

Minutes

Jefferson County Commission

Thursday, July 6, 2023

A meeting of the Jefferson County Commission was held on Thursday, July 6, 2023 during the third quarterly session at 9:30am. The meeting was held via GoToWebinar and in-person. Present were Steve Stolipher, President, and Commissioners Tricia Jackson, Jennifer Krouse, and Jane Tabb. Also present were Makayla Zonfrilli, County Administrator, Cindy Rezmer, Deputy County Administrator, Jacki Shadle, County Clerk and Sorayda Pitts, Administrative Assistant. The archived meeting of the Thursday, July 6, 2023 meeting is available on the Jefferson County Commission website.

PRAYER- Pastor William Rowley

PLEDGE OF ALLEGIANCE

Commissioner Mr. Stolipher led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Stolipher to approve the June 15, 2023 Regular Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Stolipher to approve the June 23, 2023 Special Session Meeting as presented. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Stolipher to approve the Payroll for June 23, 2023 in the amount of **\$299,799.90**. Motion seconded and unanimously approved.

Motion by Mr. Stolipher to approve the Payroll for July 7, 2023 in the amount of **\$302,551.58**. Motion seconded and unanimously approved

APPROVAL OF ACCOUNTS PAYABLE

CHECK#	VENDOR NAME	AMOUNT
88120	AMERIFLEX	\$ 125.80
88121	AT&T MOBILITY - CC	\$ 299.37
88122	BEST BEST & KRIEGER LLP	\$ 10,930.00
88123	BOLAND TRANE SERVICES INC	\$ 481.58
88124	BUREAU OF CHILD SUPPORT	\$ 439.85
88125	CASTO & HARRIS INC	\$ 1,741.58
88126	CHARLES TOWN PRESBYTERIAN CHURCH	\$ 38.00
88127	COMPTROLLER OF MARYLAND	\$ 901.91
88128	COX HOLLIDA YOUNG PLLC	\$ 915.00
88129	DIV OF JUSTICE & COMMUNTY	\$ 20,208.28
88130	EFTPS IRS TAXES	\$ 98,398.44
88131	EMILY MORROW	\$ 126.42
88132	EMPOWER RETIREMENT	\$ 5,738.73
88133	EXECUTIVE EMERGENCY LIGHTING LLC	\$ 6,547.50
88134	FEDEX	\$ 191.37
88135	FIRST CITIZENS BANK & TRUST CO	\$ 1,046.42
88136	GUTTMAN OIL CO	\$ 5,252.91
88137	HIPLINK SOFTWARE	\$ 2,887.00
88138	HIRERIGHT	\$ 41.85
88139	JEFFERSON SECURITY BANK	\$ 4,075.00
88140	JENNIFER KROUSE	\$ 64.98
88141	KONE BROOKLYN	\$ 857.48
88142	MARKL SUPPLY COMPANY	\$ 17,815.00
88143	MILLENIUM INSURANCE GROUP	\$ 900.00
88144	MILLER'S SUPPLIES AT WORK	\$ 17.15
88145	MOBILE WIRELESS LLC	\$ 14,058.00
88146	NATIONWIDE RETIREMENT SOLUTIONS	\$ 834.00
88147	RETIREE HEALTH BENEFIT TRUST	\$ 8,008.00
88148	RICE TIRES CO	\$ 539.72
88149	RONALD GARZA	\$ 119.50
88150	SHERIFF OF JEFFERSON COUNTY	\$ 1,400.00
88151	SOFTWARE SYSTEMS INC	\$ 85.70
88152	SPIRIT OF JEFFERSON	\$ 139.00
88153	STATE TAX DEPARTMENT	\$ 150.00
88154	US BANK	\$ 74,046.64
88155	VA DEPT OF TAXATION	\$ 2,462.45
88156	WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$ 17,182.43
88157	WV EMERGENCY MEDICAL SERVICES RETIREMENT SYSTEM	\$ 5,083.92
88158	WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 45,247.04

88159		WV STATE TAX DEPARTMENT		\$ 27,577.95
88160		WV STATE TAX DEPARTMENT		\$ 10,042.73
88161		WV ASSOCIATION OF COUNTIES		\$ 200.00
88162	FG/009	BERKELEY CO SHERIFF		\$ 1,084.88
88163	FG/009	RANSON POLICE DEPT		\$ 1,295.20
88164	FG/009	SHERIFF OF JEFFERSON CO		\$ 4,518.90
88165	BS/011	SHERIFF OF JEFFERSON CO		\$ 7,259.16
88166	AM/053	SHERIFF OF JEFFERSON CO		\$ 1,698.60
TOTAL				\$ 403,075.44

- **Motion by Mr. Stolipher to approve the Accounts Payable for June 22, 2023 in the amount of \$403,075.44. Motion seconded and unanimously approved.**

CHECK#		VENDOR NAME		AMOUNT
88167		AHA-ARTS & HUMANITIES ALLIANCE		\$ 1,373.45
88168		DELTA DENTAL OF WV		\$ 46.92
88169		DONNA MASON		\$ 2,065.77
88170		ESS ELECTION SYSTEMS & SOFTWARE		\$ 46,453.05
88171		GUTTMAN OIL CO		\$ 5,758.60
88172		HIGHMARK WV		\$ 184,870.09
88173		JASON MICKEY		\$ 292.33
88174		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION		\$ 2,033.74
88175		JEFFERSON CO CONVENTION AND VISITORS BUREAU		\$ 34,336.28
88176		JEFF CO PARKS & RECREATION COMMISSION		\$ 30,929.09
88177		KATRINA CLARK		\$ 6,500.00
88178		LANGUAGE LINE SERVICES		\$ 116.25
88179		NATIONAL VISION ADMIN.		\$ 1,675.54
88180		RHONDA GREENHOLTZ		\$ 410.22
88181		SPIRIT OF JEFFERSON		\$ 59.94
88182		WV ASSOCIATION OF COUNTIES		\$ 6,500.00
88183		WVCORP WV COUNTIES SELF INSURANCE RISK POOL		\$ 182,737.00
88184		WVCORP WV COUNTIES SELF INSURANCE RISK POOL		\$ 40,180.50
TOTAL				\$ 546,338.77

- **Motion by Mr. Stolipher to approve the Accounts Payable for June 29, 2023 in the amount of \$546,338.77. Motion seconded and unanimously approved.**

APPROVAL OF MANUAL CHECKS

OTHER FUNDS				
Check#	Fund	VENDOR		Amount
577	CS/O2	BENDA HINKLE		\$ 163.52
326	DK/O3	SHERIFF OF JEFFERSON CO		\$ 28,059.15
327	DK/O3	SHERIFF OF JEFFERSON CO		\$ 25.90
860	HD/O8	SHERIFF OF JEFFERSON CO		\$ 1,399.80
349	MC/O5	SHERIFF OF JEFFERSON CO		\$ 26,016.94
1074	AV/56	GLOBAL SCIENCE & TECH		\$ 960.00
1075	AV/56	MILLERS SUPPLIES AT WORK		\$ 363.30
1076	AV/56	MONROE		\$ 1,449.61
1077	AV/56	SHERIFF OF JEFFERSON CO		\$ 606,617.63
362	FP/57	JEFFERSON CO FARMLAND PROT.		\$ 95,492.59
222	VRO63	SECRETARY OF STATE'S OFFICE		\$ 283.15
004	TC77	UNITED WAY		\$ 24.94
209	AR/207	FRIENDSHIP FIRE DEPT		\$ 1,800.00
210	AR/207	INDEPENDENT FIRE DEPT		\$ 2,400.00
211	AR/207	SHEPHERDSTOWN FIRE DEPT		\$ 1,600.00
212	AR/207	SHERIFF OF JEFFERSON CO		\$ 11,934.77
1835	CO/246	INSIGHT PUBLIC SECTOR		\$ 13,019.08
1836	CO/246	US BANK		\$ 5,084.97
TOTAL				\$ 796,695.35

- **Motion by Mr. Stolipher approve the Manual Checks for June 23, 2023, in the amount of \$796,695.35. Motion seconded and unanimously approved.**

APPROVAL OF REQUISITIONS

- **Motion by Mr. Stolipher to approve the Requisitions for July 6, 2023 in the amount of \$82,074.24 Motion seconded and unanimously approved.**

PUBLIC COMMENT: Jacquelyn Milliron, David Tabb and Elizabeth Bladen.

PRESENTATIONS

1. Angie Banks- Assessor- Requested approval of Exonerations

NAME	TYPE	DISTRICT	AMOUNT	TICKET NO.
Edward MacKeil	PP	KD	\$64.22	310147

- **Motion by Mr. Stolipher to approve the Exoneration for ticket No. 310147 as presented by Ms. Banks. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	AMOUNT	TICKET NO.
Harry Huang & Liu Rongjuan	PP	Ranson	\$95.14	314159

- **Motion by Mr. Stolipher to approve the Exoneration for ticket No. 314159 as presented by Ms. Banks. Motion seconded and unanimously approved.**

2. Tom Hansen-Sheriff- Requested

a. the approval to hire Bailiff

- **Motion by Mr. Stolipher to approve the hire of Romelda Porter as a Part Time bailiff at \$17.00 per hour beginning July 17, 2023. Motion seconded and unanimously approved.**

b. The approval of the 2023 Cooperative Law Enforcement Agreement between the Jefferson County Sheriff's Department, the USDA, US Forest Service LEI, and Harpers Ferry Job Corps Civilian Conservation Center.

- **Motion by Mrs. Tabb to approve the 2023 Cooperative Law Enforcement Agreement between the Jefferson County Sheriff's Department, the USDA, US Forest Service LEI, and Harpers Ferry Job Corps Civilian Conservation Center. Motion seconded and unanimously approved.**

c. An Executive Session to discuss personnel issues steaming from the Civil Service error.

- **Motion by Mr. Stolipher to enter into Executive Session to receive legal advice and status updates on item 2c. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to come out of Executive Session and reconvene in regular session. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to approve the retro pay due to administrative error for Lieutenant Ben Williams and Sergeant Douglas Fletcher, dates to be determine later by the Sheriff's department. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to approve a non-civil service- designation for First Sergeant for Ronald Fletcher, with a \$1500 stipend. Motion seconded and unanimously approved.**

3. Nikki Painter- Jefferson County Probate Office- Requested closure of Quarterly Probate Estates.

Motion by Ms. Jackson to convene as a Fiduciary Board. Motion seconded and unanimously approved

- **Motion by Mr. Stolipher to approve the closure of Quarterly Probate Estates as presented. Motion seconded and unanimously approved.**

**Please note that Commissioner Tabb recused herself from the discussion.*

Motion by Ms. Jackson to adjourn as a Fiduciary Board and reconvene in regular session. Motion seconded and unanimously approved.

4. Brooke Perry –WV Planning Manager-Greenway Engineering- Requested a Public Hearing regarding the proposed Zoning Map Amendment (rezoning) for Phase II of the Harvest Hills Subdivision.

- **Motion by Mr. Stolipher to approve the scheduling of the Public Hearing regarding the Zoning Map Amendment for Phase II of the Harvest Hills Subdivision, for the August 17, 2023 County Commission meeting. Motion seconded and unanimously approved.**

5. Laurel Ziemianski- Swan Hilltop House Hotel, LLC- requested approval of the property tax increment financing application.

- **Motion by Mr. Stolipher to approve the request to schedule a Public Hearing on August 17, 2023 at the Jefferson County Commission evening meeting. Motion seconded and unanimously approved.**

6. Jennifer Myers- Director-Jefferson County Parks and Recreation- Presentation from the JCPRC on receiving the 2023 Red Wagon Award from West Virginia's Promise-Alliance for Youth.

NO ACTION REQUIRED

7. Luke Seigfried- Department of Engineering, Planning & Zoning- Provided 2045 Comprehensive Plan Update- Goals and Objective Public Service Announcement.

NO ACTION REQUIRED

8. Mike Sine- Director- Jefferson County Emergency Services Agency- Requested

a. Personnel Request- Promote Donald Dunn Jr from Technician to Technician-ALS.

- **Motion by Mrs. Tabb to approve Donald Dunn Jr. to be promoted from Technician to Technician-ALS. This position will transfer him from a current full-time Firefighter/EMT position to a vacant full-time Firefighter/Paramedic position. This will be effective on 6/11/2023 as a rate of \$30.00/hr. This rate does not include the FY24 5% increase effective 7/1/2023 which will increase his new pay rate to \$31.51/hr. Motion passed on a 3-1 vote with Commissioner Tabb, Commissioner**

Krouse and Commissioner Stolipher voting for and Commissioner Jackson opposing.

b. Personnel Request- Promote Matthew Minnick from Technician to Technician-ALS.

- **Motion by Mrs. Tabb to approve Matthew Minnick to be promoted from Technician to Technician-ALS. This position will transfer him from a current full-time EMT position to a vacant full-time Paramedic position. This will be effective on 6/11/2023 as a rate of \$23.09/hr. This rate does not include the FY24 5% increase effective 7/1/2023 which will increase his new pay rate to \$24.24/hr. Motion passed on a 3-1 vote with Commissioner Tabb, Commissioner Krouse and Commissioner Stolipher voting for and Commissioner Jackson opposing.**

b.

c. Personnel Request- Promote Brice Billings from Technician to Technician-ALS.

- **Motion by Mrs. Tabb to approve Brice Billings to be promoted from Technician to Technician-ALS. This position will transfer him from a current full-time EMT position to a vacant full-time Paramedic position. This will be effective on 6/11/2023 as a rate of \$22.24/hr. This rate does not include the FY24 5% increase effective 7/1/2023 which will increase his new pay rate to \$23.35/hr. Motion passed on a 3-1 vote with Commissioner Tabb, Commissioner Krouse and Commissioner Stolipher voting for and Commissioner Jackson opposing.**

d. Personnel Request- Promote Heath Fleming from Technician to Technician-ALS.

- **Motion by Mrs. Tabb to approve Heath Fleming to be promoted from Technician to Technician-ALS. This position will transfer him from a current full-time EMT position to a vacant full-time Paramedic position. This will be effective on 6/25/2023 as a rate of \$22.66/hr. This rate does not include the FY24 5% increase effective 7/1/2023 which will increase his new pay rate to \$23.79/hr. Motion passed on a 3-1 vote with Commissioner Tabb, Commissioner Krouse and Commissioner Stolipher voting for and Commissioner Jackson opposing.**

e. Personnel Request- Promote Matt Locke from Firefighter/EMT I to Firefighter/AEMT I.

- **Motion by Mrs. Tabb to approve Matt Locke to be promoted from Firefighter/EMT I to Firefighter/AEMT I. This will transfer him from a**

current full-time EMT position to a vacant full-time Paramedic position. This will be effective on 6/25/2023 as a rate of \$20.27/hr. This rate does not include the FY24 5% increase effective 7/1/2023 which will increase his new pay rate to \$21.28/hr. Motion passed on a 3-1 vote with Commissioner Tabb, Commissioner Krouse and Commissioner Stolipher voting for and Commissioner Jackson opposing.

- f. Personnel Request- Promote Todd Turner from Firefighter/EMT II to Firefighter/EMT III.
 - **Motion by Mrs. Tabb to approve Todd Turner to be promoted from part-time Firefighter/EMT II to part-time Firefighter/EMT III at a rate of \$19.68/hr effective 6/11/2023 and also transfer from part-time firefighter/EMT III to full-time Firefighter/EMT III at a FY24 adjusted rate of \$20.67/hr effective 7/23/2023. Motion passed on a 3-1 vote with Commissioner Tabb, Commissioner Krouse and Commissioner Stolipher voting for and Commissioner Jackson opposing.**
- g. Personnel Request- Promote Melissa Goodwin from Firefighter/EMT II to Firefighter/EMT III.
 - **Motion by Mrs. Tabb to approve Melissa Goodwin to be promoted from part-time Firefighter/EMT I to part-time Firefighter/EMT II position at the initial rate of \$19.20/hr effective 5/25/2023 and also transfer from part-time firefighter/EMT II to full-time Firefighter/EMT III at a FY24 adjusted rate of \$20.16/hr effective 7/23/2023. Motion seconded and unanimously approved.**
- h. EMS Standbys: Units & Personnel for Jefferson County Fair, JC Schools, etc. Fees/Reimbursement and Entities.

It was the consensus of the Commission that Director Mike Sine come back with plans/dates and fees and present at the next meeting.

- 9. Nathan Cochran- Prosecuting Attorney's Office-
 - a. 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; State of West Virginia ex rel. Patrick Morrissey, Attorney General v. Walgreens Boots Alliance, Inc., et al., Civil Action No. 20-C-82 PNM (W. Va. Cir.Ct. Putnam County) (the

"West Virginia AG Action"), pending within In re: Opioid Litigation, Civil Action No. 21-C-9000 (W. Va. Cir. Ct. Kanawha County) and related matters.

- b. Discussion of legal issues and potential action regarding proposed Solar Text Amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA22-01. 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, WV Supreme Court No.'s 21-0727, 21-0728, and 21- 0731 and WV Intermediation Court of Appeals No. *to be assigned* (appeal of Jefferson County Circuit Court Civil Action No. 2022-C-141).
- c. Discussion of Jefferson County Circuit Court cases *Wines v. JCC*, No: CC-19-2023-C-105 and *Elliot v. JCC*, No: CC-19-2023-C-101.
- d. Consider matters involving or affecting the construction planning, or purchase, sale or lease of property.
- e. Discussion of wage issue regarding Deputy Sheriffs
 - **Motion by Mr. Stolipher to enter into Executive Session to receive legal advice and status updates on item 9b. Motion seconded and unanimously approved.**

**Please note that Commissioner Stolipher recused himself from the discussion of item 9b*

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

NEW BUSINESS

10. Edwina Benites-Director- Jefferson County Development Authority- Requested discussion of Region 9 Board Vacancy

- **Motion by Mr. Stolipher to Remove Dennis Jarvis from the Region 9 Board. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to appoint Edwina Benites as the Region 9 representative and to serve in replacement and finish the term until June 30, 2024. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORT

- Internal Budget Transfers- Dept 424 (Maintenance) Increase Materials & Supplies by \$14,500 (increased costs for supplies); Dept 428 (IT) Increase Materials & Supplies by \$760 (Summit); Dept 403 (Circuit Court) increase Materials & Supplies by \$4,000 (purchased supplies).
 - **Motion by Mr. Stolipher to approve the budget transfer from Dept 424 (Maintenance) Increase Materials & Supplies by \$14,500 (increased costs for supplies); Dept 428 (IT) Increase Materials & Supplies by \$760 (Summit); Dept 403 (Circuit Court) increase Materials & Supplies by \$4,000 (purchased supplies) as presented. Motion seconded and unanimously approved.**
- Request to approve printing and preparation of ambulance fee invoices for mailing
 - **Motion by Ms. Jackson to approve printing and preparation of ambulance fee invoices for mailing for 25,000 in the amount of \$6,516. Motion seconded and unanimously approved**
- Renewal of Lease Agreement with DHHR
 - **Motion by Mr. Stolipher to approve the Renewal of Lease Agreement with DHHR for three years in the amount of \$18,707 per year. Motion seconded and unanimously approved.**

- Discussion and Potential Representative Appointment of a County Commissioner or County Administrator to attend the Region 2 West Virginia First Foundation meeting hosted by Berkeley County to vote to appoint a regional director
 - **Motion by Mrs. Tabb to approve Makayla Zonfrilli, County Administrator to attend the Region 2 West Virginia First Foundation meeting hosted by Berkeley County to vote to appoint a regional director. Motion seconded and unanimously approved.**

- ESA Transition
- Close Out of FY22-23
- Beginning of FY23-24
- Commission Meeting Room Policy Discussion
- Private Investigator Contract (JP)
 - **Motion by Mr. Stolipher to approve the Private Investigator Contract and not to exceed \$30,000. Motion passed on a 3-1 vote with Commissioner Stolipher, Commissioner Tabb and Commissioner Krouse voting for and Commissioner Jackson opposing.**

- Creation of Fund 61 – County Clerk Election Administration and Fund 62 – County Clerk Real Property E-Recording Act, in accordance with Senate Bill 522 for the Clerk Fee Schedule
 - **Motion by Mr. Stolipher to approve the creation of Fund 61 and 62 as directed by the State Auditor’s Office unanimously approved.**

The Commission adjourned at 1:05 pm on a motion by Mr. Stolipher. Motion was seconded and unanimously approved.

Steve Stolipher, PRESIDENT

Respectfully submitted
Sorayda Pitts

Administrative Assistant