing on the face thereof, same are ordered approved and recorded as follows:**

**Estate of Nenad Andrejevic, deceased, WFS, Biljana Pesic, Administratrix**

**Estate of Harold David Armstrong, Sr., deceased, WFS, Harold David Armstrong, Jr., Administrator**

**Estate of Roger Lee Beveridge, deceased, WFS, Sheri Eckles-Pettruci, Executrix**

**Estate of Elizabeth Lee Best, deceased, WFS, Judy Ann Marcus and Kathy S. McGee, Co-Administrators**

**Estate of Tommy Vernon Childress, deceased, WFS, Deborah Ellen Childress, Executrix**

**Estate of Raymond A. Curtis, deceased, WFS, Kathryn A. Curtis, Executrix**

**Estate of Anthony J. Digennaro, deceased, WFS, Joseph Digennaro, Administrator**

**Estate of John Joseph Falkinburg, deceased, WFS, Margie Darlene Falkinburg, Administrator**

**Estate of Barbara Fry, deceased, WFS, Roy A. Fry and Margaret M. Fry, Co-Executors**



**Estate of Dennis Raymond Hartlove, deceased, WFS, Sandra Lee Hartlove, Administratrix**

**Estate of John Franklin Homan, deceased, WFS, Loretta S. Homan, Administratrix**

**Estate of Michael Jan Hood, deceased, WFS, Eileen M. Hood, Administratrix**

**Estate of James P. Hubbard, deceased, WFS, Helene A. Hubbard, Executrix**

**Estate of Brian Brent Johnson, deceased, WFS, Jessica Johnson, Administratrix**

**Estate of Nancy Lavinia Jones, deceased, WFS, Jeanette Dozier, Executor**

**Estate of Kenneth G. Leake, deceased, WFS, Cathy M. Fisher, Executrix dbn**

**Estate of Robert Paul Milligan, Jr., deceased, WFS, Jessica E.L. Johnson, Administrator cta dbn**

**Estate of Nancy Lou Morgan, deceased, WFS, Heather M. McIntyre, Executrix**

**Estate of Harold Myers, deceased, WFS, Harold Myers Jr., and Tracey Kisner, Co-Administrators**

**Estate of Kevin Eiler O'Rourke, deceased, WFS, Katherine O'Rourke, Executrix**

**Estate of Charlotte G. Plum, deceased, WFS, Mary K. Gray, Executrix**

**Estate of Betty Ann Poston, deceased, WFS, Harold D. Eugene Poston, Executor**

**Estate of Amanda Joan Tilgham, deceased, WFS, Gregory Johnson, Administrator**

**Accountings and Waivers of Final Settlement submitted from the Fiduciary**

**Commissioners: June K. Jovanelly, S. Andrew Arnold, Frank D. Hill, III and**

**David A. Dejarnett:**

**Estate of Owen Joseph Gauvin, Sr., deceased, First and Final Accounting, Ryan Gauvin, Executor**

**Estate of Teresa Lynn Gauvin, deceased, First and Final Accounting, Ryan Gauvin, Administrator**

**Estate of**

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**President of the County Commission**

4. Bob Burner Director-Jefferson County Emergency Service Agency- Requested:
  - a. Provide monthly update to the JCC on the progress of the EMS Transition
  - b. Reimbursement of \$8,189.84 for labor cost of the EMS Transition project for November, 2022

- **Motion by Mr. Stolipher to approve the reimbursement in the amount of \$8,189.84 to JCESA for the cost of labor expended on the EMS Transition project through November, 2022 to be funded by ARPA fund: EMS System allocation. Motion seconded and unanimously approved.**

c. Reimbursement of \$17,563.26 for supply and equipment expenses for the EMS Transition for November, 2022.

- **Motion by Mr. Stolipher to approve the reimbursement in the amount of \$17,563.26 to JCESA for the cost of labor expended on the EMS Transition project through November, 2022 to be funded by ARPA fund: EMS System allocation. Motion seconded and unanimously approved.**

5. 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 amendmen.t 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 2022-C-141 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, MDL 17-md-02804-DAP In Re: National Prescription Opiate Litigation) and related matters.

- **No Updates Provided**

## **NEW BUSINESS**

6. Discussion and consideration of potential action on drafting a letter of no confidence in the current Jefferson County BOE and/or its members. (JK)

*\*Please note that Nathan Cochran- Assistant prosecuting attorney recused himself from the discussion of item 6.*

- Motion by Ms. Jackson to have the County Commission draft a letter of a voter of no confidence regarding the Jefferson County Board of Education to the State Board of Education based on the reasons presented by the Faculty Senate and present it at the next commission meeting. Motion passed 3-2 with Commissioner Tabb and Commissioner Stolipher opposing.
  - Motion by Mr. Stolipher to have the Commission Staff to reach out to the Faculty Senate and invite them to the next commission meeting on January 19<sup>th</sup>. Motion passed 4-1 with Commissioner Tabb opposing.
7. Discussion and consideration of potential action on opening sessions of The Jefferson County Commission with a prayer. (JK)
- Motion by Ms. Jackson that the Jefferson County Commission moved to open sessions of the County Commission with a prayer and to have Legal draft a policy regarding open prayer. Motion passed 3-2, Commissioner Tabb and Commissioner Stolipher opposing.

8. Budget Revision Guidelines: Discuss and adopt a budget revision policy that addresses both state and internal budget revision processes and approval by the county commission based on the WV State Auditor's Office Local Government Services Budget Revision Guidelines. (TJ)

A monthly budget revision report will be provided to the commission in the agenda packet like the agenda items for approval of accounts payable, manual checks, etc.

9. Purchase Order and Invoicing Policy 305: Review, edit, and implement policy 305 to be consistent with generating purchase orders for goods, services, and materials prior to ordering or taking delivery of such items. Implementing a good purchase order process will help the county commission and departments determine if sufficient funds are available for purchases. (TJ)

Pending revisions, the purchase order will ensure that funds budgeted for items are secured before purchasing any items, it will be placed on the commission's agenda packet for review and adopt on the next commission meeting.

10. Budget Reports (TJ)

Monthly Budget report will be provided to the Commission displaying the budgeted balance in an account. This monthly budget report will help the commission determined if they have over budgeted or under budget in certain accounts.

11. Commission meetings: discuss the possibility of moving all commission meetings to evenings to make more accessible and convenient for constituents to participate. (TJ)

The Commission decided to table this item pending attendance during the day versus the evening meetings and its financial impact of paying overtime to non-exempt staff to assist with meetings in the evenings. Revisit in three months.

## **ADJOURN**

The Commission adjourned at **11:40 am** on a motion by Mr. Stolipher. Motion was seconded and unanimously approved.

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Steve Stolipher, PRESIDENT

Respectfully submitted  
Sorayda Pitts  
Administrative Assistant