

## **Minutes**

### **Jefferson County Commission**

**Thursday, January 19, 2023**

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A meeting of the Jefferson County Commission was held on Thursday, January 19, 2023 during the second quarterly session at 6:00 pm. The meeting was held via GoToWebinar and in-person. Present were, Steve Stolipher, Vice President, and Commissioners Tricia Jackson, Clare Ath, 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 19, 2023 meeting is available on the Jefferson County Commission website.)

#### **PLEDGE OF ALLEGIANCE**

Commissioner Ath led the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

Motion by Mrs. Ath to approve the January 05, 2023 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

#### **APPROVAL OF PAYROLL**

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

Motion by Mrs. Ath to approve the Payroll for January 20, 2023 in the amount of **\$ 289,011.91**. Motion seconded and unanimously approved.

#### **APPROVAL OF REQUISITIONS**

Motion by Mrs. Ath to approve the Requisitions for January 19, 2023 in the amount of **\$ 22,505.14**. Motion seconded and unanimously approved.

**APPROVAL OF ACCOUNTS PAYABLE**

	<b>VENDOR NAME</b>		<b>AMOUNT</b>
	AHA-ARTS & HUMANITIES ALLIANCE		\$ 1,275.47
	AMERICAN FAMILY LIFE INSURANCE COMPANY ICU		\$ 2,374.26
	BAKERTON VOLUNTEER FIRE DEPARTMENT		\$ 82,500.00
	BLUE RIDGE MOUNTAIN VOLUNTEER FIRE COMPANY		\$ 12,500.00
	BOLIVAR / HARPERS FERRY PUBLIC LIBRARY		\$ 22,500.00
	BUREAU OF CHILD SUPPORT		\$ 373.39
	CASTO & HARRIS INC		\$ 6,608.50
	CERVIS TECHNOLOGIES INC		\$ 1,500.00
	CITIZENS VOLUNTEER FIRE COMPANY		\$ 82,500.00
	CITY OF CHARLES TOWN		\$ 3,800.00
	CITY OF CHARLES TOWN		\$ 52.00
	COLONIAL LIFE		\$ 95.68
	COMPTROLLER OF MARYLAND		\$ 749.31
	CYNTHIA DANNER		\$ 368.14
	DAVID TYLER KEMP		\$ 100.00
	DELTA DENTAL OF WV		\$ 5,800.33
	EFTPS IRS TAXES		\$ 98,059.08
	EMPOWER RETIREMENT		\$ 6,214.56
	ENGAGE STRATEGIES, LLC		\$ 5,312.50
	EPTA-EASTERN PANHANDLE TRANSIT AUTHORITY		\$ 20,000.00
	ESS ELECTION SYSTEMS & SOFTWARE		\$ 6,417.70
	ETHAN NORTHCRAFT		\$ 106.00
	FASTSIGNS		\$ 784.31
	FRIENDSHIP FIRE COMPANY		\$ 82,500.00
	GUTTMAN OIL CO		\$ 6,012.66
	HIGHMARK WV		\$ 177,816.48
	INDEPENDENT FIRE COMPANY		\$ 12,500.00
	IPC TECHNOLOGIES INC.		\$ 6,196.59
	J.D. POWER & ASSOC		\$ 69.00
	JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION		\$ 1,888.64
	JEFFERSON CO EMERGENCY SERVICES AGENCY		\$ 787,217.75
	JEFFERSON CO CONVENTION AND VISITORS BUREAU		\$ 31,886.63
	JEFFERSON COUNTY DEVELOPMENT AUTHORITY		\$ 31,725.00
	JEFF CO PARKS & RECREATION COMMISSION		\$ 122,494.02
	JEFFERSON DAY REPORT CENTER		\$ 37,502.50
	JEFFERSON SECURITY BANK		\$ 4,290.00
	MATTHEW BENDER		\$ 248.31
	MIDDLEWAY FIRE COMPANY		\$ 12,500.00
	MILLERS SUPPLIES AT WORK		\$ 861.76
	MILLER'S SUPPLIES AT WORK		\$ 2,393.54
	NATIONAL VISION ADMIN.		\$ 1,596.26
	NATIONWIDE RETIREMENT SOLUTIONS		\$ 834.00
	OLD CHARLES TOWN LIBRARY		\$ 1,500.00

	OLD CHARLES TOWN LIBRARY		\$ 22,500.00
	RALPH B SWIGER II DDS FAGD		\$ 340.56
	SEN COMMUNICATIONS LLC		\$ 834.56
	SHEPHERDSTOWN FIRE COMPANY		\$ 82,500.00
	SHEPHERDSTOWN PUB LIBRARY		\$ 22,500.00
	SOUTH JEFFERSON PUBLIC LIBRARY		\$ 22,500.00
	SSC-SOUTHERN STATES		\$ 734.02
	STATE TAX DEPARTMENT		\$ 150.00
	THE HARTFORD		\$ 3,772.14
	WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 18,878.12
	WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 45,583.32
	WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 166.49
	WV STATE TAX DEPARTMENT		\$ 4,607.19
	WVCORP WV COUNTIES SELF INSURANCE RISK POOL		\$ 33,010.25
	WVU WEST VIRGINIA UNIVERSITY		\$ 3,700.00
	XEROX CORPORATION		\$ 227.22
	XEROX FINANCIAL SERVICES		\$ 249.81
FG/009	SHERIFF OF JEFFERSON CO		\$ 4,521.17
BS/011	SHERIFF OF JEFFERSON CO		\$ 8,707.72
AM/053	SHERIFF OF JEFFERSON CO		\$ 1,630.81
			<b>\$ 1,959,137.75</b>

- **Motion by Mrs. Ath to approve the Accounts Payable for January 05, 2023 in the amount of \$1,959,137.75. Motion seconded and unanimously approved.**

CHECK#		VENDOR NAME		AMOUNT
87427		10-42 TACTICAL LLC		8,399.76
87428		AT&T		149.29
87429		GUTTMAN OIL CO		2,888.31
87430		JEFFERSON COUNTY SOLID WASTE AUTHORITY		16.25
87431		JENNIFER KROUSE		310.00
87432		PATRIOT FIRE AND SECURITY LLC		220.00
87433		RETIREE HEALTH BENEFIT TRUST		8,348.00
87434		SELEX ES INC		11,765.00
87435		SPECIALTY BUSINESS SUPPLIES		48.25
87436		TEK ADVISORS LLC		4,200.00
87437		THE HARTFORD		2,292.35
87438		TYLER TECHNOLOGIES		2,100.00
87439		US POSTAL SERVICE		20,000.00
87440		WV REGIONAL JAIL & CORRECTION FACILITY AUTH		57,851.75
TOTAL				118,588.96

- **Motion by Mrs. Ath to approve the Accounts Payable for January 12, 2023 in the amount of \$11,588.96. Motion seconded and unanimously approved.**

CHECK#	VENDOR NAME	AMOUNT
87442	84 LUMBER	\$ 9.92
87443	AMERIFLEX	\$ 125.80
87444	BOLAND TRANE SERVICES INC	\$ 2,350.00
87445	BUREAU OF CHILD SUPPORT	\$ 373.39
87446	CAPITAL LIGHTING & SUPPLIES LLC	\$ 592.05
87447	COMPTROLLER OF MARYLAND	\$ 767.16
87448	DODSON SEPTIC SERVICE LLC	\$ 285.00
87449	EFTPS IRS TAXES	\$ 99,592.98
87450	EMPOWER RETIREMENT	\$ 6,194.79
87451	ESI ELECTRONIC SYSTEMS INC	\$ 31.28
87452	FIDELITY POWER SYSTEMS	\$ 15,183.00
87453	FIFTH THIRD BANK	\$ 80,486.65
87454	FIRE SAFETY EQUIP	\$ 2,161.00
87455	J.C. EHRLICH	\$ 1,456.54
87456	JEFFERSON SECURITY BANK	\$ 4,290.00
87457	JCCOA JEFFERSON CENTER	\$ 100.00
87458	JUSTTECH LLC	\$ 106.74
87459	LISA DRISCOLL	\$ 674.75
87460	MONROE SYSTEMS FOR BUSINESS	\$ 111.60
87461	MOTOROLA SOLUTIONS INC	\$ 47,213.37
87462	NFPA-NATIONAL FIRE PROTECTION ASSOCIATION	\$ 175.00
87463	NATIONWIDE RETIREMENT SOLUTIONS	\$ 834.00
87464	POTOMAC EDISON	\$ 36,616.66
87465	SEN COMMUNICATIONS LLC	\$ 1,066.12
87466	SHANNON BURLETT	\$ 1,834.73
87467	SHERWIN-WILLIAMS	\$ 105.27
87468	SOFTWARE SYSTEMS INC	\$ 1,192.02
87469	STATE TAX DEPARTMENT	\$ 150.00
87470	VICTORIA MYERS	\$ 1,071.80
87471	WV ASSOCIATION OF CIRCUIT CLERK	\$ 300.00
87472	WV BUREAU OF EMPLOYMENT UNEMPLOYMENT COMP. DIV.	\$ 676.60
87473	WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$ 18,040.11
87474	WV ENHANCED 911 COUNCIL	\$ 500.00
87475	WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 44,500.44
87476	WV STATE TAX DEPARTMENT	\$ 36,285.46

87477	FG/009	RANSON POLICE DEPT		\$ 1,048.04
87478	FG/009	SHERIFF OF JEFFERSON CO		\$ 5,192.07
87479	FG/009	MOOREFIELD POLICE DEPT		\$ 657.58
87480	BS/011	SHERIFF OF JEFFERSON CO		\$ 7,589.63
87481	AM/053	SHERIFF OF JEFFERSON CO		\$ 1,618.11
<b>TOTAL</b>				<b>\$ 421,559.66</b>

- **Motion by Mrs. Ath to approve the Accounts Payable for January 19, 2023 in the amount of \$421,559.66. Motion seconded and unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

6-Jan-23

OTHER FUNDS				
Check#	Fund	VENDOR		Amount
830	HD/8	SHERIFF OF JEFFERSON CO		\$ 1,412.50
1031	AV/56	PRINT-O-STAT		\$ 3,267.53
001	TC/077	UNITED WAY		\$ 40.00
144	AR/207	EMERGENCY VEHICLE SPECIALIST		\$ 4,772.21
145	AR/207	SHEPHERDSTOWN FIRE CO		\$ 51,684.13
146	AR/207	SHERIFF OF JEFFERSON CO		\$ 6,360.47
1800	CO/246	JEFFERSON CO EMS		\$ 4,432.50
<b>TOTAL</b>				<b>\$ 71,969.34</b>

- **Motion by Mrs. Ath approve the Manual Checks for January 06, 2023 in the amount of \$71,969.34. Motion seconded and unanimously approved.**

13-Jan-23

OTHER FUNDS				
Check#	Fund	VENDOR		Amount
567	CS/002	BENDA HINKLE		\$ 236.90
831	HD/8	ATTENTI		\$ 3,580.00
832	HD/8	CORNERSTONE DIAGNOSTICS		\$ 248.00
833	HD/8	FIFTH THIRD BANK		\$ 90.98
1032	AV/56	FIFTH THIRD BANK		\$ 235.00
1033	AV/56	JUSTTECH		\$ 160.33
1034	AV/56	MONROE		\$ 166.26
1035	AV/56	MR. PRINT		\$ 190.00
1036	AV/56	SEGRA		\$ 616.00

953	CW/O59	WV STATE POLICE	\$	15.00
397	WV369	WVDSRF	\$	526.00
TOTAL				6,064.47

- **Motion by Mrs. Ath approve the Manual Checks for January 13, 2023 in the amount of \$6,064.47. Motion seconded and unanimously approved.**

OTHER FUNDS				
Check#	Fund	VENDOR		Amount
321	DK/003	SHERIFF OF JEFFERSON CO	\$	26.94
834	HD/008	SHERIFF OF JEFFERSON CO	\$	1,399.80
357	FP/057	JEFFERSON CO FARMLAND PROT.	\$	88,409.38
352	PA/074	FIFTH THIRD BANK	\$	1,879.96
147	AR/207	BAKERTON VOL. FIRE DEPT	\$	35,619.48
148	AR/207	JEFF CO ESA	\$	17,563.26
149	AR/207	SHERIFF OF JEFFERSON CO	\$	5,864.32
1801	CO/246	FIFTH THIRD BANK	\$	4,853.13
1802	CO/246	INSIGHT PUBLIC SECTOR	\$	52,304.66
1377	IP/249	SHERIFF JEFFERSON CO -SCHOOL	\$	12.00
1378	IP/249	SHERIFF JEFFERSON CO - LAW	\$	3,228.99
1379	IP/249	SHERIFF JEFFERSON CO - PARKS	\$	11,431.44
1380	IP/249	SHERIFF JEFFERSON CO - EMS	\$	1,208.35
1381	IP/249	SHERIFF JEFFERSON CO - ADMIN	\$	532.15
954	CW/O59	WV STATE AUDITOR	\$	1,365.00
TOTAL				\$ 225,698.86

- **Motion by Mrs. Ath approve the Manual Checks for January 19, 2023 in the amount of \$225,698.86. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:** Marc Petitpierre, Steve Harris, Barb Fuller, Richard Bell, Lyn Widmyer, Jeff Roth, David Tabb, Maureen Dougherty, Karen Smith, Denise Nix, Andrea Elliot, Joanne Curran,

## **PRESENTATIONS**

1. Roger Goodwin-Chief County Engineer, Department of Engineering, Planning & Zoning requested :

- a. Comprehensive Plan Summer Intern Approval

**Moved to next meeting**

- b. A Joint Session of the County Commission and Planning Commission for approximately one hour on February 02, 2023.

- **Motion by Mrs. Ath to have a Joint Session of the County Commission and Planning Commission for approximately one hour on February 02, 2023 at 1:30pm to discuss the Comprehensive Plan Update direction and approve the proposed timeline, scope of work and strategy.**

- c. **Approval to Advertise to Fill the Planning Clerk Position.**

- **Motion by Mrs. Tabb to approve advertising to fill the position of the Planning Clerk in the Department of Engineering, Planning & Zoning to not exceed salary of \$37,668 per year. Motion seconded and unanimously approved.**

2. Russel Burgess/Dennis Jarvis- IT/Jefferson County Development Authority requested

- a. Discussion and approval for the State GigReady Program.

- **Motion by Mrs. Tabb to approve the State GigReady Program and submit to the state for approval and funding. Motion seconded and unanimously approved.**

b. Collaborative purchase of Spring 2023 Aerial Photography

**Motion by Mrs. Tabb to approve the purchase order of \$14, 070 for 2023 Digital Aerial Photography and direct staff to collect contributions from participating agencies. Motion seconded and unanimously approved.**

3. Angie Banks-Assessor- Board of Tax Appeals: Mutual Agreements/Exonerations

*Please note that Commissioner Tabb recused herself from the discussion of item 3a.*

a. David Tabb-

- **Motion by Mrs. Ath to approve the mutual agreement property adjusted \$7,600 assessed value for ticket No. 14478 as presented by Ms. Banks. Motion seconded and unanimously approved.**

b. Kenneth Smith – Mr. Smith’s appeal was rescheduled for Thursday, February 2<sup>nd</sup>.

4. Interviews and Appointments to:

a. Jefferson County Board of Zoning Appeals

- **Motion by Mrs. Tabb to appoint J. Tyler Quynn to the Jefferson County Board of Zoning Appeals for a one three-year term ending January 1, 2026. Motion seconded and unanimously approved.**
- **Motion by Mrs. Tabb to appoint Mikala Shremshock to the Jefferson County Board of Zoning Appeals for a three alternative position ending January 1, 2026. Motion seconded and unanimously approved.**

b. Jefferson County Parks and Recreation Commission

- **Motion by Mrs. Ath to appoint Karen Manuel-Gregoryk to the Jefferson County Parks and Recreation for a three unexpired term ending June 30, 2025. Motion seconded and unanimously approved.**



c. Eastern Panhandle Transit Authority Board

- **Motion by Mrs. Tabb to appoint Jennifer Brockman to the Eastern Panhandle Transit Authority Board for a two year term ending January 31, 2026. Motion seconded and unanimously approved.**
- **Motion by Mrs. Tabb to appoint Elizabeth Ricketts to the Eastern Panhandle Transit Authority Board for a two year term ending January 31, 2026. Motion seconded and unanimously approved.**

5. Krista Davis- Finance Director- Requested a discussion of Tax Levy rate and FY24 thru FY28 budget projections

6. 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 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**

## UNIFINISHED BUSINESS

7. Approval/ edit of letter of no confidence to the Jefferson County Board of Education (JK)

*Please note that Nathan Cochran recused himself from the discussion of items 8 & 10.*

- **Motion by Mrs. Krouse to approve the Letter of no confidence to the Jefferson County Board of Education. Motion passed with a 4-1, Commissioner Tabb opposing.**

8. Discussion and review for possible adoption of County Commission's proposed invocation and prayer Policy (JK)

- **Motion by Mrs. Ath to enter into Executive Session to receive legal advice status and updates on item 8. Motion seconded and unanimously approved.**
- **Motion by Mrs. Ath to come out of Executive Session and reconvene in regular session. Motion seconded and unanimously approved**
- **Motion by Mrs. Ath to direct Nathan Cochran to publish the proposed invocation and prayer policy for review at the February 2<sup>nd</sup> meeting. Motion seconded and unanimously approved.**

9. Policy 305 Discussion and review of redline revisions(TJ)

**Present clean version of Policy 305 at the February 2<sup>nd</sup> Commission Meeting and Discuss/ Vote on final version.**

COUNTY ADMINISTRATOR REPORT

- Personnel Action

## **ADJOURN**

The Commission adjourned at 8:55 pm on a motion by Mrs. Ath. Motion was seconded and unanimously approved.

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Steve Stolipher, PRESIDENT

Respectfully submitted  
Sorayda Pitts  
Administrative Assistant