

**REGULAR MEETING AGENDA
JEFFERSON COUNTY COMMISSION
FOURTH QUARTERLY SESSION – OCTOBER – DECEMBER 2023
THURSDAY, DECEMBER 21, 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

APPROVAL OF MINUTES

- December 7, 2023 Regular Meeting
- December 11, 2023 Special Session

APPROVAL OF REQUISITIONS

- December 21, 2023

APPROVAL OF ACCOUNTS PAYABLE

- December 14, 2023
- December 21, 2023

APPROVAL OF MANUAL CHECKS

- December 15, 2023
- December 22, 2023

APPROVAL OF PAYROLL

- December 9, 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

1. 6:15 p.m. Angela Banks, Assessor
- Promotion/Job Reclassification

2. 6:20p.m. Tom Hansen, Sheriff
- Tax Deputy – New Hire
- Part-time Bailiff – New Hire
3. 6:30 p.m. Jacqueline Shadle, County Clerk
- New Hire Approval for Part-Time Finance Clerk
- Clarification on Benefit Package for Ambulance Fee Collector Position
4. 6:45 p.m. Bryan Sutherland & Greg Sager, Jefferson County Little League
- ARPA Funding Request – JC Little League Lighting Project
5. 7:00 p.m. Continuation of Probate Matters from December 7, 2023 Regular Meeting
- Presentation of Briefs for the Estates of Ellen Sherry Hoffman and Richard Walter Accurso, deceased and consideration and possible action on all matters.
6. 7:20 p.m. James B. Crawford, III, Esquire, Crawford Law Group, PLLC
- Request to receive Petition of ROW/Easement Abandonment and schedule Public Hearing pursuant to Section 7-1-3, Code of West Virginia, 1931, as amended
7. 7:30 p.m. Interview/Appointment to the Jefferson County Deputy Sheriff Civil Service Commission – one unexpired term ending September 29, 2025
8. 7:40 p.m. Roger Goodwin, Chief County Engineer
- Beallair Homes, LLC – Beallair Subdivision, Phase 2 (File #05-41) – Complete Bond Release re-securing with a new performance bond provider
- Beallair Homes, LLC – Beallair Subdivision, Phase 3 (File #21-31-SD) – Complete Bond Release re-securing with a new performance bond provider
- Beallair Homes, LLC – Beallair Subdivision, Phase 4A (File #19-16-SD) – Complete Bond Release re-securing with a new performance bond provider
9. 7:50 p.m. Mike Sine, Director, Jefferson County Emergency Services
- Approval of 4 Promotions with Salary Adjustments
10. 8:10 p.m. Selection of Interim County Administrator
11. 8:30 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.

e. Preliminary Report by Council as directed by the Commission on December 7, 2023 regarding Fire Levy.

NEW BUSINESS

12. Approval of 2024 Holiday Schedule

13. Approval of 2024 Jefferson County Commission Regular Meeting Schedule & selection of date and time for the first Regular Meeting of 2024

14. Approval of Shepherdstown Fire Department and Friendship Fire Company \$85k Annual Allocation

15. Discussion/Action by County Commission to seek an advisory opinion from the Ethics Commission on subunits of the Planning Commission abiding by the Open Meetings Act to include an agenda and meeting minutes (TJ)

16. Review/Consider the request from counsel at Bowles Rice & Jackson Kelly PLLC to reinstate the June 2022 Solar Text Amendment by annulling its action of September 7, 2023

17. ADJOURN

CORRESPONDENCE AND INFORMATION

Notice of Intent to Appoint to the Jefferson County Board of Zoning Appeals and the Eastern Panhandle Transit Authority

Notice of Public Input Meeting – Mapping Jefferson County's Future

New Jefferson County Courthouse Brochure (The Jefferson County Courthouse was declared a National Historic Landmark on Wednesday, December 13, 2023 by the US Dept. of the Interior)

Impact Fee Status Report for November 2023

Public Comment received from the following: David Tabb, David Kyzner

Assorted documents submitted by Jacquelyn Milliron and Bob Aitcheson

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.