

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**THIRD QUARTERLY SESSION - JULY-SEPTEMBER 2023**  
**THURSDAY, SEPTEMBER 7, 2023**  
**9:30 A.M.**

County Commission Meeting Room  
located at the Old Charles Town Library  
200 E. Washington Street, Charles Town, WV

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**CALL TO ORDER**

PRAYER – Pastor Adam Johnson

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

- August 17, 2023

**APPROVAL OF ACCOUNTS PAYABLE**

- August 24, 2023
- August 31, 2023
- September 7, 2023

**APPROVAL OF MANUAL CHECKS**

- August 25, 2023
- September 1, 2023
- September 8, 2023

**APPROVAL OF REQUISITIONS**

- September 7, 2023

**APPROVAL OF PAYROLL**

- September 1, 2023

**ANNOUNCEMENTS**

Report if there are changes in the agenda if applicable

**PUBLIC COMMENT**

*\*\*You may participate in public comment during the virtual meeting by raising your hand. Please submit comments via email to [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org). Your comments will be included in the minutes and agenda correspondence. Please include your name*

**PRESENTATIONS**

1. 9:40 a.m. Angie Banks, Assessor

- Approval of Exonerations
- 2. 9:50 a.m. Tom Hansen, Sheriff
  - JAG Grant Application & Award
  - Animal Control – New Hire
  - New Full-time Bailiff Position
- 3. 10:05 a.m. Laura Kuhn, Director, Fleet and Facilities Management
  - Approval of Custodial Contractor for Cleaning of Downtown Campus Buildings
- 4. 10:15 a.m. Liz Cook, City of Charles Town
  - Request for funding – 2<sup>nd</sup> phase of garland for Courthouse columns
- 5. 10:20 a.m. Karen Olden, Probate Office
  - Special Hearing for the Estate of Richard Walter Accurso, deceased, and Ellen Sherry Hoffman, decease. Responded and Administrator CTA, DBN. William H. Judy, III
- 6. 10:35 a.m. Roger Goodwin, Chief County Engineer Department of Engineering, Planning, and Zoning
  - Complete Release of Performance Bond PR271234 with Platte River Insurance Company, Glastonbury, CT for SAB Real Estate Group 2, LLC – Martinsburg Pike ROCS (File #S18-06/18-6-S)
  - Complete Release of Performance Bond 41422966 for SAB Real Estate Group 2, LLC – Early Grading Permit for Martinsburg Pike ROCS (File #S18-06/18-6-S)
- 7. 10:45 a.m. Mike Sine, Director, Jefferson County Emergency Services
  - Pay rate adjustment
  - JC Fair Standby Report
  - Potential Purchase SFD A31
- 8. 11:00 a.m. Nathan Cochran, Assistant Prosecuting Attorney
  - 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. Consider matters involving or affecting the construction planning, or purchase, sale or lease of property.
  - d. Discussion of wage issue regarding Deputy Sheriffs.
  - e. Report by Counsel on United States District Court Case No. 3:23-CV-171
  - f. Report by Counsel on Jefferson County Circuit Court Case No. CC-19-2023-P-112.
  - g. Report by Counsel on Jefferson County Circuit Court Case Nos. CC-19-2023-C-141, -143, -145, -151, -152, and -153

## **UNFINISHED BUSINESS**

- Charles Town District Commissioner Vacancy
- re: August 17, 2023 Public Hearing regarding the proposed approval of (i) a Tax Increment Financing Application (the "TIF Application) with respect to the proposed creation of a Tax Increment Financing District to be designated "Jefferson County Redevelopment District No. 1 – Hill Top House Hotel" (the Property TIF District") and the adoption of a project plan for the Property TIF District to be designated as "Project Plan No. 1" and (ii) submission of the TIF Application to the West Virginia Department of Economic Development.  
- To consider and act upon a proposed Resolution regarding the approval of (i) the TIF Application, (ii) submission of the TIF Application to the West Virginia Department of Economic Development for approval, and (iii) other items in connection therewith.

## **NEW BUSINESS**

- County Museum Commission

## **COUNTY ADMINISTRATOR REPORTS**

- Title 64 Legislative Rule Dept. of Health Bureau for Public Health: Series 116: Distribution of Funds from Emergency Medical Services Salary Enhancement Fund Study – FYI only
- State Budget Revision – Administrative Error correction from previous turnover
- Emergency Services Health Care Renewals
- Potential Public Safety Concern: Blue Ridge Mountain/Temporary ambulance services station on the Blue Ridge Mountain during 340 Rt. Closure
- Free small business classes announced for FY24
- Staff Hiring
- Jefferson County Grown/Jefferson County Made announcement

## **COUNTY COMMISSION REPORTS**

### **9. ADJOURN**

## **CORRESPONDENCE AND INFORMATION**

Correspondence from Friends of Music

Correspondence/public comments received from the following: David Tabb, Steven Harris, Tim Wiltshire, Charlotte Fremaux, Carole Carter, Christine Preen, Marilee Cunningham, Scot Faulkner, Christian Pechuekonis, Ed Hannon, Adam McDowell

*At all times the County Commission reserves the right to rearrange agenda times because of time constraints and to accommodate the Commission schedule or the public.*

