

**SPECIAL MEETING AGENDA
JEFFERSON COUNTY COMMISSION
THIRD QUARTERLY SESSION - JULY-SEPTEMBER 2023
THURSDAY, SEPTEMBER 28, 2023
6:00 P.M.
County Commission Meeting Room
Old Charles Town Library
200 E. Washington Street, Charles Town, WV**

CALL TO ORDER

PRAYER

PLEDGE OF ALLEGIANCE

1. 6:00 Appointment of Charles Town District Commissioner

APPROVAL OF MINUTES

- Thursday, September 7, 2023

APPROVAL OF ACCOUNTS PAYABLE

- September 14, 2023
- September 21, 2023
- September 28, 2023

APPROVAL OF MANUAL CHECKS

- September 15, 2023
- September 22, 2023
- September 29, 2023

APPROVAL OF PAYROLL

- September 15, 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. Your name will be included in the minutes and any written comments submitted will be published in the following agenda under Correspondence & Information.***

PRESENTATIONS

2. 6:30 p.m. Angela Banks, Assessor
 - Exonerations
 - Acknowledgement of the Assessor's Certificate of Compliance

3. 6:40 p.m. Laura Kuhn, Director, Fleet & Facilities Management
 - Approval of Courthouse Facilities Improvement Authority Grant Application
Requested Motion: Motion to approve the Courthouse Facilities Improvement Authority Grant Application and authorize the President's signature on the application

4. 6:50 p.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, 2022-C-14 and 2023-C-112, WV Supreme Court No.'s 21-0727, 21-0728, and 21- 0731 and WV Intermediate 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.

COUNTY ADMINISTRATOR REPORTS

- Appointment of Interim Deputy Administrator - Jennifer Verdugo
- Appointment of Tyler Munis Administrator - Rhonda Greenholtz
- Appointment to the Jefferson County Audit Committee
- Email Policy
- Policy 913
- TIF Attorney update

Requested Motions:

Motion to appoint Jennifer Verdugo as Interim Deputy County Administrator effective Sept. 22, 2023 at a salary of \$74,000.00

Motion to appoint Rhonda Greenholtz as the Tyler Munis Administrator for an additional pay increase of \$10,000 per year, effective Sept. 22, 2023.

Motion to approve the email policy as presented

5. ADJOURN

CORRESPONDENCE AND INFORMATION

Notice of Intent to Appoint to the Jefferson County Sheriff Deputy's Civil Service Commission

Year-to-Date Budget Reports

Harpers Ferry Bolivar PSD Meeting Minutes – July 25, 2023

Information – Articles from the Spirit of Jefferson Sept. 13, 2023

Public Comments received from the following: David Tabb, Charlotte Fremaux, Rachel Shub and Corey Ash



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.

DESCRIPTION	FUND 001 CO.		TOTAL
Gross Wages	\$475,935.43		\$475,935.43
6.2% Tax Payable OASDI	\$28,344.28		\$28,344.28
1.45% Tax Payable HI	\$6,628.93		\$6,628.93
Fed Withholding	\$39,943.27		\$39,943.27
WV State Withholding	\$15,278.57		\$15,278.57
VA State Tax	\$513.71		\$513.71
MD State Tax	\$1,111.62		\$1,111.62
PERS Retirement Deduct 4.5%	\$9,020.77		\$9,020.77
PERS Retirement Deduct 6%	\$8,525.47		\$8,525.47
DSRS Retirement Deduct 8.5%	\$8,602.68		\$8,602.68
EMS Retirement Deduct 8.5%	\$885.89		\$885.89
Hosp. Pre-Taxed	\$16,679.00		\$16,679.00
D/VF	\$1,742.43		\$1,742.43
AFLAC Pre-Taxed	\$348.93		\$348.93
AFLAC Post-Taxed	\$755.52		\$755.52
Optional Life Post-Taxed	\$1,699.16		\$1,699.16
Wage Attach #1	\$439.85		\$439.85
Wage Attach #2	\$150.00		\$150.00
Wage Attach #3	\$0.00		\$0.00
Wage Attach #4			\$0.00
457 - Nationwide	\$1,065.00		\$1,065.00
457I - Empower	\$4,926.32		\$4,926.32
457R - Roth	\$1,789.11		\$1,789.11
Christmas Club	\$3,910.00		\$3,910.00
Colonial(Plus)	\$47.84		\$47.84
Uniforms			\$0.00
Total Deductions	\$152,408.35	\$0.00	\$152,408.35
Net Wages Total	\$323,527.08	\$0.00	\$323,527.08
Payroll Date	Septemer 15,2023		

Minutes

Jefferson County Commission

Thursday, September 7, 2023

A meeting of the Jefferson County Commission was held on Thursday, September 7, 2023 during the third quarterly session at 9:30 am. The meeting was held via GoToWebinar and in-person. Present were Commissioners Steve Stolipher, Tricia Jackson, Jennifer Krouse, and Jane Tabb. Also present were Makayla Zonfrilli, County Administrator and Sorayda Pitts, Administrative Assistant. The archived meeting of the Thursday, September 7, 2023 meeting is available on the Jefferson County Commission website.

PRAYER- Pastor Adam Johnson

PLEDGE OF ALLEGIANCE

Commissioner Stolipher led the Pledge of Allegiance

APPROVAL OF MINUTES

Motion by Mr. Stolipher to approve the August 17, 2023 Minutes as presented. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Stolipher to approve the Payroll for September 1, 2023 in the amount of **\$341,074.45**. Motion seconded and unanimously approved.

APPROVAL OF REQUISITIONS

Motion by Mr. Stolipher to approve the requisition for September 7, 2023 in the amount of **\$49,471.93**. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK REGISTER			
August 23, 2023			
CHECK #		VENDOR NAME	AMOUNT
88406		AHA-ARTS & HUMANITIES ALLIANCE	\$ 1,478.71
88407		AMERIFLEX	\$ 321.65
88408		AT&T	\$ 236.70
88409		AT&T MOBILITY - CC	\$ 1,720.03
88410		BERKELEY GLASS INC	\$ 405.00
88411		CAROLINA RECORDING SYSTEMS LLC	\$ 8,730.00
88412		CMA CHRYSLER DODGE JEEP	\$ 322.00
88413		DIGITAL DOCUMENT SOLUTIONS INC	\$ 804.52
88414		EASTERN PANHANDLE REGIONAL PLANNING & DEVELOPMENT	\$ 47,964.48
88415		FIRE SAFETY EQUIP	\$ 575.00
88416		GFOA GOVERNMENT FINANCE OFFICERS ASSOCIATION	\$ 595.00
88417		GUTTMAN OIL CO	\$ 6,261.71
88418		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	\$ 2,189.58
88419		JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$ 36,967.46
88420		JEFF CO PARKS & RECREATION COMMISSION	\$ 33,299.19
88421		LANGUAGE LINE SERVICES	\$ 50.25
88422		MILLENIUIM INSURANCE GROUP	\$ 900.00
88423		MILLERS SUPPLIES AT WORK	\$ 752.00
88424		POTOMAC EDISON	\$ 354.98
88425		RICE TIRES CO	\$ 133.90
88426		ROBIN MULLIKIN	\$ 77.57
88427		SPIRIT OF JEFFERSON	\$ 22.22
88428		ZACH HOLLER	\$ 83.31
88429	GS/004	GENERAL COUNTY FUND- J FEE	\$ 14,028.35
			\$ 158,273.61

- **Motion by Mr. Stolipher to approve the Accounts Payable for August 24, 2023 in the amount of \$158,273.61. Motion seconded and unanimously approved.**

CHECK REGISTER			
September 1, 2023			
CHECK #	VENDOR NAME		AMOUNT
88431	ADAM WARD		\$ 202.34
88432	AMERICAN FAMILY LIFE INSURANCE COMPANY ICU		\$ 2,269.38
88433	AT&T BILL PAYMENT		\$ 2.58
88434	BERKELEY GLASS INC		\$ 125.00
88435	BIEDLERS ELEC MOTOR REP		\$ 751.35
88436	BUREAU OF CHILD SUPPORT		\$ 439.85
88437	CASTO & HARRIS INC		\$ 1,054.50
88438	CHARLES TOWN PRESBYTERIAN CHURCH		\$ 30.00
88439	COLONIAL LIFE		\$ 95.68
88440	COMPTROLLER OF MARYLAND		\$ 1,171.59
88441	DAVID EVERETT BOOBER		\$ 178.10
88442	DIANN BROWN		\$ 56.00
88443	EFTPS IRS TAXES		\$ 118,235.73
88444	EMPOWER RETIREMENT		\$ 6,862.57
88445	FEDEX		\$ 123.15
88446	FIDELITY POWER SYSTEMS		\$ 865.00
88447	GUTTMAN OIL CO		\$ 6,270.96
88448	HIGHMARK WV		\$ 207,215.49
88449	JEFFERSON SECURITY BANK		\$ 3,925.00
88450	JEFFERSON CO FIRE & RESCUE ASSOCIATION, INC.		\$ 14,712.00
88451	JENNIFER KROUSE		\$ 77.85
88452	LANGUAGE LINE SERVICES		\$ 48.50
88453	MAKAYLA ZONFRILLI		\$ 113.78
88454	MICHAEL MONAGHAN		\$ 305.82
88455	NATIONAL VISION ADMIN.		\$ 1,653.36
88456	NATIONWIDE RETIREMENT SOLUTIONS		\$ 1,065.00
88457	DR. ROBERT E. JONES III		\$ 1,000.00
88458	RONALD FLETCHER		\$ 3,250.00
88459	SOFTWARE SYSTEMS INC		\$ 55.00
88460	SOFTWARE SYSTEMS INC		\$ 1,151.90
88461	SPIRIT OF JEFFERSON		\$ 305.48
88462	STATE TAX DEPARTMENT		\$ 150.00
88463	TERESA HENDRICKS		\$ 56.00
88464	THOMAS HANSEN		\$ 97.00
88465	TRICIA JACKSON		\$ 52.32

88466		TYLER TECHNOLOGIES		\$ 8,325.00
88467		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 27,812.37
88468		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 49,126.41
88469		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 166.49
88470	FG/009	SHERIFF OF JEFFERSON COUNTY		\$ 5,923.92
88471	BS/011	SHERIFF OF JEFFERSON COUNTY		\$ 9,163.18
88472	AM/053	SHERIFF OF JEFFERSON COUNTY		\$ 1,796.73
TOTAL				\$ 476,282.38

- **Motion by Mr. Stolipher to approve the Accounts Payable for August 31, 2023 in the amount of \$476,282.38. Motion seconded and unanimously approved.**

CHECK REGISTER			
September 7, 2023			
CHECK #	VENDOR NAME		AMOUNT
88473	84 LUMBER		22.29
88474	CAPITAL LIGHTING & SUPPLIES LLC		820.55
88475	CHARLES TOWN PRESBYTERIAN CHURCH		48.00
88476	CHARLES WISE		67.00
88477	DEAN THOMAS		67.00
88478	DOING BETTER BUSINES		825.84
88479	EMILY MORROW		141.48
88480	FUTURITY IT INC		1,000.00
88481	GRANICUS INC.		12,241.78
88482	MERIDITH R BLACKFORD		67.00
88483	MYRON GREGORY		67.00
88484	RANDALL DOANE		67.00
88485	RYLEE BROWN		311.78
88486	SCPDC-SOUTH CENTRAL PLANNING & DEVELOPMENT COMM		17,500.00
88487	SHERIFF OF JEFFERSON COUNTY		50.00
88488	SPECIALTY BUSINESS SUPPLIES		41.40
88489	SPECIALTY BUSINESS SUPPLIES		35.00
88490	TEK ADVISORS LLC		981.38
88491	US POSTAL SERVICE		20,000.00
88492	WV REGIONAL JAIL & CORRECTION FACILITY AUTH		47,850.84
88493	WVCORP WV COUNTIES SELF INSURANCE RISK POOL		40,180.50
88494	ANGELA L BANKS		90.25

TOTAL	\$ 105,054.46
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- **Motion by Mr. Stolipher to approve the Manual Checks for September 8, 2023, in the amount of \$105,054.46. Motion seconded and unanimously approved.**

ANNOUNCEMENTS:

PUBLIC COMMENT: Jacquelin Milliron, Toni Melbourne, David Tabb and Adam McDowell.

PRESENTATIONS

1. Angie Banks-Assessor- Requested approval of Exonerations

NAME	TYPE	DISTRICT	AMOUNT	TICKET NO.
Angie Leclair	PP	ST	\$187.81	315921

- **Motion by Mr. Stolipher to approve the Exoneration for ticket No. 315921 as presented by Ms. Banks. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	AMOUNT	TICKET NO.
John Dangler & Melanie Johnston	PP	HF	\$492.66	306983

- **Motion by Mr. Stolipher to approve the Exoneration for ticket No. 306983 as presented by Ms. Banks. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	AMOUNT	TICKET NO.
John & Dorthy Miles	PP	KT	\$260.00	310255

- **Motion by Mr. Stolipher to approve the Exoneration for ticket No. 310255 as presented by Ms. Banks. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	AMOUNT	TICKET NO.
Thomas Jr. & Angie Jones	PP	HF	\$27.61	307598

- **Motion by Mr. Stolipher to approve the Exoneration for ticket No. 307598 as presented by Ms. Banks. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	AMOUNT	TICKET NO.
William & JoAnn Campbell	PP	RC	\$30.63	313318

- **Motion by Mr. Stolipher to approve the Exoneration for ticket No. 313318 as presented by Ms. Banks. Motion seconded and unanimously approved.**

2. Tom Hansen-Sheriff- Requested

- a. Approval of application for the JAG grant continuation of the PRO and JHS, the GHSP grant for the continuation of the Eastern Panhandle Traffic Safety program and accept the awarded funding for the Court Security Grant.

- **Motion by Mr. Stolipher to approve the application for the JAG grant for the continuation of the PRO program and authorize the president to sign any associated documents. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to approve the application for the GHSP grant and authorize the president to sign any associated documents. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to accept the awarded funding from the Court Security grant in the amount of \$21,800.00 and authorize the president to sign any associated documents. Motion seconded and unanimously approved.**

b. Animal Control New Hires

- **Motion by Mr. Stolipher to approve the hire of Stephanie Dana as Animal Control Kennel Tech as a 40 hour employee with a starting salary of \$33,965.00, with a start date of September 11, 2023. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to approve the hire of Chance Boehning as Animal Control Officer as a 40 hour employee with a starting salary of \$40,628.00, with a start date of September 11, 2023. Motion seconded and unanimously approved.**

c. Create a New Full-Time Bailiff

- **Motion by Mr. Stolipher to approve the creation of a new full-time bailiff position using part-time funds. Motion by Mr. Stolipher to approve the hire of David Wampler for the full-time position with a salary of \$35,360 and a start date of September 11, 2023. Motion seconded and unanimously approved.**

3. Laura Kuhn- Director of Fleet & Facilities- Requested approval of Custodial Contractor for cleaning downtown campus buildings- Patton Building Services.

- **Motion by Mr. Stolipher to approve Patton Building Services for custodial services as recommended and to transfer funds from the Fleet & Facilities Salary line to Contracted Services. Motion seconded and unanimously approved.**

4. Liz Cook- City of Charles Town- Requested funds to purchase the garland for the columns on the courthouse.

- **Motion by Mr. Stolipher to approve the funding for the purchase of the Courthouse columns garland with the City of Charles Town paying 15% of the total amount of \$9,363. Motion seconded and unanimously approved.**

5. Nikki Painter- Probate Office- Requested special hearing for the Estate of Richard Walter Accurso-deceased, and Ellen Sherry Hoffman, deceased. Respondent and Administrator CTA, CBN. William H. Judy, III.

Motion by Mrs. Tabb to convene as a Fiduciary Review Board. Motion Seconded and unanimously approved.

Motion by Mrs. Tabb to adjourn as a Fiduciary Board and reconvene in regular session.

- **Motion by Mr. Stolipher to move this matter to the October 5, 2023 Commission meeting and to direct staff to release notices regarding this case. Motion seconded and unanimously approved.**

6. Roger Goodwin-Chief County Engineer- Requested

- a. Complete Release of Performance Bond PR2712364 for SAB Real Estate Group 2, LLC-Martinsburg Pike ROCS (File #S18-06/18-6-S)
 - **Motion by Mr. Stolipher to authorize a complete release of Performance Bond PR2712364 with Platte River Insurance Company in the amount of \$749,908.00 for SAB Real Estate Group 2, LLC-Martinsburg Pike ROCS (File#S18-06/18-6-S). Motion seconded and unanimously approved.**
- b. Complete release of Performance Bond 41422966 with Platte River Insurance Company, Glastonbury, CT for SAB Real Estate Insurance Group 2, LLC-Early Grading Permit for Martinsburg Pike ROCS (File#S18-06/18-6-S)
 - **Motion by Mr. Stolipher to authorize a complete release of Performance Bond 41422966 with Platte River Insurance Company, Glastonbury, CT in the amount of \$117,484.00 SAB Real Estate Insurance Group 2, LLC-Early Grading Permit for Martinsburg Pike ROCS (File#S18-06/18-6-S) . Motion seconded and unanimously approved.**

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

- a. Pay rate adjustments for two employees-2 Years of Service and newly acquired certifications.

- **Motion by Mr. Stolipher to approve the hourly pay increase and promotion for Corey Walsh as a result of a new acquire certification from FF/EMT II to FF/AEMT II. In accordance with AP1192 he has submitted the proper documentation to receive 7 years of service steps. His current hourly pay rate is \$20.16/hour and will increase to \$24.87 effective August 27, 2023. Motion seconded and unanimously approved.**

- **Motion by Mr. Stolipher to approve the hourly pay rate increase for Todd Turner. In accordance with AP1192 he has submitted the proper documentation to receive 5 years of service steps. His current hourly pay rate is \$20.67/hour and will increase to \$22.69 effective August 27, 2023. Motion seconded and unanimously approved.**

b. JC Fair Standby Report

INFORMATIONAL ONLY

c. Potential purchase of SFD A31

DISCOUSION ONLY- NO ACTION

8. 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, 2022-C-14 and 2023-C-112, WV Supreme Court No.'s 21-0727, 21-

0728, and 21- 0731 and WV Intermediate 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 and discussion by counsel on Jefferson County Circuit Court Case No. CC-19-2023-P-112.

g. Report by counsel on Jefferson County Circuit Court Case No.'s CC-19-2023-C-141, -143, -145, -151, -152 and -153

- **Motion by Mrs. Krouse to repeal the Solar Text Amendment. Motion passed on a 2-1 vote with Commissioner Krouse, Commissioner Jackson voting for and Commissioner Tabb opposing.**

Commissioner Stolipher recused himself from the discussion and vote.

UNFINISHED BUSINESS

- **Charles Town District Commissioner Vacancy**
Moved to the next Commission Meeting
- **Public Hearing: Hill Top TIF Application**
 - **Motion by Mr. Stolipher to have County Administrator hire TIF Expert legal counsel and have them review the Hill Top TIF contract. Motion seconded and unanimously approved.**

NEW BUSINESS

- **County Museum Commission**

NO ACTION NEEDED

COUNTY ADMINISTRATOR REPORT

- Title 64 Legislative Rule Dept. of Health Bureau for Public Health: Series 116: Distribution of Funds From Emergency Medical Services Salary Enhancement Fund Survey.

INFORMATIONAL ONLY

- State Budget Revisions FY2023-2024

- **Motion by Mr. Stolipher to approve the State Budget Revision #2742024 and adopt the associated resolution to correct the administrative error during the initial budget submission process. Motion seconded and unanimously approved.**

- Emergency Services Health Care Renewals

- **Motion by Mr. Stolipher to approve the Emergency Services Health Care renewals as presented. Motion seconded and unanimously approved.**

- Potential Public Safety Concern: Blue Ridge Mountain/Temporary ambulance services station on the Blue Ridge Mountain during Rt. 340 Closure

DISCOUSION ONLY- NO ACTION

- Free small business classes announced for FY24

INFORMATIONAL ONLY

- Staff Hiring
 - **Motion by Mr. Stolipher to approve the hire of Taylor Sisk as a project specialist with a salary of \$42,000 and a start date of October 2, 2023. Motion seconded and unanimously approved.**
- Jefferson County Grown/Jefferson County Made announcement

INFORMATIONAL ONLY

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

Steve Stolipher, PRESIDENT

Respectfully submitted
Sorayda Pitts
Administrative Assistant

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**

Name: Angela Banks

Department or Organization: Assessor

Commission Meeting Date: September 21, 2023

Special Meeting Date (if necessary):

Subject (wording to be placed on agenda):

Exonerations

Please provide a description of your request or presentation, including any background information:

Type of Request: (Funding/Hiring):

Funding/Salary/Hourly Amount:

Name of Hire (if Applicable):

Grade/Step/Hours (PT/FT):

Start Date (beginning of pay period):

Post Probationary Increase (If applicable):

Any Additional Conditions of Employment or Funding Comments:

Recommended Motion (type out wording of the motion you would like the Commission to approve):

Attach supporting documents for request, or request may be denied.

If not attached, explain:

Is equipment needed? Projector Internet/Wi Fi: Conference/Video No

Contact Information: Angela Banks

Phone Number: 304-728-3224

Email Address:

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**

Additional Comments Page:

West Virginia Department of Agriculture

Kent A. Leonhardt, Commissioner
Joseph L. Hatton, Deputy Commissioner



RECEIVED

SEP 21 2023

County Commission
of Jefferson County, WV

ASSESSOR'S CERTIFICATE OF COMPLIANCE

TO THE HONORABLE COUNTY COURT OF JEFFERSON COUNTY

The Assessor of Jefferson County, Angela L. Banks, has completed the Farm Census of 2023 and has satisfactorily complied with the requirements of the Farm Statistics Law. She is, therefore, eligible to receive compensation from the County Court according to Chapter 7, Article 7, Section 6C of the New Code of West Virginia.

A handwritten signature in blue ink that reads "Kent A. Leonhardt".

Commissioner of Agriculture

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**

Name: Laura Kuhn

Department or Organization: Fleet & Facilities Management

Commission Meeting Date: 9/21/2023

Special Meeting Date (if necessary):

Subject (wording to be placed on agenda):

Approval of the Courthouse Facilities Improvement Authority Grant Application

Please provide a description of your request or presentation, including any background information:

I am applying for grant funds from the Courthouse Facilities Improvement Authority. The funds will be used for a renovation to add an additional holding cell in the basement of the St. Margaret's Judicial Center. The County only has two holding cells that are used for court proceedings for all courthouse facilities. This is inadequate given the amount of concurrent court cases that are held at both Circuit and Magistrate Courts. This is an 80/20 grant. I am requesting \$50,000. The County will be responsible for the other \$10,000.

Type of Request: (Funding/Hiring): Grant Funding

Funding/Salary/Hourly Amount:

Name of Hire (if Applicable):

Grade/Step/Hours (PT/FT):

Start Date (beginning of pay period):

Post Probationary Increase (If applicable):

Any Additional Conditions of Employment or Funding Comments:

Recommended Motion (type out wording of the motion you would like the Commission to approve):

Move to approve the Courthouse Facilities Improvement Authority Grant Application and authorize the President's signature on the application.

Attach supporting documents for request, or request may be denied.

If not attached, explain:

Is equipment needed? Projector Internet/Wi Fi Conference/Video No

Contact Information: Laura Kuhn

Phone Number: 304-728-3355

Email Address:

LKuhn@jeffersoncountywv.org

2023 – 21st Grant Cycle



Application for Funding Assistance

Application Postmark Deadline: September 29, 2023

Contact Information:

Melissa Garretson Smith, Executive Director

2003 Quarrier Street, Charleston, WV 25311

Telephone (304) 558-5435

Cell (304) 380-4032

Email: melissa.smith@wvcfia.com

www.cfia.wv.gov

6. Federal Employer's Identification Number (F. E. I. N. #):

55-6000333

7. Are you applying for grant funds that will be applied to the main courthouse building?

[X] Yes

Jefferson County has two main courthouse buildings. The Historic Courthouse is located at 100 East Washington Street and the St. Margaret's Judicial Center is located across the street from the Historic Courthouse at 110 North George Street. The Historic Courthouse contains Circuit Court and the County Clerk. The St. Margaret's Judicial Center contains Circuit Court, Magistrate Court, and the Sheriff's Tax Office.

The grant funds we are applying for will be used at the St. Margaret's Judicial Center.

8. Provide a brief description of your construction project in the space below:

We plan to renovate existing space in the basement of the St. Margaret's Judicial Center to add an additional holding cell to house defendants of criminal court proceedings. This will increase Jefferson County's court holding cells from two to three cells.

9. Applicants May Only Apply for Funding under one Category. Please place an X in the box next to the category for which you are requesting funding assistance.

Project Categories:

[X] Life Safety

[] Accessibility

[] Structural Improvements

[] Roofing

[] Electrical

[] Communications Cabling

[] Exterior Improvements

[] Interior Improvements

[] Mechanical (HVAC/Plumbing)

[] Doors and Windows

[] New Construction / Space

Tab II and Tab III should be consistent with the category that you have indicated above.

CATEGORY 1: LIFE SAFETY

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, describe the facility.

Jefferson County has two main courthouse buildings. The Historic Courthouse is located at 100 East Washington Street and the St. Margaret's Judicial Center is located across the street from the Historic Courthouse at 110 North George Street. The Historic Courthouse contains Circuit Court. The St. Margaret's Judicial Center contains Circuit Court and Magistrate Court.

The grant funds we are applying for will be used at the St. Margaret's Judicial Center for an additional holding cell that serves both Courthouse buildings.

- Provide a general description of the building identifying all life safety concerns that exist.

The St. Margaret's Judicial Center was built in 1905 and was completely renovated in 1999. The 3rd floor was further renovated in 2017 to accommodate the addition of another Circuit Judge to the circuit. The building has four floors, which includes a basement and has approximately 28,600 square feet. The building is constructed of masonry and wood.

The life safety issues for our courthouses are inadequate holding cells and prisoner transport between the Courthouse buildings.

- Describe the building life safety issue that is the basis for this grant application. Include photos documenting the concern.

The life safety issue that is the basis for this grant application is inadequate holding cell space. Jefferson County currently has only two holding cells with full restroom facilities. Both of these holding cells are located in the St. Margaret's Judicial Center. The current holding cells house defendants in criminal cases for court proceedings in both courthouses. We also have two extremely small holding cells that do not contain restroom facilities. These holding cells are not usable due to their size and lack of restroom accommodations. Our plans are to use the grant funding to convert these two unusable cells into one holding cell with restroom facilities.

Jefferson County is experiencing rapid growth, which has led to an increase of criminal court cases. Legislation was recently passed which will increase the number of Magistrates and Circuit Court Judges in Jefferson County. This will further intensify the need for additional holding cell space as there will be an increase in concurrent court proceedings.

- Does the life safety issue present a current hazard to building occupants?

Yes. Prisoners need to be shuffled frequently to move to and from their court appearances within Jefferson County's court buildings, which presents more exposure to building occupants. This allows for more risk to the safety of building occupants including court personnel, bailiffs, and the public. There is also risk to the prisoner's safety.

Jefferson County is also a designated "High Intensity Drug Trafficking Area" by the Office of National Drug Control Policy. Due to this, there have been threats of violence between defendants in these cases. Not being able to properly contain and separate these defendants presents a serious life safety issue to occupants.

- How will the safety of building occupants be improved once the project is completed?

With the addition of an additional holding cell, more prisoners can wait safely within the holding cells without being frequently moved in and out of various court and public areas due to lack of adequate holding space. Building occupants will be less exposed to prisoners being moved throughout the buildings. Which will reduce the risk of a potentially dangerous or life safety situation occurring.

- Has a local or state fire safety official documented the problem? If yes, attach any reports, citations, etc.

There has been no documentation from local or state fire safety officials. The safety issue has been discussed numerous times during safety and security meetings with court security personnel and the Jefferson County Sheriff. The Chief Court Bailiff, Magistrates, Circuit Judge and Prosecuting Attorney for Jefferson County have all included letters of support for the additional holding cell and have expressed their concerns for occupant safety.

- Will this project correct all major life safety concerns? If no, describe other concerns that will remain.

No. We hope to address the issue of transporting prisoners from the holding cells in the basement of the St. Margaret's Judicial Center to the Historic Courthouse in the near future. Currently, prisoners must be escorted across a busy street to attend court in the Historic Courthouse. Prisoners need to be moved across the street in all weather conditions. Walking across the street in icy conditions, while shackled and wearing slide-on shoes presents a safety issue to the prisoners. This is also a safety issue for the public and occupants of both court buildings, as there is a greater risk of an incident occurring. Jefferson County is currently working with an architect/engineering firm on a space study for the county buildings located in Charles Town. This includes both court and non-court offices. If we are able to produce alternate space options for some offices, we hope to be able to eventually add more holding cell space accessible to the Historic Courthouse or to construct a sally port next to the Historic Courthouse.

Tab III: Describe the Proposed Improvements

- Describe the proposed improvements.

We propose to use an existing space that was originally created as holding cells. These current holding cells are unusable because they have no restroom facilities and they are too small. We plan to demolish the existing wall between the two cells to create one larger cell. We will install plumbing with a toilet and sink with drinking water. Due to the basement location, the plumbing for this project will be labor intensive. We will install a heavy-duty door, with a detention lockset and heavy weight detention hinges. Glass will be glazed with impact resistant Lexan.

- Provide information about the system or product that will be used to correct the building life safety deficiency. If possible, provide product literature and/or architectural drawings of the proposed improvements.

Heavy-duty doors with impact-resistant Lexan will be used. The sink/drinking water/toilet combination unit will be prison-grade stainless steel. A floor-mounted bench will be installed.

Tab IV. Project Budget Information

Attach an overall detailed budget for the proposed improvements. Consider the requirements listed within the “Special Conditions and Assurances” section of this application when developing your project budget. Include testing, design fees, demolition costs, construction costs, and a project contingency in the budget. Indicate whether the project is a phased project and what phase you are seeking funding for with this application.

1. Provide an estimated total cost of the proposed project:

\$50,000

2. Provide the amount of funding assistance requested (cannot exceed \$100,000):

\$40,000

3. Please list or attach a detailed project budget:

- Demolition **\$2,000**
- Plumbing (Labor & Materials) **\$25,000**
- Door & Glass (Labor & Materials) **\$15,000**
- Bench (Labor & Materials) **\$2,000**
- Miscellaneous Materials & Contingency **\$6,000**

Tab V. Historical Significance

1. Provide proof that SHPO has been contacted regarding your potential project. Provide a letter from SHPO, name of a contact person at SHPO or a general statement that explains your communication with SHPO.

Letter to SHPO attached.

2. Attach a description of how the proposed project will impact the historic characteristics of the courthouse facility and how the project will either maintain or enhance the historic characteristics.

The proposed project will not impact the historic characteristics of the courthouse facility. The proposed project will be located in the basement of the St. Margaret's Judicial Center. The basement is currently used for file storage and for holding cells. There will be no change to any historic characteristics to either of Jefferson County's courthouse buildings.



Department of Fleet & Facilities Management
128 Industrial Blvd
Kearneysville, WV 25430
304-728-3355
Laura Kuhn, Director

September 12, 2023

Susan M. Pierce
Deputy State Historic Preservation Officer
WV State Historic Preservation Office
Division of Culture & History
1900 Kanawha Blvd., East
The Culture Center
Charleston, WV 25305

RE: 21st Cycle CFIA Grant – Jefferson County St. Margaret’s Judicial Center Courthouse

Dear Ms. Pierce:

The County Commission of Jefferson County is in the process of applying for the 21st cycle of courthouse improvement grants through the West Virginia Courthouse Facilities Improvement Authority. One of the requirements when applying for this grant is to contact the State Historic Preservation Office regarding our potential project.

If approved, Jefferson County proposes to use the grant funds to construct a new holding cell in the basement of the St. Margaret’s Judicial Center located at 110 North George Street, Charles Town. This additional holding cell will be used for court proceedings at both the Historic Jefferson County Courthouse and the St. Margaret’s Judicial Center. Currently, Jefferson County has only two usable holding cells. This is inadequate for our current and future needs. Jefferson County is rapidly growing. The legislature recently approved the addition of a 4th Magistrate and a second full-time Circuit Judge. Which means that there will be an increase in concurrent court proceedings. The lack of adequate holding cell space is a safety issue for Jefferson County.

Thank you for your consideration.

Sincerely,

Laura L. Kuhn
Director

Laura Kuhn

From: Pierce, Susan M <susan.m.pierce@wv.gov>
Sent: Tuesday, September 12, 2023 3:53 PM
To: Laura Kuhn
Subject: Re: CFIA Grant - Notification of Application
Attachments: image003.jpg

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Ms. Kuhn,

Thank you for notifying my office of Jefferson County's intent to apply for WV CFIA funding. If awarded, please submit photographs of the location in the basement where the additional cell will be added. It should not be a problematic review unless the basement is unusually significant.

Please use this email to confirm you have reached out to our office.

Thank you for your cooperation.

Sincerely,

Susan Pierce
WV Deputy State Historic Preservation Officer
WV Dept. of Arts, Culture and History
1900 Kanawha Blvd. East
Charleston, WV 25305
304-558-0240 ext. 158

On Tue, Sep 12, 2023 at 1:08 PM Laura Kuhn <lkuhn@jeffersoncountywv.org> wrote:

Ms. Pierce:

Attached is a letter notifying SHPO of the Jefferson County Commission's intent to apply for the CFIA grant. If you need anything additional, please let me know.

Thank you,

Laura L. Kuhn

Director

Department of Fleet & Facilities Management

Jefferson County Commission

128 Industrial Blvd.

Kearneysville, WV 25430

304-728-3355

LKuhn@jeffersoncountywv.org



Tab VI. Letters of Support

Letters of Support are attached and were received from:

- **David Hammer, Circuit Court Judge**
- **Thomas H. Hansen, Sheriff**
- **Tina Renner, Circuit Clerk**
- **Carmela Cesare, Vicki D'Angelo and Arthena Roper, Magistrates**
- **Jesse W. Jones, Chief – Court Security**
- **Matthew L. Harvey, Prosecuting Attorney**

STATE OF WEST VIRGINIA
23rd Judicial Circuit
Berkeley, Jefferson & Morgan

DAVID M. HAMMER
SUPERVISING JUDGE, JEFFERSON COUNTY
TEL: (304) 728-3237
FAX: (304) 728-3251



100 EAST WASHINGTON STREET
CHARLES TOWN, WV 25414
DAVID.HAMMER@COURTS.WV.GOV

**Courthouse Facilities
Improvement Authority**

RE: *Life Safety Grant*
Jefferson County, West Virginia

Dear Administrator,

I write in support of Jefferson County's application for a Life Safety Grant to be used to create a third holding cell with restroom facilities. Jefferson County is a rapidly growing county and while such growth brings many benefits, it also brings its share of troubles.

Jefferson County is a designated "High Intensity Drug Trafficking Area" by the Office of National Drug Control Policy due to the influx street drugs and gang-related illegal drug distribution conspiracies. Conspiracies involve multiple defendants and as you might not be surprised to hear, there are sometimes threats of violent retribution against testifying defendants.

Jefferson County only has two holding cells. Obviously, we cannot put men and women in the same cell; but we also must be cautious about co-defendants being housed together regardless of gender. Likewise, we absolutely cannot house adult defendants within sight of juveniles. If we were only handling a few cases at a time, we could make do with only two holding cells. But last year, according to the West Virginia Supreme Court's 2022 Annual Statistical Report, there were 330 criminal case filings in circuit court and 2,338 criminal case filings in magistrate court. I do not mean to imply that all 2,668 criminal cases resulted in one or more defendants having to be held in one of our two holding cells, but many of the cases do require use of cell while defendants await an appearance before one of our two circuit judges or one of our three magistrate judges.

Our current strategy to maintain holding cell safety is to require more transports of prisoners from the Eastern Regional Jail in Berkeley County. But more transports require more correctional facility officers at the ERJ, more transport expense, delays of court proceedings, and frankly, more risk to guards, prisoners, and the public as we shuttle prisoners back and forth between Jefferson and Berkeley counties.

An additional holding cell will not solve all our life safety issues, but it will help us tremendously.

I ask that you approve Jefferson County's application for a Life Safety Grant knowing that the grant will be used for and accomplish its intended purpose.

Sincerely,



David M. Hammer, Judge
Jefferson County, West Virginia

cc via email: Chief Judge Steven Redding



Office of Sheriff and Treasurer of Jefferson County

Law Enforcement Office
102 Industrial Blvd
Kearneysville, WV 25430
304-728-3205
Fax: 304-728-3299

Tax Office
PO Box 9
Charles Town, WV 25414
304-728-3220
Fax: 304-728-4034

September 6, 2023

Laura Kuhn
Fleet and Facilities Management
VIA EMAIL
lkuhn@jeffersoncountywv.org

Re: Courthouse Facilities Grant

Dear Laura,

I am writing today in support of your application for the renovations to the temporary holding cells in the St Margaret's building basement. When these were first constructed, they were envisioned as being used as a location to house inmates with special circumstances for a short period of time; however, the lack of restroom, inability to communicate with the inmates, and the ever increasing times they were needed to be housed there made them unusable. Therefore, I am in full support of your application to modify these cells to make them a more practical usable space.

The requested enhancements will make them a safer area for staff and inmates and will help resolve the lack of adequate holding cells we have been experiencing. We feel that this project would be appropriate for the Life Safety category of funding as it would improve the life of the inmates while they are in our care while also creating safer environments for the court security officers as well as the inmates. This would create a safer environment because creative alternatives will not have to be utilized to meet the needs of those inmates with special circumstances or who cannot be comingled.

Thank you for taking the initiative to apply for this grant.

Sincerely,

Thomas H. Hansen
Sheriff of Jefferson County



STATE OF WEST VIRGINIA
JEFFERSON COUNTY CIRCUIT/FAMILY COURT CLERK
TINA RENNER

P.O. BOX 1234
CHARLES TOWN, WV 25414

304 728 3231 (Phone)
304 728 3346 (Fax)

August 30, 2023

Laura L. Kuhn
Director
Department of Fleet & Facilities Management
Jefferson County Commission
128 Industrial Blvd.
Kearneysville, WV 25430

Ms. Kuhn,

It has been brought to my attention that there is an opportunity to have three full holding cells in the St. Margaret's Judicial Building. Converting the unusable holding cell into a usable unit with bathroom facility is not only important for the number of persons it can maintain but most important a huge safety issue. Two Bailiffs must be always with one prisoner especially needed to use the facilities. Once the upgrade is made to have three full holding cells with facilities it will make the Bailiffs job much easier than to have to escort the prisoner to a complete holding cell if one is available.

Please see if there is anything that can be done to make this happen as soon as possible.

Thank you,


Tina Renner

JEFFERSON COUNTY MAGISTRATE COURT
JEFFERSON COUNTY JUDICIAL CENTER

MAGISTRATE
CARMELA CESARE
304-728-3271

110 NORTH GEORGE STREET
P.O. Box 607
CHARLES TOWN, WV 25414

MAGISTRATE COURT CLERK
Shayna Mason
Phone: 304-728-3233
Fax: 304-728-3235



August 31, 2023

Re: Life Safety Grant
Jefferson County, WV

Dear Ms. Kuhn,

This is regarding Jefferson County's application for a Life Safety Grant to fund the conversion of unusable holding cells in the basement of the St. Margaret's Judicial building to usable holding cells with restroom facilities. Each year Jefferson county handles a large volume of cases involving incarcerated individuals. These inmates are often charged with violent crimes and thus are potentially violent themselves. They must be treated accordingly to ensure the safety of the other inmates and the public. The logistics required to transport inmates to and from the jail, safely house them and to transport them to and from the courtrooms while they are located at the St. Margarets Judicial building is quite involved and often involves multiple bailiffs. An additional holding cell will greatly improve the ability of our bailiffs to protect the safety of the defendants as well as inmate witnesses, incarcerated juveniles, the bailiffs themselves and the public.

We greatly appreciate you making the effort to alleviate the currently dangerous situation that is our inadequate number of usable holding cells by making application for a Life Safety Grant to fund an additional usable holding cell.

Sincerely,
Carmela Cesare, Magistrate
Vicki D'Angelo, Magistrate
Arthena Roper, Magistrate



Office of Sheriff and Treasurer of Jefferson County

Law Enforcement Office
102 Industrial Blvd.
Kearneysville, WV 25430
304-728-3205
Fax 304-728-3299

Tax Office
PO Box 9
Charles Town, WV 25414
304-728-3220
Fax 304-728-4034

September 7, 2023

TO: Court Facilities Improvement Authority
FROM: Chief Jesse W. Jones, Jefferson County, WV Court Security
RE: Life Safety Grant Jefferson County, WV

I am writing this letter in support of Jefferson County's application for a Life and Safety Grant to be used to create an additional holding cell with restroom facilities. Holding cells with restroom facilities are necessary when housing inmates for several hours prior to and after their judicial hearings. Inmates normally spend up to 4 plus hours in our temporary holding cells during this process.

The Eastern Regional Jail (ERJ) Authority located in Berkeley County, WV is responsible for transporting all incarcerated inmates to and from their scheduled court appearances. Typically here in Jefferson County, WV inmates scheduled for court before noon arrive around 8:30 am. They are normally picked up to be returned back to the ERJ between 12:30 and 1:00 pm. If there are inmates scheduled for hearings that afternoon, the ERJ will bring those individuals down when picking up the inmates dropped off earlier that morning. The afternoon inmates are usually picked by no later than 4:30 pm.

The Jefferson County Judicial Complex only has two holding cells utilized to confine inmates for any length of time. Both holding cells are approximately 8' x 10 ½ feet each equipped with a sink, drinking water and toilet and will accommodate 4 or 5 inmates per cell comfortably. It's not uncommon to have 4 to 6 adult male inmates in one holding cell and 2 or 3 adult female inmates in the second holding cell at the same time. This is manageable under normal circumstances.

However, as you are probably well aware things are not always normal and there are times we have to adapt to the circumstances presented to us. Often times we receive inmates designated by the ERJ as "lock downs", which are those individuals to be isolated from other inmates because they have committed a violent act while incarcerated at the ERJ or "keep aways", those individuals that cannot be housed with other inmates for their own safety, this would

also include those inmates having mental or physical limitations or disabilities, elderly inmates, or those having mobility issues and need a wheelchair, etc.

There are also other considerations such as but not limited to; receiving inmates that are *co-defendants* which cannot be housed together or within sound of each other and *juveniles* which obviously cannot be housed within sight or sound of adult inmates.

Approximately 5 plus years ago there was an additional "3rd holding cell" constructed within our holding cell area because of the various reasons mentioned above. This particular cell measured approximately 9 ½ feet by 8 ½ feet. However, there was no provision for running water, no drinking water, no sink and no toilet. This would be commonly considered a "dry cell".

Additionally, there was a dividing wall (drywall) constructed through the middle of this particular holding cell which then divided it into two very small cells measuring approximately 4 ½ feet wide by 8 ½ feet deep. Since then there has never been any attempt to correct this inadequate, "dry cell" which makes this particular holding cell almost worthless for us to house an inmate for any length of time.

My recommendation would be to remove the dividing wall barrier dividing the 3rd holding cell and restore the same back to its original size. Then provide restroom facilities, a sink and drinking water. This would greatly assist us in housing inmates during extended periods of time.

In comparison, the Berkeley County, WV Judicial Complex has 13 holding cells in their basement area (2 for juvenile males, 2 for juvenile females, 3 for adult females and 6 for adult males). Additionally, the Berkeley County Judicial Complex has multiple holding cells on each floor serving their Family Court, Magistrate Court and Circuit Court totaling another 15 holding cells. There are some "dry cells" among those mentioned in this paragraph.

The Morgan County, WV Judicial Complex has a total of 5 holding cells, 1 on the first floor, 2 on the second floor and 3 on the third floor, one of which is a "dry cell."

As you can see, Jefferson County, WV falls far short in comparison with its two closest neighboring counties in West Virginia when it comes to adequate holding cells for a Judicial Complex. Therefore, I would ask that you approve Jefferson County's application for a Life Safety Grant. Thank you in advance for your consideration regarding this matter.

Respectfully,



Jesse W. Jones, Chief

Jefferson County, West Virginia Court Security



OFFICE OF THE PROSECUTING ATTORNEY

MATTHEW L. HARVEY

*Prosecuting Attorney of
Jefferson County, West Virginia*

120 South George Street * P.O. Box 729 * Charles Town, West Virginia 25414 * Phone: (304) 728-3243
Criminal Fax: (304) 728-3293 * Civil Fax: (304) 728-3353 * paoffice@jeffersoncountywv.org * www.jcpawv.org

September 6, 2023

Ms. Laura L. Kuhn, Director
Department of Fleet & Facilities Management
Jefferson County Commission
128 Industrial Blvd.
Kearneysville, WV 25430

Re: Courthouse Facilities Improvement Authority (CFIA) grant request

Dear Ms. Kuhn:

I am the Prosecuting Attorney for Jefferson County, West Virginia and am writing to convey my strong support for the Courthouse Facilities Improvement Authority (CFIA) grant request.

I understand this grant will be used to convert unusable holding cells into usable holding cells with restroom facilities located in the basement of the St. Margaret's Judicial building. This will take us from two holding cells with facilities to 3 full holding cells.

As you are well aware, not having adequate holding cells is a major safety issue. This is a tremendous concern and I believe needs to be resolved as soon as possible.

Please let me know if you wish to discuss my support of this grant further. Thank you and I look forward to follow-up conversations.

Sincerely,

A handwritten signature in blue ink, appearing to read "MLH", written over a faint circular stamp.

Matthew L. Harvey
Prosecuting Attorney

Tab VII. Supporting Documents – resolution, statement of need, etc...



RESOLUTION

The County Commission of Jefferson County met on Thursday, September 21, 2023 with a quorum present and passed the following resolution.

Be it resolved that the County Commission of Jefferson County hereby authorize Steve Stolipher, Commission President of the County Commission of Jefferson County, to act on its behalf to enter into a contractual agreement with WV Courthouse Facilities Improvement Authority to receive and administer funds pursuant to provisions of the WV Courthouse Facilities Improvement Fund program.

Signed: _____

County Clerk



21st Grant Cycle Application – WV Courthouse Facilities Improvement Authority
Statement of Need

Jefferson County is requesting grant funding for the construction of an additional holding cell to be located in the St. Margaret's Judicial Center. Jefferson County currently has two holding cells, which are located in the St. Margaret's Judicial Center. These holding cells are used for court proceedings at both the St. Margaret's Judicial Center and the Historic Jefferson County Courthouse.

We propose to renovate two existing holding cells that are inadequate and unusable because they do not have restroom facilities, sink or drinking water. The unusable cells are also too small. We propose to renovate the unusable cells by removing the center wall and creating one larger cell with bathroom facilities.

Jefferson County continues to experience rapid growth. Due to that growth and the increasing strain on our Court systems to keep up with the growth, Jefferson County will soon be acquiring a 4th magistrate and will become its own judicial circuit with two full-time Circuit Judges. Our court systems are already extremely busy and due to us only having two holding cells, Court Security personnel strategically move prisoners in and out of cells and court areas in order to accommodate their court schedules throughout the day. This movement of prisoners presents a danger to the building occupants, public, security personnel and to the prisoners.

The inadequate cell space also presents problems when we have prisoners that cannot be housed together. Juveniles cannot be held within sight of adults. At times, there are prisoners that need to be isolated from other prisoners due to safety issues. Genders and co-defendants also need to be separated.

This a life safety issue and we hope that this grant application is looked upon favorably. The addition of this holding cell will create a safer environment for all building occupants. Please refer to the letters of support from those court personnel that are effected by this safety issue.

Thank you for your consideration.

Signature Page

Provide the signature and printed name of the Authorized Official (County Commission President) and the names, signatures, official positions (of elected officials) whose areas of responsibility are affected by the requested improvements. For clarification purposes, the signatures could be those of the Circuit Judge, Sheriff, Circuit Clerk, Assessor, County Clerk, Magistrate, Family Court Judge, Prosecuting Attorney, or any combination depending on the improvements anticipated. The County Administrator/Manager may not sign as the Authorized Official. The Commission President must sign this page.

**Steve Stolipher, President
County Commission of Jefferson County**

**Judge David Hammer
23rd Judicial Circuit, Jefferson County**

**Thomas H. Hansen
Sheriff of Jefferson County**

**Jacqueline C. Shadle
Jefferson County Clerk**

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**

Name: Nathan Cochran

Department or Organization: Prosecuting Attorney's Office

Commission Meeting Date: September 21, 2021

Special Meeting Date (if necessary):

Subject (wording to be placed on agenda):

Report by legal counsel

Please provide a description of your request or presentation, including any background information:

See attached

Type of Request: (Funding/Hiring): N/A

Funding/Salary/Hourly Amount: N/A

Name of Hire (if Applicable): N/A

Grade/Step/Hours (PT/FT): N/A

Start Date (beginning of pay period): N/A

Post Probationary Increase (If applicable): N/A

Any Additional Conditions of Employment or Funding Comments:

N/A

Recommended Motion (type out wording of the motion you would like the Commission to approve):

N/A

Attach supporting documents for request, or request may be denied.

If not attached, explain:

Is equipment needed? Projector Internet/Wi Fi: Conference/Video No

Contact Information: Jaymee Houser

Phone Number: 304-728-3318

Email Address:

jhouser@jepawv.org

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**

Additional Comments Page:

- 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, 2022-C-14 and 2023-C-112, WV Supreme Court No.'s 21-0727, 21-0728, and 21- 0731 and WV Intermediate 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.

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**

Name: Makayla Zonfrilli

Department or Organization: County Commission

Commission Meeting Date: 09-21-2023

Special Meeting Date (if necessary):

Subject (wording to be placed on agenda):

County Administrator Report

Please provide a description of your request or presentation, including any background information:

Appoint an Interim Deputy Administrator - Jennifer Verdugo
Appoint a Tyler Munis Administrator - Rhonda Greenholtz
Email Policy
Policy 913

Type of Request: (Funding/Hiring):

Funding/Salary/Hourly Amount:

Name of Hire (if Applicable):

Grade/Step/Hours (PT/FT):

Start Date (beginning of pay period):

Post Probationary Increase (If applicable):

Any Additional Conditions of Employment or Funding Comments:

Recommended Motion (type out wording of the motion you would like the Commission to approve):

Motion to appoint Jennifer Verdugo as Interim Deputy County Administrator effective Sept. 22, 2023 at a salary of \$74,000.00

Motion to appoint Rhonda Greenholtz as the Tyler Munis Administrator for an additional pay increase of \$10,000 per year. SEE ADDITIONAL PAGE FOR OTHER MOTIONS

Attach supporting documents for request, or request may be denied.

If not attached, explain:

Is equipment needed? Projector Internet/Wi Fi: Conference/Video No

Contact Information: Makayla Zonfrilli

Phone Number: 304-268-8963

Email Address: mzonfrilli@jeffersoncountywv.org

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**

Additional Comments Page:

Motion to approve the email policy as presented

Policy 913 - FYI only

Jefferson County, West Virginia Job Description

Position Title	Deputy Administrator	Grade Level	VIII
Department	County Commission	Date	
Reports to	County Administrator	FLSA Status	EXEMPT

Statement of Duties: The employee performs administrative, clerical services in support of the operation of the County Commission. Employee is required to perform all similar or related duties.

Supervision Required: Under general supervision of the County Administrator, the employee is familiar with the work routine and uses initiative in carrying out recurring assignments independently with specific instruction. The supervisor provides additional, specific instruction for new, difficult or unusual assignments, including suggested work methods. The employee is expected to recognize instances which are out of the ordinary and which do not fall within existing instructions; the employee is then expected to seek advice and further instructions. Reviews and checks of the employee's work are applied to an extent sufficient to keep the supervisor aware of progress, and to insure that completed work and methods used are technically accurate and that instructions are being followed. In many cases, the work is self-checking, for example, requiring accounts to balance before proceeding.

Supervisory Responsibility: Employee, as a regular and continuing part of the job, does regularly supervise other employees.

Confidentiality: Employee has access to some confidential information obtained during performance of regular position responsibilities such as client or department records.

Accountability: Consequences of errors, missed deadlines or poor judgement may include adverse public relations, or jeopardize programs.

Judgement: Numerous standardized practices, procedures, or general instructions govern the work and in some cases, may require additional interpretation. Judgement is needed to locate, select and apply the most pertinent practice, procedure, regulation or guideline.

Complexity: The work consists of a variety of duties which generally follow standardized practices, procedures, regulations or guidelines. The sequence of work and or the procedures followed vary according to the nature of the transaction and or the information involved, or sought, in a particular situation.

Work Environment: The work environment involves everyday discomforts typical of offices, with occasional exposure to outside elements. Noise or physical surroundings may be distracting, but conditions are generally not unpleasant. Employee may be required to work beyond normal business hours to attend evening meetings.

Nature and Purpose of Public Contact: Relationships with co-workers and the public involving frequent explanation, discussion or interpretation of practices, procedures, regulations or guidelines in order to render service, plan or coordinate work efforts, or resolve operating problems. Other regular contacts are with service recipients and employees of outside organizations such as vendors, banks and/ or developers/contracts. More than ordinary courtesy, tact and diplomacy may be required to resolve complaints or deal with uncooperative or uninformed persons. Employee may furnish news media with routine information such as meeting agendas, press releases or departmental procedures.

Occupational Risk: Duties of the job present little potential for injury. Risk exposure is similar to that found in typical office settings.

Essential Functions: The essential functions or duties listed below are intended only as illustrations of the various type of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or logical assignment to the position. Must be able to work in a collaborative team environment with the ability to multi-task, a high degree of integrity, an ability to maintain strict confidentiality and exercise sound judgement. Strong communication, time management, analytical skills, attention to detail and problem-solving skills to compile and analyze data is crucial for success. Duties will include daily employee interaction to provide guidance and support related to employee benefits, company policies, employment verifications and day-to-day employment life cycle changes. Will engage with benefit vendors and representatives on a routine basis to affect quick resolution to employee questions and/or concerns. Will participate in onboarding, employee relations meetings and coordination of employee leave management.

HR Management. Administers the HR function for a department. Provides advice, interpretations and guidance and conducts research and analysis on HR management matters including particularly challenging or very highly sensitive matters. Supervises and manages work in areas including recruiting, compensation analysis, position control, new employee orientation, administration of awards program and ceremonies. Counsels employees and conducts investigations of employee grievances. Oversees processing of HR transactional paperwork such as requests for personnel actions to accomplish daily HR management work and to ensure accuracy and compliance with procedures.

*Confirms training of staff, develop documentation and compliance standards.

*Tyler System-updates for all personnel move, add, changes based on JCC approvals.

*Salary and benefits projection for budget process

*Assist in the coordination of the annual enrollment benefits process and Liaison with insurance broker for JC benefits.

*EEO Census, EEOP, Health Census submissions.

Organizational Training and Development. Develops and administers training programs. Develops and tests training modules and or oversees training or coordinates with other units, government agencies or contractors to develop, implement, and conduct training. Assesses Department training needs. Plans, develops and provides training strategies for the department. Proposes training and development programs and objectives. Develops and monitors spending against the department budget. Develops and maintains organizational communications such as bulletin boards and newsletters to ensure employees have knowledge of training and development events and resources.

Financial Management (Budgeting, Accounting, Financial Analysis).

- *Assists the Finance Director in administrating the financial functions of a department.
- *Assists with presentations to explain and justify budget requests. Ensures the design and implementation of administrative procedures to monitor and control major programmatic or functional expenditures.
- *Administers a complex grant, a program of grants or other types of financial programs; ensures compliance. Ensures that research is provided on grant programs and other funding sources, and helps with developing and submitting proposals or reports. Grant reconciliation to prepare the SEFA by 7/4.
- *ARPA-website updates, tracking of requests, commission approval processing
- *Assist with budget revision inputs, routine account reconciliations and reporting
- *Vendor payments listing for publication, local govt. survey submission, cash and bank reconciliations.
- *Assist in the coordination of annual JCC audit.

Community RelationsManages the community relations, outreach and media relations of a department. Tracks and monitors community relations and outreach projects to ensure team members adhere to standards and schedules; packages content for multiple platforms (such as print media, web pages, video, and social media) develops, implements, and reviews communication plans; maintains proactive communication with all stakeholders; provides staff training; and shares communications best practices. Researches, writes, and releases media advisories or press releases; manages timelines and advises contributors of deadlines and requirements; ensures that all documents are vetted, proofed and edited; keeps aware of critical, sensitive, and political events and issues; ensures that the department's website and social media presence are up-to-date; and develops joint strategic communications plan with higher-level management.

Jefferson County, West Virginia Job Description

Position Title:	Office Administrator 2 – GIS/Tyler Tech	Grade Level:	5 - \$60,300
Department:	Information Technology	Date:	Aug. 2023
Reports to:	Director of Information Technology	FLSA Status:	Exempt

Statement of Duties: Most of the duties assigned to the Office Administrator 2 – GIS/Tyler Tech (Level 2) are routine, involving heavy amounts of database entry and systems management for GIS and Tyler MUNIS software. Outside the main responsibilities of database entry and mapping, the Office Administrator 2 – GIS/Tyler Tech (Level 2) will also complete work relating to: the systems administration of Tyler MUNIS software to include creating workflows, administering and managing permissions, and working with the Budget Director and IT Director on MUNIS training. Additional duties will include digitizing, math, GPS collection, and technical writing. Employee collects, edits, manipulates, transforms, queries, maps, and assures quality of most GIS and Tabular data in the Jefferson County Enterprise GIS. This position also assists other departments with their mapping projects and coordinates Tyler MUNIS systems administration needs through performance of basic data maintenance and visualization.

In addition, employee is also responsible for the administrative duties of the department, including but not limited to, budget tracking, scheduling, purchasing etc. The employee will also handle day-to-day inquiries from the public and staff related to GIS & Addressing issues & policies. Employee is required to perform all similar or related duties.

Supervision Required: Under general supervision of the Director of Information Technology with consultation and cooperative work with the Budget Director and County Administrator on Tyler MUNIS systems administration in collaboration and with the permission of the Director of IT.

Supervisory Responsibility: Employee is not regularly required to supervise others.

Confidentiality: Employee has access to confidential information of the department.

Accountability: Consequences of errors or poor judgment may include missed deadlines, time loss, and adverse public relations.

Judgment: Numerous standardized practices, procedures, or general instructions govern the work.

Complexity: The work consists of a variety of duties which generally follow standardized practices, procedures, regulations, or guidelines. The sequence of work and/or the procedures followed vary according to the nature of the transaction and/or the information involved, or sought, in a particular situation.

Work Environment: Work is performed in an office environment with some field work required.

IT Department
Office Administrator 2 – GIS/Tyler Tech (Level 2)
August 2023

Jefferson County, West Virginia Job Description

Nature and Purpose of Relationships: Relationships are occasional with co-workers and the public. Ordinary, professional courtesy or tact may be required to handle basic customer requests.

Occupational Risk: Duties generally do not present occupational risk to the employee. Minor injury could occur, however, through employee failure to properly follow safety precautions or procedures. Examples of injury include minor bruises from falls, minor cuts or burns, or minor muscular strains from lifting, pushing or carrying heavy equipment or work materials.

Essential Functions:

The essential functions or duties listed below are intended only as illustrations of the various type of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

1. Collect, input, and edit GIS data for general layers: buildings, driveways, hydrants, etc.
2. Operate GIS system to query data, edit or add basic features, or create records from external digital and analog sources. Generate reports, documentation, metadata, cartography, visualization, maps, illustrations, diagrams, etc. to assist in department or county operations.
3. Office administrative functions – invoicing, budget monitoring, scheduling, training, etc.
4. Tyler MUNIS software systems administration
 - a. Granting and reviewing permissions, creating and editing workflows, coordinating training, etc.
5. Review own information to ensure the accuracy of data being entered into the system.
6. Assist county departments with GIS projects and maps.
7. Relate or Join non-geographic attribute data to GIS data layers.
8. Perform database maintenance for GIS, Excel, and other programs used by the department.
9. Utilize Global Positioning Systems (GPS) to mark important features in the field for location purposes. Performs field locations of new roads and locations of structures as needed.
10. Interpret and explain aerial photographs.
11. Provide seamless customer service to all users of the GIS and mapping systems and Tyler MUNIS system administration users (County Clerk's office/County Commissions office, department heads, and associated committees and boards such as JCDA, Parks and Rec, Land Commission, Health Dept., etc.) within the County, members of the public, other departments, elected officials, and governmental agencies.

Jefferson County, West Virginia Job Description

12. Interpret and enforce E9-1-1 Addressing Ordinance as duly assigned officer.
13. Maintain GIS Office Policies, Procedures, Guidelines, annual & monthly reports, etc.
14. Create purchase orders, track invoicing, and annual budget.
15. Purchase and billing of new street signs; coordination of street sign maintenance and installation.
16. Coordinate office calendar, staff meetings, and handle communication.
17. Coordinate maintenance of office equipment, and maintain a full stock of office supplies.
18. Perform other duties as assigned.

Jefferson County, West Virginia Job Description

Recommended Minimum Qualifications:

Education and Experience: Preferred to have a Bachelor's degree in GIS, Geography, Information Technology, or related field and minimum one to three (1-3) years of related experience; at least 2 years of experience in office administration functions; at least 1 year of Tyler MUNIS software systems management experience; or any equivalent combination of education, training and experience which provides the required knowledge, skills and abilities to perform the essential functions of the job.

Special Requirements: Must have a valid West Virginia Operator's License prior to appointment.

Knowledge, Abilities and Skill

Knowledge: Understand, import, export and manipulate various digital GIS data formats like Geodatabases, shapefiles, AutoCAD DWG/DXF, ArcPro, raster imagery, tables, etc. Understand relational databases. Utilize typical Microsoft Office software in a Windows environment. Knowledge of Tyler Technologies and the Tyler MUNIS Software Systems Administration.

Abilities: Manage time and projects successfully and efficiently. Work alone or within a team with minimal supervision.

Skills: Advanced technical computer skills, specific training in GIS software in use at Jefferson County (ArcGIS) and higher education in Geographic and/or Computer Science.

Physical and Mental Requirements

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.

Physical Skills: Little or no physical demands are required to perform the work. Work effort principally involves sitting to perform work tasks, with intermittent periods of stooping, walking, and standing. There may also be some occasional lifting of objects such as ledger books, photocopy, and computer paper.

Motor Skills: Position requires minimal motor skills for activities such as: operating a personal computer and/or most other office equipment, typing and/or word processing, filing, moving objects, sorting of papers, or operating a motor vehicle.

Visual Skills: Position requires routine reading of documents, maps, and reports for understanding; employee is required to distinguish colors.

ADA R. HENSLEY

[REDACTED], WV [REDACTED]

| [linkedin.com/in/ada-hensley-79b878108](https://www.linkedin.com/in/ada-hensley-79b878108)

SENIOR MANAGER

Cross-Functional Leadership | Operational Excellence | QA/QC | Management

Skilled, accomplished Sr. Quality Manager with over fifteen years of experience leading quality management programs, resolution activities and processes in biotechnology and production. Strong regulatory and requirements background with expertise in all aspects of quality assurance and quality control, operations, and business administration. Process-oriented with strong cross-functional management of corrective and preventative action teams, compliance, and education-related initiatives. Consistently drives quality leadership for new product development. Skilled collaborator recognized for effective decision making at both management and laboratory services levels. Consistent record of effectively streamlining and improving processes, enhancing productivity through improved efficiency and cost saving measures, and implementing technology solutions. Gifted teacher and mentor with ten years of training experience.

- Quality Assurance & Control
- Computer System Validation
- Training
- Compliance
- Continual Improvement
- Auditing
- Project Management
- Assessor Evaluations
- Corrective Action Review
- Proficiency Testing Review
- Leading Standards & Practices
- Production Planning
- Root Cause Analysis
- Data Trend Analysis / Six Sigma
- Process Analysis
- Gap Analysis
- Risk Assessment
- Teaching & Training

PROFESSIONAL EXPERIENCE

LEIDOS BIOMEDICAL RESEARCH, INC, Frederick, MD

Associate Director, QA - Compliance / Continual Improvement / CSV (2018 - Present)

- Manage the overall quality system program
- Manage QA - Compliance
 - Verify processes/programs identified as critical. These include, but are not limited to, media fill qualifications, equipment validations, pest control assessments, etc.
- Manage QA - Continual Improvement
 - Change Control Program
 - Risk Management Program
 - Deviation Program and Associated Material Review Board (MRB) meetings
 - Corrective Action (CA) and Preventive Action (PA) Programs
 - Tracking and Trending Program
 - Metrics Tracking and Reporting
 - Management Review
 - Audit Program
 - Manage internal (quality system audit methodology) and external (regulatory) requirements
 - Manage supplier management activities
 - Manage client audits
- Manage QA - CSV
 - Data Integrity Program
- Manage QA - Training Program
- Support the Director in development of new or the enhancement of current policies and procedures to minimize non-conformances and CAPA's
- Provide status reports to QA and VMCP management, as requested
- Participate in meetings with the client, as requested

LEIDOS BIOMEDICAL RESEARCH, INC, Frederick, MD

Quality Manager II - Compliance / Training (2018 - Present)

- Manage the overall quality system program
- Manage internal audits
 - Manage internal (quality system audit methodology) and external (regulatory) requirements

- Develop annual audit schedules concentrated on key business processes per a risk-based approach, managing corrective action plans, following up on agreed upon CAPAs, and tracking the closure of audit findings
- Determine audit scope to ensure that it is targeted and specific
- Manage supplier management activities
 - Ensure audit scope and schedules is adequate to meet regulations and requirements
 - Maintain qualified vendors
- Manage client audits
 - Ensure site readiness, participating in regulatory inspections, and preparing required responses and corrective action reports when necessary
- Manage the Deviation and Change Control Processes
- Manage the NC, CA, and PA programs
- Manage QA review of site related activities such as validation reports, calibration reports, and on-floor activities
- Monitor and evaluate the effectiveness of the training program
 - Assist department managers with setting up group or individual training plans, verifying training effectiveness to ensure transfer of skills/knowledge and determining if supplementary or refresher training is needed
- Support the Associate Director in development of new or the enhancement of current policies and procedures to minimize non-conformances and CAPA's
- Facilitate site-wide quality related improvement opportunities
- Prepare new or revising existing SOPs for continual improvement as required
- Provide status reports to QA and VMCP management as required
- Participate in meetings with the client
- Provide relevant reports and information both internally and to the client

NEUTRON PRODUCTS, Dickerson, MD

Quality Manager of Radioactive Material & Division 5 Radiation Processing and Polyox Blending (2016 – 2018)

- Ensure compliance to ISO 13485, NRC (10 CFR 21 and 71 subpart H), 21 CFR 820, and 21 CFR 211
- Supervise/manage quality control department and manage all QA responsibilities (document control, etc)
- Review and control process efficiency to ensure a high-level of quality at a financially feasible cost
- Manage Corrective and Preventative Action (CAPA) program as well as internal and external audit programs
- Conduct quality-oriented training sessions
- Manage QA/QC Budget
- Manage Customer Complaints

MIDWESCO FILTER RESOURCES, Winchester, VA

(Note: The company closed in July 2016)

Sr. Quality Manager (2014 – 2016)

- Supervise/manage quality control department and manage all QA responsibilities (document control, etc)
- Manage Corrective and Preventative Action (CAPA) program as well as internal and external audit programs
- Manage Kaizen Events
- Conduct quality-oriented training sessions
- Manage QA/QC Budget
- Manage Customer Complaints
- Job Highlights:
 - Lowered external failures (i.e. customer complaints) by 446K to 251K from 2014 to 2015.
 - Process improvement savings of 150K in 2015.
 - Cost avoidance of 352K in the last six months by using thorough investigations.

THERMO FISHER SCIENTIFIC INC., Middletown, VA

Clinical Diagnostics Division (NCIF-CDD)

Compliance Manager (2012 – 2014)

- Supervise quality control audit group and document control department
- Manage Corrective and Preventative Action (CAPA) program as well as internal and external audit programs
- Conduct training sessions for good manufacturing practices (GMP), audits, root cause analyses, and CAPA programs
- Oversee process and gap analysis as well as long- and short-term metrics

- Authored comprehensive revisions of training and Product Quality programs
- Implemented CAPA program that included validation and release of Master Control
- Created and implemented internal audit program (Lead Internal Auditor)
- Conduct risk assessments

THERMO FISHER SCIENTIFIC INC., Frederick, MD

National Cancer Institute Frederick - Central Repository Services (NCIF-CRS)

Quality Assurance Manager (2007- 2012)

- Directed quality assurance and quality control programs for NCI Frederick Central Repository Services to ensure highest quality service and client satisfaction
- Managed receipt, storage, and distribution of biologicals and chemicals to support National Institutes of Health (NIH) research and development initiatives
- Developed operational and quality assurance/quality control standard operating procedures (QA/QC SOPs)
- Provided comprehensive personnel training and education
- Supervised customer complaint and deviation report investigations
- Coordinated calibration, validation, and preventive maintenance programs
- Provided quality assessment and managed programs for new initiatives including involvement with CAP
- Conducted research studies on thermodynamics of dry ice and mechanical freezers and plasma bag studies to document evidence-based data for 21 CFR 620.34 toxicity compliance
- Authored Facility/Equipment Manual, CRIS User Database Manual, Business Management Guidelines, Client Protocol Template, Equipment Specification Template, Special Assist Database User Manual, and Billing Quality Control Database User Manual

AMERICAN ASSOCIATION FOR LABORATORY ACCREDITATION (A2LA), Frederick, MD

Senior Laboratory Services Officer (2001 - 2007)

- Liaised with over 145-member laboratories to administer accreditation programs nationwide
- Consistently maintained all laboratories within target times as established by management
- Conducted evaluations of new and existing assessors
- Trained and provided technical assistance to staff
- Served as member of both employee relations and health insurance task groups
- Developed and updated specific sections of Association Quality Manual, Standard Operating Procedures, and association-specific field requirements
- Developed and implemented accreditation requirements for veterinary laboratory program
- Developed and implemented joint International Standards Organization/International Electrotechnical Commission (ISO/IEC) 17025 and 9001 certification programs
- Developed and implemented proficiency testing program and review for environmental and food programs
- Instituted and maintained working relationship with CAPA, EPA, ITS, AOAC, VCA, ASVCP, CLIA, and CAP.
- Conducted EPA Lead Training and FDA training programs
- Qualified as Lead Auditor in International Standard Organization (ISO)/ International Electrotechnical Commission (IEC) 17025

Previous experience also includes positions as Quality Control Specialist for HP Hood, Inc. and as Associate Scientist for Life Technologies (Division of Invitrogen).

EDUCATION

Master of Business Administration - Shepherd University, Shepherd, WV

Dean's List

Bachelor of Science, Biology/Chemistry - Shepherd University, Shepherd, WV

Dean's List - Member, Alpha Chi Sigma Fraternity (Chemistry Fraternity) - Member, Biology Club

CERTIFICATIONS

International Standards Organization (ISO) 13485

Canadian Medical Device Conformity Assessment System (CMDCAS)

International Society for Biological and Environmental Repositories (ISBER) Best Practices

American Society for Quality Training (ASQ)

Nuclear QA Lead Auditor Certified

TECHNICAL SKILLS

GMP - 21 Code of Federal Regulations (CFR) Parts 211, 640, 820, 58)
ICH - Q7, Q8, Q9, Q10, Q11
EU - Annex 1 - 18
WHO Guidance
NRC (10 CFR 21 and 71 subpart H)
CAP (College of American Pathologists) BioRepository Regulations
CLIA (Clinical Laboratory Improvement Amendments) / Brazilian Good Manufacturing Practices (GMPs)
In-Vitro Diagnostic Directive (IVDD) / Japan MHLW Ordinance 169 (JPAL)
GE Kaye LabWatch Pro; MasterControl; SAP Software; Microsoft Office; Visio

PROFESSIONAL AFFILIATIONS

American Association of Veterinary Laboratory Diagnosticians (AAVLD)
American Society for Veterinary Clinical Pathology (ASVCP)
American Society for Quality Training (ASQ)
A2LA Accreditation Council
Member of ASTM

<i>Jefferson County Policies & Procedures</i>		
Policy Name	Email Policy	Approved: DATE
Policy Number	102	Author
Associated	None	County Administrator

Purpose

This policy outlines the proper use of email resources available to Jefferson County's Workforce Members (employees, elected officials, interns, extra-help, and any party associated with providing direct county business or services for the County will be collectively known as "Workforce Members" for the purposes of this document) to ensure that County- provided email services are used in compliance with applicable laws and County policies. Workforce Members who use email services should familiarize themselves with this policy including its explanation of County email privacy and security issues. By complying with this policy, County Workforce Members can ensure that disruptions to the County's email services are minimal and that the County can continue to manage email in an efficient manner.

Scope

This policy applies to all County Workforce Members who accesses or use the County's email system, all equipment that is owned or leased by the County, and to all connections to the County network inclusive of wired, wireless, mobile, and remote connections.

The policy is intended comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and also with government security, transparency, and availability efforts.

Policy

Email is a means of transmitting written communications electronically. The purpose of email is to communicate between individuals and groups and to promote the effective and efficient use of time and resources to carry out County business. The purpose of this is to also continue to strive for government security, transparency, FOIA responses, and availability of information. **Only County or State (court) (domain names include jeffersoncountywv.org, jcesa.org, jepawv.org, courtswv.org) provided email accounts shall be used to conduct County business.** After the adoption of this policy stated above in the approved date section, all workforce members not using county or state issued emails will be migrated to a county or state issued email.

As custodians of resources entrusted to them by the public, County Workforce Members should be mindful of how to most appropriately utilize these resources so that other County Workforce Members are not deprived of access to useful resources necessary to perform their duties. Use of third-party email services (such as but not limited to Gmail, personal Outlook, Hotmail, Yahoo

mail, etc.), including the auto-forwarding of County email to such third-party email services to conduct County business is prohibited.

Email Privacy

Email messages sent and received on the County email system are intended for County business use. County Workforce Members shall have no right or expectation of privacy in any email message drafted, sent, or received on the County's email system and the County reserves the right to read, monitor, audit, and delete all such email messages.

Email Security

Every County workforce member will be required to use their network password to access their email account and must secure their account with passwords. In the event that a workforce member is required to view another's email as part of his or her job duties, that workforce member may be granted permission to access that email via a proxy without violating this policy.

Appropriate Email Use

Appropriate use of email includes, but not limited to, the following:

- Providing or requesting information regarding County business (e.g. meeting notification, budget issues, etc.);
- transmitting small documents or files (as opposed to printing and mailing the document);
- referencing documents or attachments with the use of a link to the document as it exists on a file sharing platform or within a document management system;
- general announcements within the scope of the sender's job responsibilities (e.g. health and fitness information sent by the Wellness Coordinator); and
- Informational announcements from department heads or other designated individuals that need to be communicated to County Workforce Members.
- Daily financial, operational, and service provision communication.

Inappropriate Email Use

Inappropriate use includes, but not limited to, the transmission of messages containing:

- Protected Health Information (PHI) in a manner that is inappropriate and/or violates HIPAA

and/or state or county-level regulations protecting PHI, including the transmission of PHI to any party outside the County without the use of encryption levels consistent with HIPAA standards and/or state or County-level regulations;

- information that may be damaging to the County, its Workforce Members, its customers, or clients without a legitimate business need to any party outside of the County;
- any material or comment that is discriminatory, offensive, defamatory, or harassing;
- the promotion of or participation in illegal activities;
- copyright infringing material(s);
- items of a political and or campaign nature or having to do with political and or campaign activities
- use of County email for the purposes of political action, union elections, personal attacks on other County staff, or any lengthy exchanges unrelated to a legitimate work purpose is prohibited;
- use of a disguised identity when sending email messages.
- Use of, or access to, another person's account without permission.
- unauthorized use of County mailing lists;
- creating or forwarding "chain letters," "pyramid schemes," or monetary recruitments of any type;
- membership or participation in non-work-related mailing lists using County email IDs;
- forwarding of County email to a personal non-County email account; (should there be a business need to access County email outside of the workplace, email may be accessed through their Office365 account or refer to Administrative Memo 8-19, for mobile devices); and
- use of email as a file transfer or sharing mechanism for messages that meet or exceed Message Size Limits that prevents the delivery of other messages and affecting service performance for all Workforce Members (Workforce Members should include a link to the document as an alternative to attaching documents to an email when possible).

Mailing Lists

County Email Group Lists

Use of countywide mailing list is restricted to department IT staff and other individuals designated by the department heads and or County Administrator, and Elected Officials or their designated office managers. Departments shall establish procedures for the review and approval of all messages transmitted using this list.

Non-County Email Group Lists:

The subscription to any non-County mailing list must be work related. The workforce member must also be aware of how to unsubscribe from the list and is responsible for doing so in the event that his or her current email address changes.

Unsolicited Email

As a result of email systems becoming a primary means of distributing computer malware, SPAM, and phishing attempts, the County has taken appropriate actions to filter and to relieve the email system of unsolicited email as well as to restrict incoming email to protect the County's computer systems.

Workforce Members shall treat all unsolicited email with suspicion, particularly email received from the Internet (i.e., non-County email addresses) or those emails requesting the workforce member's log-in information and passwords. Questions regarding the authenticity and integrity of an email it should be referred to department's Information Technology staff or through the IT Service Desk Ticketing System so that it can be reviewed and/or deleted from the workforce member's account.

Health Insurance Portability and Accountability Act (HIPAA) Compliance

All departments, or divisions thereof, that are designated as health care components of the County, shall make all received email messages that contain Personally Identifiable Health Information (PHI) a part of the patient's medical record as required, store them in a secure fashion similar to medical record storage, or dispose of them in a manner to protect patient confidentiality. Email messages containing PHI will be treated with the same degree of confidentiality as are other parts of the medical record.

Workforce Members who transmit sensitive information, including PHI, to any authorized recipient outside the County must ensure that the email is encrypted at a level consistent with HIPAA standards. Workforce Members may set the message classification to confidential.

All email containing PHI, Personally Identifiable Information (PII), or other sensitive information must include the following confidentiality statement:

"This email message, including any attachments, is for the sole use of intended recipient(s) and may contain confidential and protected information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message."

Signature Block Usage

An email signature block is a block of text that can be automatically, or upon demand, appended to an email message. A common practice is to have one or more lines containing some brief information about the author of the message.

The use of the email signature block shall be limited to sender's name, title, County of Jefferson, department, address, telephone, County website, and HIPAA confidentiality statement, if required.

The email signature block should not include personal details, quotations, or graphics that are unrelated to County business.

Email Retention

Email messages are temporary communications and the email system (with the exception of archived email subfolders as set forth below) is not intended to be used as a means of records storage. To the extent that email messages which are generated or received through the County's computer systems constitute business records to be retained pursuant to the County's (or a department's) records retention policy, such email messages shall be retained as set forth below. Email messages that do not otherwise serve a business purpose (including, but not limited to, draft communications, administrative communications, etc.) shall be routinely discarded. For that reason, each workforce member who uses the County email system has the same responsibility for their email messages as they do for any document they obtain in the course of their official duties and must decide which communications should be retained for business or legal reasons and which should be discarded. If a workforce member has any questions regarding if an email should be retained as a business record, he or she should seek guidance from his/her supervisor and/or department head who may consult with legal counsel as necessary.

Email messages in a default folders of a workforce member's mailbox will be automatically deleted after (6) months. Automatically deleted emails will be accessible in emergency situations for a period of thirty (30) days after they are deleted from the workforce member's mailbox.

Email messages that constitute records to be retained for business or legal reasons may be saved in excess of six (6) months in any of the following ways:

(1) Saved in Rich Text Format (RTF) or Portable Document Format (PDF) and then transferred to electronic filing systems or other media for long-term storage in accordance with the department's regular filing and storage procedures; or

(2) printed in hard copy and filed or stored as appropriate.

Workforce Members should seek guidance from their department heads to determine the specific time requirements applicable to records and electronic correspondence generated, received and/or maintained by their department in accordance with their department's records retention policy. Workforce Members are strongly encouraged to review the email content of subfolders on a regular basis and to delete any content for which retention is not required.

Regardless of countywide or departmental records retention requirements, email and other electronic correspondence pertaining to a threatened or actual legal action must be retained until the litigation is concluded. It is the responsibility of the department involved, or County Counsel, to notify ISO in writing, of the need for the hold on electronic communications.

The use or creation of local personal archive files (such as Outlook.pst files) is strictly prohibited and may not be configured on County equipment.

Deletion of Workforce Member's Account

Following the termination of the workforce member's employment, the email accounts may continue to be accessed by their department directors or appropriate designees in order to continue to conduct County operations.

When a workforce member is no longer working for the County, it is the responsibility of that department to immediately notify IT. The terminated workforce member's mailbox may remain in the system for as long as thirty (30) calendar days. To maintain a mailbox for longer than thirty (30) calendar days, the workforce member's department head must request an extension in writing with the IT Service Desk.

Back-up of Data

Backup services for the County's email provided by Microsoft provide Workforce Members with "Deleted Item Recovery" available to restore items that have been deleted from any email folder within thirty (30) days. No other email retrieval options will be available.

Consent to Policy

Use of the County's email system constitutes consent to this policy.

Other County Policies

The County has other policies that address specific areas of information security including policies on Internet use and portable computing. Departments may have internal email policies relevant to the subject matter associated with the specific work of the department. These policies are cumulative and in the event of conflict, the policies providing the County with the greatest level of security apply. Additionally, County policies concerning employee conduct such as the prohibition of sexual or other harassment apply to use of email.

Policy Enforcement

Violations will be investigated, and abuse of this policy may result in disciplinary action up to and including dismissal from County employment. For inappropriate release of PHI, the disciplinary action(s) contained in the County's, State's, and Federal regulations will apply.

Jefferson County Policies & Procedures			
Policy Name:	Appropriate Interface with Commissioners, Employees & Volunteers Policy	Approved:	5/10/2007
Policy Number:	913	Author:	Commissioners
Associated:			

PURPOSE:

To provide a harmonious work environment with clear lines of supervisory authority for county personnel.

POLICY

RESOLUTION

WHEREAS, W.Va. Constitution, Art. IX, § 9 provides for the public body known as the county commission, and W.Va. Code § 7-1-1 provides that county commissions are public corporations; and

WHEREAS, W.Va. Constitution, Art. IX, § 11 and W. Va. Code, §7-1-3 et seq. provide for the duties and responsibilities of county commissions; and

WHEREAS, W. Va. Constitution, Art. IX, § 10 provides for the election of individual county commissioners; and

WHEREAS, neither the W. Va. Constitution, nor the W. Va. Code grant to individual county commissioners power or authority to bind the county commissions on which they serve; and

WHEREAS, county commissions can only act in public session with a quorum present; and

WHEREAS, county commissions are authorized by law to employ, compensate and discharge county personnel; and

WHEREAS, individual county commissioners are without statutory or other authority to supervise or direct the performance of duties by county personnel; and

WHEREAS, county commissions are obliged to provide a harmonious work environment with clear lines of supervisory authority for county personnel.

BE IT RESOLVED as follows:

1. Definitions

- a. "County personnel" shall mean employees of the County Commission of Jefferson County, either full-time or part-time, who are public officers or public employees, excluding all elected officials, and further excluding the employees of the Assessor, Sheriff, County Clerk, Circuit Clerk and Prosecutor.
 - b. "County employee" shall mean any individual who would fall within the category of "county personnel."
 - c. "Volunteer" means any person appointed by the County Commission of Jefferson County to serve as a volunteer on any board or commission, to which the County Commission has power to appoint, for which volunteer service no remuneration is paid.
2. That individual Jefferson County Commissioners are without authority to supervise or otherwise direct the performance of duties by county personnel or volunteers.
 3. No individual Jefferson County Commissioner shall order or direct the performance of any act, task or duty by any county employee or volunteer unless specifically authorized by the the County Commission of Jefferson County.
 4. No county employee or volunteer is under any obligation or duty to perform any act, task or duty ordered or directed by an individual Jefferson County Commissioner, unless such act, task or duty, ordered and directed, was specifically authorized by the County Commission of Jefferson County; or except where the act, task or duty is a mandatory and nondiscretionary duty imposed by statute; or except where the individual Jefferson County Commissioner is requesting a service provided by that county employee for the public at large or for other county employees (ie. providing a photo – ID card); Provided further, that no county employee shall be disciplined in any way for declining to perform any such act, task or duty for any individual Jefferson County Commissioner, unless such act, task or duty was specifically authorized by the County Commission of Jefferson County; or where the act, task or duty is a mandatory and nondiscretionary duty imposed by statute; or where the service requested is provided for the public at large or for other county employees.
 5. No Jefferson County Commissioner shall: Make physical contact of an insulting or provoking nature with the person of any county employee or volunteer; or attempt to commit a violent injury to the person of any county employee or volunteer; or commit any act which places a county employee or volunteer in reasonable apprehension of immediately receiving a violent injury; or engage in violent, profane, or indecent or boisterous conduct or

language directed at a county employee or volunteer during the course of a workday or evening where the county employee is engaged in work or work related activities or where a volunteer is engaged in service with the board or commission on which he or she has been appointed.

At the regular meeting of the County Commission of Jefferson County, West Virginia on May 10, 2007, in open session, President Frances B. Morgan found a quorum present. Whereupon Commissioner Corliss made a motion to adopt this "Resolution", which motion was duly seconded by Commissioner Manuel, and a debate thereof ensued. Whereupon, President Morgan called the question, and the Commission proceeded to vote on the motion to adopt the "Resolution." The vote was Commissioner(s) Corliss, Manuel and R. Morgan to adopt said "Resolution" and Commissioner(s) F. Morgan and Surkamp to not adopt said "Resolution." Whereupon President Morgan declared the "Resolution" adopted.

Entered: May 10, 2007

The Jefferson County Commission proposes to name person(s) to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, October 5, 2023 or as soon thereafter as the Commission may decide:

Jefferson County Sheriff's Civil Service Commission - one unexpired term ending September 29, 2025.

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, by 9:00 am on Thursday, August 3, 2023.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

JEFFERSON COUNTY, WV - PRODUCTION



YEAR-TO-DATE BUDGET REPORT

FOR 2024 02

ACCOUNTS FOR: 001		GENERAL FUND						
ORIGINAL APPROP	REVISED BUDGET		YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED	
001401 COUNTY COMMISSION								
001401 410100	227,675.00	OFFICIALS SALARY 227,675.00	20,538.90	13,692.60	0.00	207,136.10	9.0%	
001401 410300	528,613.00	EMPLOYEES SALARY AND WAGES 528,613.00	52,177.66	35,125.90	0.00	476,435.34	9.9%	
001401 410400	33,751.00	FICA TAX 33,751.00	4,451.18	2,997.04	0.00	29,299.82	13.2%	
001401 410401	7,893.00	MEDICARE EXPENSE 7,893.00	1,041.00	700.92	0.00	6,852.00	13.2%	
001401 410500	166,437.00	HEALTH INSURANCE 166,437.00	9,973.45	5,716.05	0.00	156,463.55	6.0%	
001401 410599	-166,437.00	HEALTH INSURANCE-CONTRA -166,437.00	0.00	0.00	0.00	-166,437.00	.0%	
001401 410600	48,993.00	RETIREMENT 48,993.00	6,108.38	4,115.16	0.00	42,884.62	12.5%	
001401 410801	2,000.00	OVERTIME 2,000.00	0.00	0.00	0.00	2,000.00	.0%	
001401 410802	0.00	PART TIME / EXTRA HELP 0.00	407.85	407.85	0.00	-407.85	100.0%	
001401 421100	1,350.00	TELEPHONE 1,350.00	0.00	0.00	0.00	1,350.00	.0%	
001401 421400	15,000.00	TRAVEL 15,000.00	0.00	0.00	0.00	15,000.00	.0%	
001401 421800	250.00	POSTAGE 250.00	89.47	89.47	0.00	160.53	35.8%	
001401 422000	6,000.00	ADVERTISING / LEGAL PUBS 6,000.00	106.06	106.06	0.00	5,893.94	1.8%	
001401 422100	7,500.00	TRAINING AND EDUCATION 7,500.00	0.00	0.00	0.00	7,500.00	.0%	
001401 422200	13,015.00	DUES AND SUBSCRIPTIONS 13,015.00	595.00	595.00	0.00	12,420.00	4.6%	
001401 422300	70,350.00	PROFESSIONAL SERVICES 70,350.00	40,489.32	9,405.07	0.00	29,860.68	57.6%	
001401 422301	210,000.00	HRA-HEALTH REIMBURSEMENT ACCT 210,000.00	3,758.16	3,758.16	0.00	206,241.84	1.8%	
001401 422320	5,040.00	EMPLOYEE ASSISTANCE PGM 5,040.00	936.00	0.00	0.00	4,104.00	18.6%	
001401 422400	35,100.00	AUDIT COSTS 35,100.00	0.00	0.00	0.00	35,100.00	.0%	
001401 422600	329,000.00	INSURANCE AND BONDS 329,000.00	182,737.00	0.00	0.00	146,263.00	55.5%	

JEFFERSON COUNTY, WV - PRODUCTION



YEAR-TO-DATE BUDGET REPORT

FOR 2024 02

ACCOUNTS FOR: 001		GENERAL FUND		YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
ORIGINAL	APPROP	REVISED	BUDGET					
001401 422601			WORKERS COMP INSURANCE					
	130,000.00		130,000.00	40,180.50	0.00	0.00	89,819.50	30.9%
001401 422602			UNEMPLOYMENT INSURANCE					
	20,000.00		20,000.00	0.00	0.00	0.00	20,000.00	.0%
001401 423000			CONTRACTED SERVICES					
	3,200.00		3,200.00	640.04	323.58	0.00	2,559.96	20.0%
001401 423900			INSURANCE PREMIUM RETIREE					
	90,000.00		90,000.00	15,336.00	7,668.00	0.00	74,664.00	17.0%
001401 434100			MATERIALS AND SUPPLIES					
	2,700.00		2,700.00	0.00	0.00	0.00	2,700.00	.0%
001401 435300			COMPUTER SOFTWARE					
	1,000.00		1,000.00	0.00	0.00	0.00	1,000.00	.0%
001401 456700			CONTR/TRSFR OTHR GOV UNIT					
	4,800.00		4,800.00	4,800.00	0.00	0.00	0.00	100.0%
001401 456708			IN-KIND RENT-FARMLAND PROT BD					
	14,231.00		14,231.00	0.00	0.00	0.00	14,231.00	.0%
001401 456800			CONTRIBUTION/ TRANSFER OTHER					
	1,000.00		1,000.00	0.00	0.00	0.00	1,000.00	.0%
001401 456800	G2011		CONTRIBUTION/ TRANSFER OTHER					
	0.00		0.00	38,750.00	0.00	0.00	-38,750.00	100.0%
TOTAL COUNTY COMMISSION								
	1,808,461.00		1,808,461.00	423,115.97	84,700.86	0.00	1,385,345.03	23.4%
TOTAL GENERAL FUND								
	1,808,461.00		1,808,461.00	423,115.97	84,700.86	0.00	1,385,345.03	23.4%
TOTAL EXPENSES								
	1,808,461.00		1,808,461.00	423,115.97	84,700.86	0.00	1,385,345.03	

JEFFERSON COUNTY, WV - PRODUCTION

YEAR-TO-DATE BUDGET REPORT

FOR 2024 02

ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
GRAND TOTAL						
1,808,461.00	1,808,461.00	423,115.97	84,700.86	0.00	1,385,345.03	23.4%

** END OF REPORT - Generated by Linda Bryant **

JEFFERSON COUNTY, WV - PRODUCTION



YEAR-TO-DATE BUDGET REPORT

FOR 2024 02

JOURNAL DETAIL 2024 1 TO 2024 2

ACCOUNTS FOR: 001	GENERAL FUND	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
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001401 COUNTY COMMISSION

001401 410100	OFFICIALS SALARY	227,675.00	227,675.00	20,538.90	13,692.60	0.00	207,136.10	9.0%
2024/01/000094	07/21/2023 PRJ		6,846.30	REF 2402PD		WARRANT=2402PR	RUN=1 BI-WEEKL	
2024/02/000005	08/04/2023 PRJ		6,846.30	REF 2403PR		WARRANT=2403PR	RUN=1 BI-WEEKL	
2024/02/000127	08/18/2023 PRJ		6,846.30	REF 2404PR		WARRANT=2404PR	RUN=1 BI-WEEKL	
001401 410300	EMPLOYEES SALARY AND WAGES	528,613.00	528,613.00	52,177.66	35,125.90	0.00	476,435.34	9.9%
2024/01/000094	07/21/2023 PRJ		17,051.76	REF 2402PD		WARRANT=2402PR	RUN=1 BI-WEEKL	
2024/02/000005	08/04/2023 PRJ		17,159.97	REF 2403PR		WARRANT=2403PR	RUN=1 BI-WEEKL	
2024/02/000127	08/18/2023 PRJ		17,965.93	REF 2404PR		WARRANT=2404PR	RUN=1 BI-WEEKL	
001401 410400	FICA TAX	33,751.00	33,751.00	4,451.18	2,997.04	0.00	29,299.82	13.2%
2024/01/000094	07/21/2023 PRJ		1,454.14	REF 2402PD		WARRANT=2402PR	RUN=1 BI-WEEKL	
2024/02/000005	08/04/2023 PRJ		1,460.89	REF 2403PR		WARRANT=2403PR	RUN=1 BI-WEEKL	
2024/02/000127	08/18/2023 PRJ		1,536.15	REF 2404PR		WARRANT=2404PR	RUN=1 BI-WEEKL	
001401 410401	MEDICARE EXPENSE	7,893.00	7,893.00	1,041.00	700.92	0.00	6,852.00	13.2%
2024/01/000094	07/21/2023 PRJ		340.08	REF 2402PD		WARRANT=2402PR	RUN=1 BI-WEEKL	
2024/02/000005	08/04/2023 PRJ		341.65	REF 2403PR		WARRANT=2403PR	RUN=1 BI-WEEKL	
2024/02/000127	08/18/2023 PRJ		359.27	REF 2404PR		WARRANT=2404PR	RUN=1 BI-WEEKL	
001401 410500	HEALTH INSURANCE	166,437.00	166,437.00	9,973.45	5,716.05	0.00	156,463.55	6.0%
2024/01/000094	07/21/2023 PRJ		2,801.70	REF 2402PD		WARRANT=2402PR	RUN=1 BI-WEEKL	
2024/01/000204	07/31/2023 GEN		-3.36	REF JULINS		JULY ROUNDING VISION/DENTAL		
2024/01/000204	07/31/2023 GEN		-1.41	REF JULINS		JULY ROUNDING HEALTH		
2024/01/000204	07/31/2023 GEN		51.58	REF JULINS		DNTAL SHRT ROSE CARROL.MICHAEL		
2024/01/000204	07/31/2023 GEN		9.41	REF JULINS		VISION SHRT K.ROSE A.CARROLL		
2024/01/000204	07/31/2023 GEN		1,399.48	REF JULINS		HEALTH SHRT K.ROSE A.CARROLL		
2024/02/000005	08/04/2023 PRJ		2,918.35	REF 2403PR		WARRANT=2403PR	RUN=1 BI-WEEKL	
2024/02/000127	08/18/2023 PRJ		2,797.70	REF 2404PR		WARRANT=2404PR	RUN=1 BI-WEEKL	

JEFFERSON COUNTY, WV - PRODUCTION



YEAR-TO-DATE BUDGET REPORT

FOR 2024 02

JOURNAL DETAIL 2024 1 TO 2024 2

ACCOUNTS FOR: 001	GENERAL FUND								
ORIGINAL	APPROP	REVISED	BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED	
001401 410599		HEALTH INSURANCE-CONTRA							
	-166,437.00		-166,437.00	0.00	0.00	0.00	-166,437.00	.0%	
001401 410600		RETIREMENT							
	48,993.00		48,993.00	6,108.38	4,115.16	0.00	42,884.62	12.5%	
2024/01/000094	07/21/2023	PRJ	1,993.22	REF 2402PD		WARRANT=2402PR	RUN=1 BI-WEEKL		
2024/02/000005	08/04/2023	PRJ	2,002.96	REF 2403PR		WARRANT=2403PR	RUN=1 BI-WEEKL		
2024/02/000127	08/18/2023	PRJ	2,112.20	REF 2404PR		WARRANT=2404PR	RUN=1 BI-WEEKL		
001401 410801		OVERTIME							
	2,000.00		2,000.00	0.00	0.00	0.00	2,000.00	.0%	
001401 410802		PART TIME / EXTRA HELP							
	0.00		0.00	407.85	407.85	0.00	-407.85	100.0%	
2024/02/000127	08/18/2023	PRJ	407.85	REF 2404PR		WARRANT=2404PR	RUN=1 BI-WEEKL		
001401 421100		TELEPHONE							
	1,350.00		1,350.00	0.00	0.00	0.00	1,350.00	.0%	
001401 421400		TRAVEL							
	15,000.00		15,000.00	0.00	0.00	0.00	15,000.00	.0%	
001401 421800		POSTAGE							
	250.00		250.00	89.47	89.47	0.00	160.53	35.8%	
2024/02/000263	08/28/2023	API	34.71	VND 015002 IN 8-209-12328		FEDEX	FEDEX SERVICE	88445	
2024/02/000263	08/28/2023	API	54.76	VND 015002 IN 8-216-34521		FEDEX	FEDEX SERVICE	88445	
001401 422000		ADVERTISING / LEGAL PUBS							
	6,000.00		6,000.00	106.06	106.06	0.00	5,893.94	1.8%	
2024/02/000196	08/15/2023	API	22.22	VND 019012 IN 63663		SPIRIT OF JEFFERSON	LEGAL CLASSIFI	88427	
2024/02/000263	08/22/2023	API	61.62	VND 019012 IN 63746		SPIRIT OF JEFFERSON	LEGAL ADD	88461	
2024/02/000263	08/22/2023	API	22.22	VND 019012 IN 63848		SPIRIT OF JEFFERSON	LEGAL CLASSIFI	88461	
001401 422100		TRAINING AND EDUCATION							
	7,500.00		7,500.00	0.00	0.00	0.00	7,500.00	.0%	

JEFFERSON COUNTY, WV - PRODUCTION

YEAR-TO-DATE BUDGET REPORT

FOR 2024 02

JOURNAL DETAIL 2024 1 TO 2024 2

ACCOUNTS FOR: 001		GENERAL FUND		YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
ORIGINAL	APPROP	REVISED	BUDGET					
001401 422200	DUES AND SUBSCRIPTIONS							
	13,015.00		13,015.00	595.00	595.00	0.00	12,420.00	4.6%
2024/02/000196	08/15/2023	API	595.00	VND 037489	IN 300220816	GFOA GOVERNMENT FINA	M. ZONGELLI AN	88416
001401 422300	PROFESSIONAL SERVICES							
	70,350.00		70,350.00	40,489.32	9,405.07	0.00	29,860.68	57.6%
2024/01/000003	07/01/2023	API	900.00	VND 022192	IN JCC072023	MILLENIUM INS GROUP	HRA ADMINISTRA	88143
2024/01/000054	07/06/2023	API	250.00	VND 022192	IN WRAP72023	MILLENIUM INS GROUP	WRAP DOCUENT F	88240
2024/01/000054	07/05/2023	API	8,145.20	VND 027112	IN JULY 2022	WILLIAM F. ROHRBAUGH	JULY 2022 LEGA	88249
2024/01/000054	07/05/2023	API	1,091.20	VND 027112	IN AUG 2022	WILLIAM F. ROHRBAUGH	AUG 2022 LEGA	88249
2024/01/000054	07/05/2023	API	2,507.30	VND 027112	IN SEPT 2022	WILLIAM F. ROHRBAUGH	SEPT 2022 LEGA	88249
2024/01/000054	07/05/2023	API	3,636.20	VND 027112	IN OCT 2022	WILLIAM F. ROHRBAUGH	OCT 2022 LEGAL	88249
2024/01/000054	07/05/2023	API	7,018.30	VND 027112	IN NOV 2022	WILLIAM F. ROHRBAUGH	NOV 2022 LEGAL	88249
2024/01/000054	07/05/2023	API	4,835.20	VND 027112	IN DEC 2022	WILLIAM F. ROHRBAUGH	DEC 2022 LEGAL	88249
2024/01/000054	07/05/2023	API	443.20	VND 027112	IN JAN 2023	WILLIAM F. ROHRBAUGH	JAN 2023 LEGAL	88249
2024/01/000054	07/05/2023	API	4,411.70	VND 027112	IN FEB 2023	WILLIAM F. ROHRBAUGH	FEB 2023 LEGAL	88249
2024/01/000054	07/05/2023	API	2,279.20	VND 027112	IN MAR 2023	WILLIAM F. ROHRBAUGH	MARCH 2023 LEG	88249
2024/01/000054	07/05/2023	API	121.20	VND 027112	IN APRIL 2023	WILLIAM F. ROHRBAUGH	APRIL 2023 LEG	88249
2024/01/000054	07/05/2023	API	282.30	VND 027112	IN MAY 2023	WILLIAM F. ROHRBAUGH	MAY 2023 LEGAL	88249
2024/01/000054	07/05/2023	API	1,207.60	VND 027112	IN JUNE 2023	WILLIAM F. ROHRBAUGH	JUNE 2023 LEGA	88249
2024/01/000188	07/26/2023	API	810.00	VND 017085	IN 31777	COX HOLLIDA YOUNG PL	CPA SVS	88324
2024/01/000195	07/31/2023	GEN	-7,176.00	REF CRT		CASH RCT 63541	CHGRD WRG ACCT	
2024/01/000201	07/31/2023	API	126.65	VND 010172	IN CBR7/23	AMERIFLEX	ADMINISTRATIVE	88362
2024/01/000205	07/31/2023	API	195.00	VND 010172	IN CBRREN7/23	AMERIFLEX	ANNUAL COBRA R	88407
2024/02/000003	08/01/2023	API	900.00	VND 022192	IN JCC82023	MILLENIUM INS GROUP	HRA ADMINISTRA	88303
2024/02/000135	08/04/2023	API	53.42	VND 019012	IN 63485	SPIRIT OF JEFFERSON	LEGAL CLASSIFI	88392
2024/02/000196	08/17/2023	API	126.65	VND 010172	IN CBR8/23	AMERIFLEX	ADMINISTRATIVE	88407
2024/02/000263	08/23/2023	API	8,325.00	VND 029123	IN 045-430810	TYLER TECHNOLOGIES	TYLER TRAINING	88466
001401 422301	HRA-HEALTH REIMBURSEMENT ACCT							
	210,000.00		210,000.00	3,758.16	3,758.16	0.00	206,241.84	1.8%
2024/02/000263	08/24/2023	API	3,250.00	VND 015033	IN HRA202384	RONALD FLETCHER	HRA EMPLOYEE D	88458
2024/02/000263	08/24/2023	API	305.82	VND 022137	IN HRA2023085	MICHAEL MONAGHAN	HRA EMPLOYEE D	88454
2024/02/000263	08/24/2023	API	202.34	VND 032198	IN HRA2023086	ADAM WARD	HRA EMPLOYEE D	88431
001401 422320	EMPLOYEE ASSISTANCE PGM							
	5,040.00		5,040.00	936.00	0.00	0.00	4,104.00	18.6%
2024/01/000188	07/26/2023	API	936.00	VND 022099	IN 1923	MAZZITTI & SULL EAP	QUARTERLY EAP	88335
001401 422400	AUDIT COSTS							
	35,100.00		35,100.00	0.00	0.00	0.00	35,100.00	.0%

JEFFERSON COUNTY, WV - PRODUCTION



YEAR-TO-DATE BUDGET REPORT

FOR 2024 02

JOURNAL DETAIL 2024 1 TO 2024 2

ACCOUNTS FOR: 001		GENERAL FUND		YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
ORIGINAL	APPROP	REVISED	BUDGET					
001401	422600	329,000.00	329,000.00	182,737.00	0.00	0.00	146,263.00	55.5%
		INSURANCE AND BONDS						
2024/01/000004	07/01/2023	API	59,797.50	VND 032151	IN 107156	WVCorp WV COUNTIES	FY24 1ST HALF	88183
2024/01/000004	07/01/2023	API	475.00	VND 032151	IN 107156	WVCorp WV COUNTIES	FY24 1ST HALF	88183
2024/01/000004	07/01/2023	API	4,000.00	VND 032151	IN 107156	WVCorp WV COUNTIES	FY24 1ST HALF	88183
2024/01/000004	07/01/2023	API	2,076.50	VND 032151	IN 107156	WVCorp WV COUNTIES	FY24 1ST HALF	88183
2024/01/000004	07/01/2023	API	16,611.50	VND 032151	IN 107156	WVCorp WV COUNTIES	FY24 1ST HALF	88183
2024/01/000004	07/01/2023	API	66,708.00	VND 032151	IN 107156	WVCorp WV COUNTIES	FY24 1ST HALF	88183
2024/01/000004	07/01/2023	API	14,550.50	VND 032151	IN 107156	WVCorp WV COUNTIES	FY24 1ST HALF	88183
2024/01/000004	07/01/2023	API	3,630.00	VND 032151	IN 107156	WVCorp WV COUNTIES	FY24 1ST HALF	88183
2024/01/000004	07/01/2023	API	16,770.50	VND 032151	IN 107156	WVCorp WV COUNTIES	FY24 1ST HALF	88183
2024/01/000004	07/01/2023	API	-1,882.50	VND 032151	IN 107156	WVCorp WV COUNTIES	FY24 1ST HALF	88183
001401	422601	130,000.00	130,000.00	40,180.50	0.00	0.00	89,819.50	30.9%
		WORKERS COMP INSURANCE						
2024/01/000004	07/01/2023	API	40,180.50	VND 032151	IN 107158	WVCorp WV COUNTIES	FY24 QTR 1 WOR	88184
001401	422602	20,000.00	20,000.00	0.00	0.00	0.00	20,000.00	.0%
		UNEMPLOYMENT INSURANCE						
001401	423000	3,200.00	3,200.00	640.04	323.58	0.00	2,559.96	20.0%
		CONTRACTED SERVICES						
2024/01/000054	07/07/2023	API	169.55	VND 013004	IN IN118162A	DIGITAL DOCUMENT SOL	EXTRA/COLOR CO	88230
2024/01/000054	07/06/2023	API	146.91	VND 015010	IN 42656317A	FIRST CITIZENS BANK	JULY 2023 COPI	88233
2024/02/000196	08/01/2023	API	176.67	VND 013004	IN IN119250	DIGITAL DOCUMENT SOL	AUGUST 2023 CO	88413
2024/02/000196	08/14/2023	API	146.91	VND 015010	IN 42849380	FIRST CITIZENS BANK	JULY COPIER SE	88502
001401	423900	90,000.00	90,000.00	15,336.00	7,668.00	0.00	74,664.00	17.0%
		INSURANCE PREMIUM RETIREE						
2024/01/000103	07/14/2023	API	7,668.00	VND 027078	IN RHBT7/2023	RETIREE HLTH BEN TRU	RETIREE HEALTH	88268
2024/02/000089	08/01/2023	API	7,668.00	VND 027078	IN RHBT08/2023	RETIREE HLTH BEN TRU	RETIREE HEALTH	88353
001401	434100	2,700.00	2,700.00	0.00	0.00	0.00	2,700.00	.0%
		MATERIALS AND SUPPLIES						
001401	435300	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	.0%
		COMPUTER SOFTWARE						

JEFFERSON COUNTY, WV - PRODUCTION



YEAR-TO-DATE BUDGET REPORT

FOR 2024 02

JOURNAL DETAIL 2024 1 TO 2024 2

ACCOUNTS FOR: 001	GENERAL FUND							
ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED		
001401 456700	CONTR/TRSFR OTHR GOV UNIT	4,800.00	4,800.00	4,800.00	0.00	0.00	0.00	100.0%
2024/01/000103	07/13/2023 API	4,800.00	VND 037192 IN 2021438		WV TREASURY	EFT FY24 WV PR	88314	
001401 456708	IN-KIND RENT-FARMLAND PROT BD	14,231.00	14,231.00	0.00	0.00	0.00	14,231.00	.0%
001401 456800	CONTRIBUTION/ TRANSFER OTHER	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	.0%
001401 456800 G2011	CONTRIBUTION/ TRANSFER OTHER	0.00	0.00	38,750.00	0.00	0.00	-38,750.00	100.0%
2024/01/000004	07/01/2023 API	38,750.00	VND 019044 IN DAY24/1		JEFF DAY REPORT CNTR 2023/24 ALLOC		88206	
TOTAL COUNTY COMMISSION		1,808,461.00	1,808,461.00	423,115.97	84,700.86	0.00	1,385,345.03	23.4%
TOTAL GENERAL FUND		1,808,461.00	1,808,461.00	423,115.97	84,700.86	0.00	1,385,345.03	23.4%
TOTAL EXPENSES		1,808,461.00	1,808,461.00	423,115.97	84,700.86	0.00	1,385,345.03	

JEFFERSON COUNTY, WV - PRODUCTION

YEAR-TO-DATE BUDGET REPORT

FOR 2024 02

JOURNAL DETAIL 2024 1 TO 2024 2

ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
GRAND TOTAL						
1,808,461.00	1,808,461.00	423,115.97	84,700.86	0.00	1,385,345.03	23.4%

** END OF REPORT - Generated by Linda Bryant **

Harpers Ferry/ Bolivar PSD
P. O. BOX 235
192 LAKE QUIGLEY DRIVE
HARPERS FERRY, WEST VIRGINIA 25425
(304)-535-2390 FAX (304)-535-2524
info@hfbpsd.com

THE HARPERS FERRY-BOLIVAR PUBLIC SERVICE DISTRICT CONDUCTED THE JULY MEETING AT THE BOLIVAR TOWN HALL, LOCATED AT 60 PANAMA STREET, BOLIVAR WEST VIRGINIA. THE MEETING WAS HELD ON JULY 25th, 2023.

The meeting was called to order at 7:39 a.m.

Those in attendance were:

David Simmons-Chairman Term 6/30/2027
Mike Lowrey-Secretary Term 6/30/2026
Helen Dettmer-Treasurer Term 6/30/2024

Eddy Tennant- Operations Supervisor

Meeting open to public comment:

Motion by Ms. Dettmer, seconded by Mr. Lowrey to approve the June minutes, approved.

Motion by Ms. Dettmer, seconded by Mr. Simmons to approve the June revenue checking account financial statement, approved.

Motion by Ms. Dettmer, seconded by Mr. Simmons to approve the June security deposits account financial statement, approved.

Motion by Ms. Dettmer, seconded by Mr. Simmons to approve the June working capital reserve account, approved.

Motion by Ms. Dettmer, seconded by Mr. Simmons to approve the June capital replacement account, approved.

Discussion by Mr. Tennant to transfer \$500.00 from the Regular account to the Working Capital Reserve account.

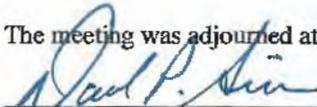
Motion by Mr. Simmons, seconded by Mr. Lowrey to transfer \$500.00 from the Regular checking account over to the Working Capital reserve account, approved.

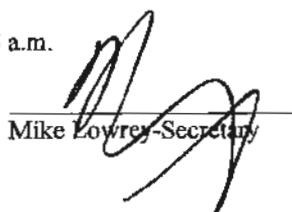
Motion by Mr. Simmons, seconded by Mr. Lowrey to accept the J.C. Kunkle engagement letter, approved.

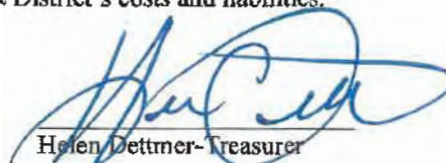
Motion by Mr. Lowrey, seconded by Ms. Dettmer to accept the J.C. Kunkle invoice 23-357 in the amount of \$6,250.00 for filing of the District's WVPSC Annual Report, approved.

The Board had discussion on the PSC rules on 115% coverage of the District's costs and liabilities.

The meeting was adjourned at 8:25 a.m.


David Simmons-Chairman


Mike Lowrey-Secretary


Helen Dettmer-Treasurer

COUNTY COMMISSION

Krouse, Jackson repeal solar farm ordinance

By CALEB M. SOPTELEAN, Spirit reporter

Sep 13, 2023

By a 2-1 vote, Jefferson County Commissioners Jennifer Krouse and Tricia Jackson prevailed in repealing the county's land-use ordinance that allows industrial solar farms.

Commissioner Jane Tabb voted against the action, and Commissioner Steve Stolipher recused himself.

The vote came during the Sept. 7 meeting after a motion by Krouse that was seconded by Jackson. The two commissioners took their action in an effort to stop the development of large-scale industrial solar farms, according to Krouse.

Following an ordinance the commission adopted on June 16, 2022, the county has received four solar farm projects to review, including a 516-acre project now under construction east of Charles Town.

Krouse had noted her intentions to repeal the ordinance related to solar farms in a couple of Facebook posts on Sept. 2. She also criticized Stolipher, acting as the commission president, for not putting the item on the agenda.

Krouse, however, found a way around that by using an item regarding a discussion of a solar farm text amendment that was supposed to be addressed by County Attorney Nathan Cochran.

Prior to the vote, Stolipher asked Krouse if she wanted an executive session, and she said no. "Is this a legal matter?" Stolipher asked. Krouse replied "yes."

Stolipher then walked out of the meeting temporarily. He later told The Spirit of Jefferson that he recused himself.

Commissioner Jane Tabb then nominated Krouse to be the presiding officer, and noted that there was no vice president to assume the role since former commissioner Clare Ath's resignation in June. Tabb's motion was seconded and approved 3-0.

Krouse then made a motion to rescind the county's land-use ordinance dealing with solar farms. The adopted measure prevents industrial solar farms.

County Administrator Makayla Zonfrilli said she wasn't sure if the motion was legal. Cochran quickly added that an item specifically canceling the solar text zoning amendment wasn't on the agenda.

"I don't think it's adequately noticed," Tabb agreed.

"There's a plethora of issues related to good stewardship," Cochran said.

After the vote, Zonfrilli stepped out, apparently to get Stolipher, who then returned for the remainder of the meeting.

In a text message after the meeting, Stolipher called the vote illegal.

Krouse began serving her first term as a county commissioner in January after a zoning text amendment ordinance was adopted to permit solar farms as a county land use.

Jackson has been a proponent of allowing solar farms in the county, and she twice voted for support measures to allow those projects in June 2022. As early as May 18 of this year, she participated in a groundbreaking ceremony for the county's first approved solar project, the Blake Solar Project at Charles Town and Kabletown roads.

Jackson, who announced a statewide campaign last month to run for West Virginia state auditor after starting a six-year term as a county commissioner in January 2021, did not respond to an email and phone call about why she changed her position and voted to repeal the ordinance.

Since December 2019, a few farmers have joined with solar development companies to propose adding solar farms as a permitted land use activity in the county. Farmers have pursued long-term land leases for such projects to diversify their fluctuating agricultural

revenues. Farmers have said the projects can prevent or delay farmland from being sold for permanent housing developments.

Two county commissions have grappled with adopting, rescinding and then readopting an ordinance to allow solar farms in the face of lawsuits. The most intensely debated and scrutinized issue has been how solar farms could affect nearby residential properties and the rural landscape. Residential property owners near solar farms have opposed the projects and their rows of black solar arrays, many saying the projects mar the county's rural landscape.

Industrial solar projects typically use between 500 to 900 acres of open land, according to solar industry experts who gave presentations to the county commission.

About 75 percent of the county's open land could technically be subject to development as solar farms under the repealed zoning ordinance, according to county zoning officials. Solar industry representatives have stated that the county has little land within a half mile of utility substations or power lines necessary to be cost-effective.

However, as many as 10 solar farm projects have been listed as under planning for sites within the county on the website of PJM Interconnection, a federally-regulated regional wholesale electrical grid coordinator serving 14 states and jurisdictions, including West Virginia.

Tim Cook, Spirit editor and reporter, contributed to this article.

MORE INFORMATION

What Jackson said ...

Four current solar projects in Jefferson County

COUNTY COMMISSION

Ethics commission: Lowry can serve as a county commissioner

By CALEB M. SOPTELEAN, Spirit reporter
Sep 13, 2023



Keith Lowry

Keith Lowry, one of three candidates nominated to replace Clare Ath on the Jefferson County Commission, received the news that he was hoping for last week.

Commissioner Jennifer Krouse earlier questioned the legality of Lowry to serve since he is executive director of Jefferson County Community Ministries, which receives county funds.

On Sept. 7, the West Virginia Ethics Commission issued an opinion that the state Ethics Act does not prohibit a public official from being employed by a nonprofit that receives funding from the public official's body.

Citing a previous opinion by the Ethics Commission, the letter stated that a person may not serve on a public body that provides 7 percent or more of the nonprofit's budget. However, appropriations made prior to the appointment of a nominee do not prohibit that person from serving.

The county commission "must weigh the uncertainty of whether the county commission will make a future contribution of at least 7 percent to the nonprofit in deciding whether [Lowry] should fill the vacancy," the opinion states.

The opinion provides the various percentages of funds donated by the county to the nonprofit community ministries for the past three fiscal years. These were 2, 2 and 7 percent, respectively, in fiscal years 2021-23. Fiscal 2024's percentage is unknown because the ministries's revenue for the current fiscal year, which started July 1, is not available. The nonprofit is funded through donations, grants and gifts.

The county provided \$9,000, \$20,000 and \$80,000 to the nonprofit in the previous three fiscal years. The nonprofit's revenue in those years was \$478,333, \$1 million and \$1.1 million.

The county has set aside \$100,000 for the ministries in Fiscal 2024. The opinion, which was signed by the Ethics Commission's acting chair Terry L. Walker, said that Lowry estimated that the county's donation would be 7 percent or less of the nonprofit's revenue for Fiscal 2024.

Lowry's position with the nonprofit is not directly funded by the county, he said.

Lowry must recuse himself from voting on appropriations to his employer, the opinion states, noting that he has agreed to do so.

Jefferson County Commissioner Steve Stolipher, who directs the commission's agenda as its president, said the commission will act on Sept. 21 to temporarily fill a vacant position on the five-member commission.

Others who are nominated by the GOP executive committee are Isabel Simon and Pasha Majdi. Simon, who lives on the Blue Ridge Mountain, is a technology systems consultant and a former GOP executive committee member. Majdi, an attorney and Harpers Ferry resident, lost a three-way Republican primary race in 2020 for the District 100 state delegate seat representing Jefferson County.

Public Comment for Jefferson County Commission meeting September 7, 2023

I, David Tabb, a lifelong resident/taxpayer make the following comments:

PUBLIC COMMENT –

Now that your property taxes have drastically increased or your rent is or will increase with the reality of a fire tax and or levy that is coming soon. So how safe do you feel? Just a year ago we had seven independently run volunteer fire companies working together to have some of the lowest response time matching or even beating other jurisdictions. Now there is a greater chance you will get emergency services from the other jurisdictions. So, how long do you think this will last? I am hearing not for long!

I've been asking why did this happen? ARPA is the answer! 11 million dollars and it had to be a new plan/project. County Commissioners Stolipher/ Ath/ Jane Tabb earmarked 5 million to take over the ambulance services. The thinking: 5 million would be enough to start the Jefferson County ambulance services. The JCC/JCESA could increase charges and the county could make money. The problem is the Volunteer Fire Companies have invested 100's of millions over 100 years or more. The Volunteer Fire Companies have proven to manage money better and the volunteers made it look easy.

The County Commission sold the taxpayers a Ponzi scheme and claimed the EMTs will be better trained. Any volunteer or paid EMT must obtain the same training to be licensed. I encourage the public to look up the response times from a year ago and compare them too now. All emergency services are not created equal.

I have one question: Do you feel safer? Challenge the JCC Commissioners now (Stolipher/Jane Tabb) before you need emergency services instead of it being too late.

"The public reserves the right to call out the public officials to follow the required laws to ensure the constitutional rights of the public. The Governor has ordered the Government to be "open for business" and not deprived the public of notice and comments that would violate ethic provisions.

It is hard to be safe, with the current County Commission.

Have a nice day!

In fairness we ask to be heard.

Thank you for your kind consideration,

Charlotte M Fremaux
175 Fern Drive
Harpers Ferry, WV 25425
301-404-8639

----- Forwarded message -----

From: **Charlotte Fremaux** <cmfremaux@gmail.com>

Date: Fri, Sep 1, 2023 at 3:12 PM

Subject: Requesting acknowledgement of documents

To: <stolipherjcc@gmail.com>, <commissioner.triciajackson@gmail.com>, <jckrouse@gmail.com>, <Vinemont.farm@gmail.com>, <planningdepartment@jeffersoncountywv.org>

Dear County Commissioners and Planning Commissioners and staff:

It is with profound dismay that I see the Planning Commission is proceeding without paying attention to our most recent documents sent in support of the Shannondale Vista Association's challenge to the Verizon/Vertical Bridge tower proposal.

We respectfully expect our county government to be receptive to the requests and needs of their constituents, which should be equally balanced with business and development concerns, and that our communications be acknowledged, as a matter of common respect.

It is also with dismay that I have read the Agenda for the next Planning Commission Meeting that disallows any public comment on agenda item number one: Discussion of VB BTS, LLC v. JEFFERSON COUNTY, WEST VIRGINIA, & THE JEFFERSON COUNTY PLANNING COMMISSION (United States District Court, Northern District Case No. 3:23-CV-171) including potential resolution/settlement offer presented by Plaintiff and Plaintiff's response to Planning Commission's counter offer.

Does this mean that the Planning Commission intends to simply rubber-stamp and approve the settlement offer, even though a revised offer has not been made public? Should this not constitute a need to reopen the matter for public comment, considering that the offer made on 8/29 was rejected, and a suggestion sent back to Verizon/Vertical Bridge that they further tweak the proposal?

The attached letter from our attorney, Robert Berg brings up several points of contention with procedure followed or adherence to the Ordinance which need to be addressed, as well as questioning the haste with which the County Attorney is forcing this game-changing decision to be made. It is mind boggling that you would not want to address and/or seek to rebut these points, or that you would not want your process to be transparent to your constituents.

As there appears to be no intention to allow our voices to be heard at the Planning Commission meeting, does the County Commission intend to visit the issue in their September 7 meeting? We hope to see you fairly address the reasonable requests of your constituents.

I certainly hope, in fairness and pursuit of a transparent government process, that you will reconsider this matter, and allow consideration of the salient points raised by Mr. Berg.

Thank you,

Charlotte M Fremaux
175 Fern Drive
Harpers Ferry, WV 25425
301-404-8639

Jessica Carroll

From: Rachel Shub <rachelshub@hotmail.com>
Sent: Thursday, September 21, 2023 11:11 AM
To: Sorayda Pitts; Jessica James; Planning Department; paoffice; Makayla Zonfrilli; Planning and. Zoning Complaints; Zoning
Cc: Corey Ash
Subject: Letter for Commissioners (proposed Shannondale Lake Cell Tower)
Attachments: SVASept21ltrComm.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Jefferson County Commission, Planning Commission and Office of the Prosecuting Attorney,

On behalf of the Shannondale Vista Association, Mr. Corey Ash and I are submitting this attached letter, concerning the proposed cell tower for Shannondale Lake, for immediate consideration by the respective Commissioners and offices, and for inclusion in the packet in the September 26 special meeting of the Planning Commission. Given the postponement of various past meetings, we also request that you please include other letters submitted by Mr. Robert Berg, Mr. McDowell and us (dated August 23, August 24 and August 31, respectively).

Shannondale property owners signing this letter are : Corey Ash, JoAnn Ash, Cheryl Avery, Jon Avery, Tommy Ash, Roberta Cohen, Theresa Fahy, Charlotte Fremaux, Emmett Fremaux, Lani Fremaux, Harriet Getzels, Peter Getzels, Rachel Grogan, Jack Hahn, Dan Kaseman, Adam McDowell, Robert Montague, Jaclyn Petersen and Rachel Shub.

We look forward to hearing from you soon. Please advise if you have any questions. Thank you.

Rachel Shub and Corey Ash

September 21, 2023

Jefferson County Commission
124 E. Washington Street
Charles Town, WV 25414

Planning and Zoning Commission
Jefferson County Office of Planning and Zoning
The Mason Building, 2nd Floor
116 East Washington Street, Suite 200
Charles Town, WV 25414

Prosecuting Attorney of Jefferson County
120 S. George Street
Charles Town, WV 25414

Subject: **“Settlement” Negotiations with Vertical Bridge (Shannondale Tower)**

Dear Commissioners and Other Jefferson County Officials,

On behalf of the Shannondale Vista Association of property owners in Shannondale, we are writing again to express our serious concerns about ongoing secret and apparently unconstrained negotiations between Mr. Nathan Cochran, the Assistant Prosecuting Attorney of Jefferson County, and cell tower builder Vertical Bridge that could permanently and adversely affect the use and enjoyment of our Shannondale residences and properties, in violation of the County's wireless communications facilities ordinance.

The Planning Commission has scheduled a special meeting on September 26, 2023 at 6:00 P.M. According to the posted advanced agenda, Item 1 will address:

1. Legal Advice, Discussion and Action: Discussion of VB BTS, LLC v. JEFFERSON COUNTY, WEST VIRGINIA, & THE JEFFERSON COUNTY PLANNING COMMISSION (United States District Court, Northern District Case No. 3:23-CV-171) including potential resolution/settlement offer presented by Plaintiff and Plaintiff's response to Planning Commission's counter offer.

Notably (and disturbingly), "no public comment" will be permitted concerning Item 1.

The "potential resolution/settlement offer presented by Plaintiff" refers to Vertical Bridge's proposal to settle its federal lawsuit against the County and the County defendants if the defendants agree to permit Vertical Bridge to cloak its proposed 100 foot-tall monopole steel cell tower at the lakeshore at the Mountain Lake Club site with about 10,000 pounds of fake PVC pine needles and fake fiberglass reinforced plastic pine branches and limbs and call this unseemly faux pine tree cell tower a "monopine." Vertical Bridge's "potential resolution/settlement offer" was already discussed by the Planning Commission at its September 6, 2023 special meeting, both in the public portion and in executive session, and the actual offer letter itself was subsequently publicly released by the Planning Commission.

During the September 6, 2023 special meeting, members of the Planning Commission voiced dissatisfaction with Vertical Bridge's offer, noting, among other things, that at a prior public hearing a Verizon representative counseled against a monopine, asserting that she's never seen a monopine that's not uglier than the monopole it's trying to conceal. The members of the Planning Commission who were present at the September 6, 2023 special meeting suggested that instead of accepting Vertical Bridge's monopine offer, the Planning Commission should propose a counteroffer which would involve moving the proposed monopole cell tower back from its proposed unobstructed site by the lakeshore to a site behind the treeline where the existing trees would shield part of the monopole from view and otherwise try to mitigate the negative impact of the monopole on the surrounding viewshed. The members of the Planning Commission provided no further specificity on any proposed counteroffer. To date, none has been publicly provided, nor has the public been provided with any information at all about the terms of any proposed counteroffer, whether one has been presented to Vertical Bridge, who in particular is involved in any discussions with Vertical Bridge about its offer and any counteroffer, and what, if anything, has transpired as a result of any of these discussions.

To be blunt, the public has been shut out entirely from the process. The Commission has sought no public input, nor provided any information to the public. And, continuing their apparent dislike of public input, as noted above, the Commission announced that no public comment will be permitted at the September 26, 2023 special meeting on this subject.

This letter is intended to highlight for county officials the important legal parameters that govern their actions and that must be followed as any discussions with Vertical Bridge and public meetings take place in the days ahead.

As you recall, on June 13, 2023, the Planning Commission rightly rejected Vertical Bridge's application to build a 100-foot tall monopole cell tower proposed for Lake Shannondale's most scenic spot. The Vertical Bridge concept plan clearly fell short in numerous ways, and contravened the County's robust wireless communications facility ordinance. We were very grateful that, despite repeated faulty legal guidance from County Planning staff and from the Assistant Prosecuting Attorney, four Commissioners followed the Ordinance and sensibly denied Vertical Bridge's application for the cell tower.

Unfortunately, rather than engaging with the community to find a mutually acceptable solution, Vertical Bridge challenged the Planning Commission's decision denying its cell tower application by filing a lawsuit in federal court. Shockingly, before even responding to Vertical Bridge's complaint, in July 2023, the Assistant Prosecuting Attorney immediately began private settlement talks with the company.

Rather than vigorously defending against Vertical Bridge's complaint, we are concerned that the County is prepared to "throw in the towel" to resolve the action. The Planning Commission was badly advised by Planning staff and the Assistant Prosecuting Attorney from the outset of this matter, so it would be no surprise if the Planning Commission were unaware of the full range of its duties and responsibilities under the County ordinance and under the law. But even now, the Planning Commission continues to act opaquely -- the public has no idea about what counterproposal, if any, the County has made to Vertical Bridge. The public has

been shut out entirely. The Planning Commission is ignoring the public inputs, public hearing, and other information on which its own original decision was based. The Planning Commission likely is also ignoring the requirements of the County wireless communications facilities ordinance.

To avoid this continued inappropriate (and illegal) path, we request that:

(1) you affirm that the Planning Commission will follow the procedural and transparency parameters set forth below for any further discussions; and

(2) you will ensure that Vertical Bridge and Verizon respect the County ordinance and the preferences for wireless communications facilities set forth therein -- in particular those preferences which seek to minimize the visual impact presented on the surrounding viewshed by a proposed wireless communications facility. To that end, the Planning Commission must hold Vertical Bridge to account that any proposed wireless communications facility at or in the vicinity of the Lake Shannondale site be *the least intrusive technologically feasible alternative* that solves an actual significant gap in coverage that Vertical Bridge establishes upon proof with substantial evidence. To date, Vertical Bridge has not done so; and indeed, that's why the Planning Commission denied its application. Such alternatives to the current monopole proposal at the lakeshore site could include:

- attaching small cell wireless facilities to existing or replacement utility poles in the public right of way or on private property,
- co-locating wireless communications antennas on existing cell towers or wireless communications facilities,
- mounting wireless communications facilities on existing structures capable of supporting such facilities,
- and/or building cell towers at other sites which will be not be as visually intrusive and will not degrade the viewshed as much as the proposed Lake Shannondale lakefront site.

As set out further below, it is apparent that Vertical Bridge's application did not show serious efforts to find alternatives of any kind. Ruining the viewshed of the County's largest (manmade) lake, without exploring less intrusive approaches is utterly inconsistent with the letter and spirit of the Comprehensive Plan and Ordinance. *No one in charge of land use "planning" would ever have conceived of the Shannondale dam site as an appropriate location for an ugly cell tower that even the Mountain Lake Club property owners acknowledged as unsightly.* County officials must exercise their rights and follow their "planning" duties.

We request that this letter, along with letters and attachments submitted for the cancelled meeting on September 13th (dated August 23, August 24 and August 31, respectively) be included in the "packet" for Commissioners for the September 26 meeting.

Urgent Process Requests

As laid out in our letter of August 31, 2023, the Planning Commission has been repeatedly misinformed about the scope of its authority—having been told it has no power to deny a cell

tower application once the staff concludes that a concept plan is ready for Commission review. Mr. Stolipher, who was not even present at the June 13, 2023, public workshop at which Shannondale residents questioned the concept plan, recently cited this legally incorrect view as the basis for embarking on settlement talks. ***Please put an immediate stop to this misunderstanding and re-orient the Commission’s path forward, along the following lines.***

- The County Attorney should immediately ***inform the public of the legal basis, authority, limits and procedures*** governing these “settlement” discussions, including the legal requirement that any settlement must comply with the Comprehensive Plan and the County Ordinance governing wireless communications facilities, and that the Open Meetings Act must be followed.
- The Commission should assure the public that ***no outcome can be considered anything other than Mr. Cochran’s personal recommendation***, pending further opportunities for public input and participation in arriving at a fair outcome, including, as relevant, the submission of a revised concept plan, a new balloon test, revised historic property reviews and updated propagation maps among other documents, disclosures, and procedures required by the Ordinance.
- ***The following direction should be provided to Mr. Cochran*** and any other individual seeking to privately exercise decision-making authority for land use in Shannondale:
 - stop seeking outcomes that will not address legitimate viewshed objections voiced by both residents and several Planning Commissioners (in particular the views from the lakefront and mountain of ***an enormous steel fenced area in front of the tree line and potentially four to six ugly racks of antennas rising high above the tree canopy***),
 - underscore that Vertical Bridge ***is not entitled by right*** to a tower site that is the cheapest and most convenient for itself (rather than serving the purpose of providing significant additional Verizon or other telecom coverage) and
 - request that Vertical Bridge respect the preferences of the County Ordinance and ***work with County authorities to co-locate any needed antennas*** on existing utility poles on Mission Road—or seek a suitable industrial-commercial or non-residential area for a monopole site.
- The Commission and the Prosecuting Attorney should request that ***Mr. Cochran correct the faulty legal interpretation*** of the Planning Commission’s authority that he has evidently communicated to Messrs. Stolipher and Shepp—and affirm that the Ordinance clearly provides the Planning Commission with the authority to deny a cell tower application under these circumstances and that the applicant has the burden of proof of adducing substantial evidence to meet the requirements of the Ordinance.

Continued Missing VB Information on Alternatives

The Wireless Telecommunications Tower section of the Jefferson County Zoning ordinance in section 4B.7.D puts the burden on a cell tower company to show with written “substantial evidence” that a bona fide need exists for that particular structure at its proposed height and location. On its face, the Vertical Bridge application barely addressed those issues, *and our own interim research has only corroborated the initial impression, that no alternative approaches were truly investigated.*

Both the applicant and the staff report *totally ignored* the direction and preferences in the ordinance to (1) keep towers away from residential zones and (2) encourage cell service providers to “co-locate” on existing structures, for example, by using “small cell antennas” on existing utility poles. Preferences articulated in the ordinance--non-residential area alternatives, small cells and less intrusive approaches--were never even addressed. Yet, in a heavily wooded area, these are the obvious solution to any minor gaps in coverage.

- The five “*alternative sites*” cited as having been “investigated” by the applicant appear to have been *arbitrary locations never under serious consideration*. They may even have been identified later, after the Mountain Lake Club lease had been signed—and they were not corroborated by detail (of date approached, ownership, etc.) or by affidavit, or by the Planning Commission staff. Our own closer examination showed that at least two of the selected alternate sites obviously fail the minimum fall line setbacks, and we understand that other owners who allegedly “declined” or for which there was “no response” may not have even been approached. We also understand that the applicant’s representative offered a below fair market monthly lease rate to at least one of the “owners” of one of the alternative sites. This kind of cheap offer appears designed to be ignored or rejected in order to write off the site as unavailable.
- The Vertical Bridge concept plan also fails to acknowledge, as possible alternate sites, at least five, and possibly more, *existing wireless towers that appear to be used by other wireless carriers to provide superior coverage in Shannondale* and which likely have capacity for additional antennas for Verizon coverage, including:
 - **Eagles Nest Lane (monopole)**
 - **125 Ashland Woods Dr. (monopole)**
 - **Catherines Drive north of Mt. Hammond Ln Intersection (lattice)**
 - **Poppy Road Microwave Tower (lattice)**
 - **Southern Tower at 546 N. Mission Road (monopole)**

Despite the requirements of the Ordinance, there was no discussion of the suitability of these alternative co-location sites in writing or at the public hearing on June 13.

Moreover, a cursory look at the official FCC coverage maps available on the internet (based on data submitted by Verizon-- not included in the application) shows that there is already 4G in almost the entire area which Vertical Bridge proposes to reach with the proposed monopole. The only areas with reduced Verizon coverage (visible with an extreme zoom) are at

the southern end of the west “fingers” of the Lake, along Mission Road, and along the Shenandoah in the mostly uninhabited Wildlife Management Area and the National Park.
https://broadbandmap.fcc.gov/provider-detail/mobile?version=dec2022&zoom=14.30&vlon=-77.816546&vlat=39.207058&providers=131425_400_on&env=0&pct_cvg=0

Under that circumstance, there were several larger properties along Mission Road (from 3000 to 6000 blocks)—west and southwest of the proposed site, that never were explored as potential alternate sites.

We are providing this summary information not to re-argue the public hearing on June 13, but only to underscore that *any effort to accept the original or only slightly modified concept plan still finds no support in the intent and preferences set out in the Ordinance.*

We urge you not to foreclose public participation and consideration of further information of this kind and hope you will do everything you can to ensure that the Planning Commission’s balanced and thoughtful decision is preserved, that the natural beauty and recreational character of the area remains within the authority of its planners, and that our treasured Lake Shannondale not fall victim to the inappropriate and unnecessary maneuvers of out-of-state actors.

Sincerely yours,

Corey Ash, JoAnn Ash, Cheryl Avery, Jon Avery, Tommy Ash, Roberta Cohen, Theresa Fahy, Charlotte Fremaux, Emmett Fremaux, Lani Fremaux, Harriet Getzels, Peter Getzels, Rachel Grogan, Jack Hahn, Dan Kaseman, Adam McDowell, Robert Montague, Jaclyn Petersen and Rachel Shub