

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 SY5TEMS 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		MILLENIUM 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

88495		MAZZITTI & SULLIVAN EAP		1,422.00
88496		MONICA BENNETT		90.25
88497		PROGRESSIVE PRINTING		5,737.28
88498		THE HARTFORD		2,374.90
88499		THE HARTFORD		3,403.34
88500		WV REGIONAL JAIL & CORRECTION FACILITY AUTH		50,596.38
88501		WVCORP WV COUNTIES SELF INSURANCE RISK POOL		182,737.00
88502		FIRST CITIZENS BANK & TRUST CO		2,225.17
88503	SG/010	JEFFERSON COUNTY PARKS & RECREATION COMMISSION		\$ 27,220.62
TOTAL				\$ 418,283.03

- **Motion by Mr. Stolipher to approve the Accounts Payable for September 7, 2023 in the amount of \$418,283.03 .Motion seconded and unanimously approved.**

APPROVAL OF MANUAL CHECKS

August 23, 2023				
OTHER FUNDS				
Check #	Fund	Vendor		Amount
235	AR/207	GS IMAGES		\$ 37,460.00
1093	AV/056	DLT SOLUTIONS, LLC		\$ 707.26
1847	CO/246	MOTOROLA SOLUTIONS, INC.		\$ 937.02
582	CS/002	BRENDA HINKLE		\$ 578.42
583	CS/002	JEFF. CO COMMUNITY MINISTRIES		\$ 25,000.00
1412	IP/249	SHERIFF OF JEFFERSON CO - SCHOOL		\$ 26.00
1413	IP/249	SHERIFF OF JEFFERSON CO - LAW		\$ 12,631.16
1414	IP/249	SHERIFF OF JEFFERSON CO - PARKS		\$ 26,517.26
1415	IP/249	SHERIFF OF JEFFERSON CO - EMS		\$ 2,793.89
1416	IP/249	SHERIFF OF JEFFERSON CO - ADMIN		\$ 1,239.27
TOTAL				\$ 107,890.28

- **Motion by Mr. Stolipher to approve the Manual Checks for August 25, 2023, in the amount of \$107,890.28. Motion seconded and unanimously approved.**

September 1, 2023			
OTHER FUNDS			
Check #	Fund	Vendor	Amount
584	CS/002	EASTERN PANHANDLE MENTAL HLTH	\$ 3,600.00
871	HD/008	SHERIFF OF JEFFERSON COUNTY	\$ 1,565.17
1094	AV/056	PRINT-O-STAT	\$ 190.00
236	AR/207	AT & T MOBILITY	\$ 697.78
237	AR/207	SHERIFF OF JEFFERSON COUNTY	\$ 14,730.88
1848	CO/246	ESS ELECTION SYSTEMS	\$ 98,200.00
152	PI/249	HELBIG LIPP RECNY ARCHITECTS	\$ 225.00
TOTAL			\$ 119,208.83

- **Motion by Mr. Stolipher to approve the Manual Checks for September 1, 2023, in the amount of \$119,208.83. Motion seconded and unanimously approved.**

September 7, 2023			
OTHER FUNDS			
Check #	Fund	Vendor	Amount
585	CS/002	BRENDA HINKLE	\$ 245.02
1095	AV/056	GLOBAL SCIENCE & TECHNOLOGY, INC.	\$ 4,775.64
1096	AV/056	KENT PARSONS FORD, INC.	\$ 29,291.00
1097	AV/056	KNIGHT CONSULTING SERVICE	\$ 300.00
1098	AV/056	SEGRA	\$ 624.80
1099	AV/056	SHERIFF OF JEFFERSON COUNTY	\$ 29,291.00
238	AR/207	CITIZENS VOLUNTEER FIRE COMPANY	\$ 3,400.00
239	AR/207	SHEPHERDSTOWN FIRE COMPANY	\$ 1,600.00
240	AR/207	TREE NEXUS	\$ 3,850.00
1849	CO/246	JAMES TROUT	\$ 2,386.00
1850	CO/246	KENT PARSONS FORD, INC.	\$ 29,291.00

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 API192 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