

Minutes

Jefferson County Commission

Thursday, January 4, 2024

A meeting of the Jefferson County Commission was held on Thursday, January 4, 2024 during the first quarterly session at 9:30 am. The meeting was held via GoToWebinar and in-person. Present were President Steve Stolipher, Commissioner Jane Tabb, Commissioner Tricia Jackson, Commissioner Jennifer Krouse, and Commissioner Pasha Majdi. Also present were Edwina Benites, Interim County Administrator, Nathan Cochran, assistant prosecuting attorney, Jacki Shadle, county clerk; and Sorayda Pitts, administrative assistant. The archived meeting of the Thursday, January 4, 2024, meeting is available on the Jefferson County Commission website.

PRAYER- Pastor Craig Bush- Grace Baptist Church

PLEDGE OF ALLEGIANCE

1. Selection of Commission President-

- Commissioner Krouse nominated Commissioner Jackson for president of the Commission for the year 2024. Commissioner Jackson received two votes. (Krouse, Jackson)
- Commissioner Tabb nominated to Commissioner Stolipher for president of the Commissioner for the year 2024. Commissioner Stolipher received three votes. (Tabb, Stolipher and Majdi)
- **By majority vote, Commissioner Stolipher was selected as president of the Jefferson County Commission for 2024.**

Selection of Commission vice president-

- Commissioner Krouse nominated Commissioner Jackson for vice president of the Commission for the year 2024. Commissioner Jackson received two votes. (Krouse, Jackson)
- Commissioner Stolipher nominated Commissioner Tabb for vice president of the Commission for the year 2024. Commissioner Tabb received three votes. (Stolipher, Majdi and Tabb)

- **By majority vote, Commissioner Tabb was selected as vice president of the Jefferson County Commission for 2024.**

Selection of Committee Assignments-

2024

Jefferson County Commission

Assignments to Boards, Commissions, and Organizations

Organization	2023	2024
Approval of Bills	Tabb/Krouse	Tabb/Krouse
Board of Health – BOH	Krouse	Krouse
Building Repair & Security Courthouse Committee	Krouse	Krouse
Charles Town Utility Board Liaison - CTUB	Jackson	Jackson
Community Corrections Committee – Day Report Center	Jackson	Jackson
Development Authority – JCDA	Stolipher	Majdi
E911 Council	Tabb	Tabb
Extension Service	Tabb	Tabb
Farmland Protection Board – JCFPB	Tabb	Tabb
Jefferson County Convention & Visitors Bureau - JCCVB	Stolipher	Krouse
Jefferson County Fire & Rescue Association - JCFRA	Jackson/Krouse	Krouse
Historic Landmarks Commission – JCHLC	Krouse	Krouse
Homeland Security/LEPC	Jackson	Jackson
Legislative Liaison	Co. Administrator	Eddie Benites

Jefferson County Parks and Recreation Commission	Krouse	Majdi
Jefferson County Planning Commission	Stolipher	Stolipher
Region 9	Stolipher	Majdi
Solid Waste Authority	Stolipher	Majdi
Hagerstown-Eastern Panhandle Metropolitan Planning Org. (HEPMPO)	Stolipher	Stolipher
Eastern Panhandle Transit Authority (EPTA)	Tabb	Tabb
Workforce Investment Act Liaison	Jackson	Jackson
Water Advisory		Majdi

APPROVAL OF MINUTES

December 21, 2023, regular meeting minutes

It was the consensus of the commission to table this until the next schedule meeting to incorporate edits.

APPROVAL OF REQUISITIONS

Motion by Mr. Stolipher to approve the Requisitions for January 4, 2024, in the amount of \$98,557.75. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK NUMBER		VENDOR NAME	UNCLEARED
88994		AHA-ARTS & HUMANITIES ALLIANCE	1,259.84
88995		AT&T BILL PAYMENT	2.58
88996		BAKERTON VOLUNTEER FIRE DEPARTMENT	85,000.00

88997		BLUE RIDGE MOUNTAIN VOLUNTEER FIRE COMPANY	85,000.00
88998		CITIZENS VOLUNTEER FIRE COMPANY	85,000.00
88999		COX HOLLIDA YOUNG PLLC	475.00
89000		INDEPENDENT VOLUNTEER FIRE COMPANY	85,000.00
89001		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	1,865.49
89002		JEFFERSON CO CONVENTION AND VISITORS BUREAU	31,495.68
89003		JEFF CO PARKS & RECREATION COMMISSION	28,370.37
89004		LANGUAGE LINE SERVICES	158.45
89005		MIDDLEWAY FIRE COMPANY	85,000.00
89006		DR. ROBERT E. JONES III	1,000.00
89007		SOFTWARE SYSTEMS INC	55.00
89008		SPIRIT OF JEFFERSON	211.80
89009	FG/009	BERKELEY COUNTY SHERIFF'S OFFICE	10,430.12
89010	FG/009	CITY OF CHARLES TOWN	546.51
89011	FG/009	RANSON POLICE DEPT	3,239.82
89012	GS/004	GENERAL COUNTY FUND-J FEE	10,196.65
TOTAL			514,307.31

- **Motion by Mr. Stolipher to approve the Accounts Payable for December 28, 2023, in the amount of \$514,307.31. Motion seconded and unanimously approved.**

CHECK NUMBER		VENDOR NAME	UNCLEARED
89014		AUTOZONE	70.78
89015		BOLIVAR / HARPERS FERRY PUBLIC LIBRARY	23,175.00
89016		BUREAU OF CHILD SUPPORT	373.39
89017		CAPITAL LIGHTING & SUPPLIES LLC	601.30
89018		CHARLES TOWN PRESBYTERIAN CHURCH	23.00
89019		COLONIAL LIFE	95.68
89020		COMPTROLLER OF MARYLAND	845.15
89021		CREAMERS WRECKER SERVICE	229.50
89022		DODSON SEPTIC SERVICE LLC	855.00
89023		EFTPS IRS TAXES	114,244.23
89024		EMPOWER RETIREMENT	6,905.35
89025		EPTA-EASTERN PANHANDLE TRANSIT AUTHORITY	25,000.00
89026		FRONTIER	270.78
89027		FRONTIER	73.52
89028		GUTTMAN OIL CO	9,957.96
89029		HIGHMARK WV	200,193.04
89030		JEFFERSON CO EMERGENCY SERVICES AGENCY	5,320.00
89031		JEFFERSON COUNTY DEVELOPMENT AUTHORITY	28,667.75

89032		JEFF CO PARKS & RECREATION COMMISSION	139,535.50
89033		JEFFERSON DAY REPORT CENTER	38,750.00
89034		JEFFERSON SECURITY BANK	4,085.00
89035		MATTHEW BENDER	672.46
89036		MATTHEW BENDER	273.31
89037		MILLERS SUPPLIES AT WORK	1,184.24
89038		MOTOROLA SOLUTIONS INC	29,555.10
89039		NATIONAL VISION ADMIN.	1,586.38
89040		NATIONWIDE RETIREMENT SOLUTIONS	1,065.00
89041		OLD CHARLES TOWN LIBRARY	24,675.00
89042		POTOMAC EDISON	259.30
89043		RICE TIRES CO	1,302.72
89044		SANDRA KELLEY	231.00
89045		SHEPHERDSTOWN PUB LIBRARY	23,175.00
89046		SOUTH JEFFERSON PUBLIC LIBRARY	23,175.00
89047		SPIRIT OF JEFFERSON	55.06
89048		STATE TAX DEPARTMENT	150.00
89049		UNIFIRST	199.61
89050		US POSTAL SERVICE	20,000.00
89051		WV ASSOCIATION OF COUNTY CLERKS	235.00
89052		WV DEPUTY SHERIFF RETIREMENT SYSTEM	25,814.26
89053		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	47,520.27
89054		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	166.49
89055		WVU WEST VIRGINIA UNIVERSITY	3,700.00
89056	FG/009	SHERIFF OF JEFFERSON COUNTY	5,339.53
89057	AM/053	AXIOM STAFFING GROUP	2,002.40
89059	AM/053	SHERIFF OF JEFFERSON COUNTY	1,799.12
89058	BS/011	SHERIFF OF JEFFERSON COUNTY	10,111.91
TOTAL			823,520.09

- **Motion by Mr. Stolipher to approve the Accounts Payable for January 4, 2024, in the amount of \$823,520.09. Motion seconded and unanimously approved.**

APPROVAL OF MANUAL CHECKS

			28-Dec-23
		OTHER FUNDS	
Check #	Fund	Vendor	Amount

592	CS/002	EASTERN PANHANDLE MENTAL HEALTH CENTER	2600.00
6	TC/077	UNITED WAY-EASTER PANHANDLE INC (TEEN COURT)	55.71
284	AR/207	FRIENDSHIP VOLUNTEER FIRE COMPANY	1800.00
285	AR/207	JOHN P PLACE INC	3500.00
1866	CO/246	EXECUTIVE EMERGENCY LIGHTING LLC	6752.09
1867	CO/246	INSIGHT PUBLIC SECTOR INC	26096.67
1868	CO/246	MOTOROLA SOLUTIONS INC	145589.52
1124	AV/056	PRINT-O-STAT INC	190.00
TOTAL			186,583.99

- **Motion by Mr. Stolipher to approve the Manual Checks for December 29, 2023. in the amount of \$186,583.99. Motion seconded and unanimously approved.**

			4-Jan-24
		OTHER FUNDS	
Check #	Fund	Vendor	Amount
593	CS/002	JEFF CO COMMUNITY MINISTRIES	\$25,000.00
890	HD/008	SHERIFF OF JEFFERSON COUNTY	\$1,482.49
286	AR/207	SHERIFF OF JEFFERSON COUNTY	\$11,438.82
1869	CO/246	BOLAND TRANE SERVICES	\$14,562.00
1870	CO/246	QUADIENT INC	\$12,956.00
1871	CO/246	ZMM ARCHITECTS & ENGINEER	\$4,950.00
409	WV/369	WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$772.00
981	CW/059	WV STATE POLICE ACCT OFFICE	\$30.00
982	CW/059	WV STATE AUDITOR	\$830.00
TOTAL			\$72,021.31

- **Motion by Mr. Stolipher to approve the Manual Checks for January 4, 2024, in the amount of \$72,021.31. Motion seconded and unanimously approved.**

APPROVAL OF PAYROLL

Motion by Mr. Stolipher to approve the Payroll for December 22, 2023, in the amount of \$312,286.64. Motion seconded and unanimously approved.

PUBLIC COMMENT: Danny Lutz, David Tabb, Jackie Shadle

PRESENTATIONS

2. Angie Banks- Assessor- Requested Approval of 2024 Board of Review and Equalization Notice.
 - **Motion by Mrs. Tabb to approve the time/date of the 2024 Board of Review and Equalization Notice. Motion seconded and unanimously approved.**

3. Matt Harvey-Prosecuting Attorney- Requested approval of Hire- Assistant Prosecuting Attorney.
 - **Motion by Mr. Stolipher to approve the hire of Adam Ward as an Assistant Prosecuting Attorney with a salary of \$115,000.00 and start date of January 5, 2024. Motion seconded and unanimously approved.**

4. Nikki Painter- Probate Office- Requested Fiduciary Quarterly Review of Estates opened, Waivers of Final Settlement & Accountings Recorded since last quarterly review in October 2023.

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 seconded and unanimously approved.

- **Motion by Mrs. Tabb to approve the Fiduciary Quarterly Review of Estates opened, Waivers of Final Settlement and Accountings as presented Recorded since last quarterly review in October 2023. Motion seconded and unanimously approved.**
5. Mike Sine- Mike Sine, Director, Jefferson County Emergency Services- Requested Consideration of potential purchase of Shepherdstown Fire Department ambulance
- **Motion Mr. Majdi to move forward with the purchase of the Shepherdstown unit as presented by Director Mike Sine. Motion failed on a 2-3 vote with Commissioner Majdi and Commissioner Stolipher voting for and Commissioner Tabb, Commissioner Krouse and Commissioner Jackson voting against.**
 - **Motion by Mr. Majdi to request for staff to develop a vehicle replacement plan within the CIP process and to include a plan to provide staffing for the underserved areas. Motion seconded and unanimously approved.**
6. Dan Murphy, Greenway Engineering- Requested - Harvest Hills Subdivision Phase II – Request for Zoning Map Amendment.
- **Motion by Mr. Stolipher to forward the request to the Jefferson County Planning Commission to review the application and to schedule a public hearing for the February 1, 2024, regular scheduled meeting at 11am. Motion seconded and unanimously approved.**
7. Roger Goodwin- Chief County Engineer- Requested - Complete Construction Bond Release for Mark E. Roper – Cave Quarter Estates Subdivision, Section C, Lots 48-51 & Residue Lots A & B (File #04-08)
- **Motion by Mr. Stolipher to approve the complete release of Letter of Credit #232 with BCT Bank in the amount of \$116,242.00 from the construction bond for Mark E. Roper - Cave Quarter Estates Subdivision, Section C, Lots 48-51 & Residue Lots A & B (File #04-08). Motion seconded and unanimously approved.**

8. Jennie Brockman- Deputy Director-Planning & Zoning- Requested a partial refund related to an overpayment of subdivision fees for Phase 4B of the Beall air Residential Subdivision.

- **Motion by Mr. Stolipher to approve a partial refund of subdivision fees related to an overpayment of fees related to the Beallair Subdivision in the amount of \$145.00. Motion seconded and unanimously approved.**

9. Dick Myers- Deputy Director, Jefferson County Homeland Security & Emergency Mgmt. Requested- Approval of request for JCC President's signature of the 2021 Emergency Management Performance Grant.

- **Motion by Mrs. Tabb to allow the Jefferson County President to sign the 2021 EMPG Award document for reimbursement in the amount of \$62,342.00. Motion seconded and unanimously approved.**

10. Edwina Benites- Director, Jefferson County Development Authority, and Interim County Administrator requested-

a. Approval of Jefferson County Development Authority Hire for Fellow

- **Motion by Mr. Stolipher to approve the hire of Madison Walker to be a fellow for the Jefferson County Development Authority with a starting date of January 8, 2024, for the spring 2024 semester at an hourly rate of \$17 per hour and not to exceed \$2500.00. Motion seconded and unanimously approved.**

b. Approval of Application – WV Local Economic Development Grant

- **Motion by Mrs. Tabb to move to resolve that the Jefferson County Development Authority is the lead economic development organization for the County. Motion seconded and unanimously approved.**

11. Nathan Cochran- Prosecuting Attorney's Office-

a. Report by counsel on opioid case and consideration of recent developments in the case (Jefferson County Commission v. Purdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1 :17-OP-45170, MDL 17-md-02804-DAP In Re:

National Prescription Opiate Litigation; State of West Virginia ex rel. Patrick Morrissey, Attorney General v. Walgreens Boots Alliance, Inc., et al., Civil Action No. 20-C-82 PNM (W. Va. Cir.Ct. Putnam County) (the "West Virginia AG Action"), pending within In re: Opioid Litigation, Civil Action No. 21-C-9000 (W. Va. Cir. Ct. Kanawha County) and related matters.

b. Discussion of legal issues and potential action regarding proposed Solar Text Amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA22-01. Discussion of Jefferson County Circuit Court Civil Action No.'s 2021-C- 33 through 37 and Jefferson County Circuit Court Civil Action No.'s 2021-C-46 through 50, Jefferson County Circuit Court Civil Action No. CC-19-2022-C-6, Jefferson County Circuit Court Civil Action No. 2022-C-81, Jefferson County Circuit Court Civil Action No. 2022-C-103, 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.

Provided no updates but in response to Commissioners questions it was explained the reasons for the existence of the items on the agenda.

NEW BUSINESS

12. Request IT Department to research microphone options for the County Commission meeting room.

- **Motion by Mrs. Tabb to have the staff to research options to include amplified sound in the meeting room as well as option to display the written text of motions. Motion seconded and unanimously approved.**

INTERIM COUNTY ADMINISTRATOR REOPRT

-Approval to Re-advertise for the Deputy County Administrator

- **Motion by Mrs. Tabb to re-advertise for the deputy county administrator position and keep the posting open for 4 weeks. The motion passed on a 4-1 vote with Commissioner Tabb, Commissioner Stolipher, Commissioner Majdi, and Commissioner Krouse voting in favor and Commissioner Jackson opposing.**

Adjourn

The Commission adjourned at 11:37 am, a motion by Mr. Stolipher. Motion was seconded and unanimously approved.

Steve Stolipher, PRESIDENT

Respectfully submitted
Sorayda Pitts
Administrative Assistant