

## **Minutes**

### **Jefferson County Commission**

**Thursday, February 1, 2024**

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A meeting of the Jefferson County Commission was held on Thursday, February 1, 2024, during the fourth quarterly session at 9:30 am. The meeting was held via GoToWebinar and in-person. Present were President Steve Stolipher, Commissioner Tricia Jackson, Commissioner Jennifer Krouse, Commissioner Pasha Majdi, and Commissioner Jane Tabb. 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, February 1, 2024, meeting is available on the Jefferson County Commission website.

**Prayer- Pastor Danny Ortiz**

#### **PLEDGE OF ALLEGIANCE**

#### **APPROVAL OF MINUTES**

**Mr. Stolipher motioned to approve the January 18, 2024, regular meeting. The motion was unanimously approved.**

#### **APPROVAL OF REQUISITIONS**

**Mr. Stolipher made a motion to approve the Requisitions for February 1, 2024, in the amount of \$92,789.76. The motion was unanimously approved.**

#### **APPROVAL OF PAYROLL**

**Mr. Stolipher motioned to approve the payroll for in the amount of \$333,447.37. The motion was unanimously approved.**

**APPROVAL OF ACCOUNTS PAYABLE**

| <b>CHECK NUMBER</b> |        | <b>VENDOR NAME</b>                         | <b>UNCLEARED</b> |
|---------------------|--------|--|------------------|
| 89120               |        | AMERICAN FAMILY LIFE INSURANCE COMPANY ICU | 2,116.50         |
| 89121               |        | AMERIFLEX                                  | 126.65           |
| 89122               |        | AT&T                                       | 665.18           |
| 89123               |        | AT&T                                       | 1,112.33         |
| 89124               |        | BOLAND TRANE SERVICES INC                  | 1,809.75         |
| 89125               |        | CARRIE ORR                                 | 853.18           |
| 89126               |        | CMA CHRYSLER DODGE JEEP                    | 22.43            |
| 89127               |        | EXECUTIVE EMERGENCY LIGHTING LLC           | 3,417.60         |
| 89128               |        | FEDEX                                      | 74.33            |
| 89129               |        | FIRE SAFETY EQUIP                          | 1,907.00         |
| 89130               |        | FRIENDSHIP VOLUNTEER FIRE COMPANY          | 85,000.00        |
| 89131               |        | FRONTIER                                   | 984.59           |
| 89132               |        | GUTTMAN OIL CO                             | 9,557.94         |
| 89133               |        | J.C. EHRlich                               | 841.38           |
| 89134               |        | JEFF CO DEPUTY SHERIFF'S ASSOC             | 1,020.00         |
| 89135               |        | MALLORY SODERLUND                          | 2,236.50         |
| 89136               |        | MILLENIUM INSURANCE GROUP                  | 900.00           |
| 89137               |        | MILLER'S SUPPLIES AT WORK                  | 2,136.12         |
| 89138               |        | POTOMAC EDISON                             | 328.26           |
| 89139               |        | SHEPHERDSTOWN VOLUNTEER FIRE COMPANY       | 85,000.00        |
| 89140               |        | SHERIFF OF JEFFERSON COUNTY                | 74,975.00        |
| 89141               |        | SHERIFF OF JEFFERSON COUNTY                | 99,674.06        |
| 89142               |        | SOFTWARE SYSTEMS INC                       | 1,110.95         |
| 89143               |        | SPIRIT OF JEFFERSON                        | 355.94           |
| 89144               |        | TEK ADVISORS LLC                           | 4,141.74         |
| 89145               |        | THOMAS HANSEN                              | 35.31            |
| 89146               |        | UNIFIRST                                   | 204.53           |
| 89147               |        | WIKIMAPPING                                | 849.00           |
| 89148               | FG/009 | BERKELEY CO SHERIFFS OFFICE                | 1,175.36         |
| 89149               | FG/009 | RANSON POLICE DEPT                         | 1,203.04         |
| 89150               | FG/009 | SHERIFF OF JEFFERSON COUNTY                | 6,495.59         |
| 89151               | SG/010 | JEFFERSON DAY REPORT CENTER                | 155,000.00       |
| 89152               | SG/010 | SHERIFF OF JEFFERSON COUNTY                | 7,500.00         |
| 89153               | BS/011 | SHERIFF OF JEFFERSON COUNTY                | 8,841.22         |
| 89154               | AM/053 | SHERIFF OF JEFFERSON COUNTY                | 1,786.43         |

|  |  |  |            |
|--|--|--|------------|
|  |  |  | 563,457.91 |
|--|--|--|------------|

- **Stolipher motioned to approve the accounts payable for January 25, 2024, in the amount of \$563,457.91. The motion was unanimously approved.**

| CHECK NUMBER | VENDOR NAME                                    | UNCLEARED  |
|--------------|--|------------|
| 89156        | AHA-ARTS & HUMANITIES ALLIANCE                 | 1,217.43   |
| 89157        | AMERICAN FAMILY LIFE INSURANCE COMPANY ICU     | 2,116.50   |
| 89158        | ANGELA L BANKS                                 | 85.00      |
| 89159        | AT&T BILL PAYMENT                              | 2.58       |
| 89160        | BUREAU OF CHILD SUPPORT                        | 373.39     |
| 89161        | CCAWV-COUNTY COMMISSION ASSOCIATION OF WV      | 400.00     |
| 89162        | CHARLES TOWN PRESBYTERIAN CHURCH               | 78.00      |
| 89163        | CHARLES TOWN PRESBYTERIAN CHURCH               | 42.00      |
| 89164        | COLONIAL LIFE                                  | 95.68      |
| 89165        | COMPTROLLER OF MARYLAND                        | 978.57     |
| 89166        | DISTRICT COURT OF MARYLAND                     | 6.50       |
| 89167        | DIGITAL DOCUMENT SOLUTIONS INC                 | 1,441.37   |
| 89168        | DOING BETTER BUSINES                           | 1,399.94   |
| 89169        | EFTPS IRS TAXES                                | 114,148.93 |
| 89170        | EMPOWER RETIREMENT                             | 6,862.31   |
| 89171        | FILE & SERVEXPRESS                             | 192.08     |
| 89172        | FIRST CITIZENS BANK & TRUST CO                 | 2,230.47   |
| 89173        | HIGHMARK WV                                    | 203,191.26 |
| 89174        | HIRERIGHT                                      | 41.85      |
| 89175        | JACQUELINE SHADLE                              | 85.00      |
| 89176        | JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION | 1,802.70   |
| 89177        | JEFFERSON CO CONVENTION AND VISITORS BUREAU    | 30,435.58  |
| 89178        | JEFFERSON CO CONVENTION AND VISITORS BUREAU    | 8,589.55   |
| 89179        | JEFF CO PARKS & RECREATION COMMISSION          | 27,415.47  |
| 89180        | JEFFERSON SECURITY BANK                        | 4,045.00   |
| 89181        | JEFFREY POLCZYNSKI                             | 248.70     |
| 89182        | JENNIFER KROUSE                                | 255.57     |
| 89183        | LANGUAGE LINE SERVICES                         | 293.45     |
| 89184        | MARCIA LYNN CHANDLER                           | 273.35     |
| 89185        | NATIONAL VISION ADMIN.                         | 1,672.60   |
| 89186        | NATIONWIDE RETIREMENT SOLUTIONS                | 1,065.00   |
| 89187        | OLD CHARLES TOWN LIBRARY                       | 1,500.00   |
| 89188        | NEOPOST USA INC.                               | 648.39     |
| 89189        | RUGGED NOTEBOOKS                               | 6,000.00   |

|       |        |                                      |            |
|-------|--------|--------------------------------------|------------|
| 89190 |        | RYAN MILBOURNE                       | 4,546.67   |
| 89191 |        | SANDRA KELLEY                        | 319.55     |
| 89192 |        | SHANNON BURLETT                      | 2,250.50   |
| 89193 |        | SHERIFF OF JEFFERSON COUNTY          | 2,541.74   |
| 89194 |        | SOFTWARE SYSTEMS INC                 | 55.00      |
| 89195 |        | SPECIALTY BUSINESS SUPPLIES          | 35.00      |
| 89196 |        | STATE TAX DEPARTMENT                 | 150.00     |
| 89197 |        | TEK ADVISORS LLC                     | 1,794.90   |
| 89198 |        | THE HARTFORD                         | 2,387.60   |
| 89199 |        | TINA RENNER                          | 85.00      |
| 89200 |        | TOWN OF BOLIVAR                      | 8,589.55   |
| 89201 |        | TRACY P RICE RPR                     | 1,488.95   |
| 89202 |        | TRICIA JACKSON                       | 561.46     |
| 89203 |        | WV ASSOCIATION OF CIRCUIT CLERK      | 300.00     |
| 89204 |        | WV DEPUTY SHERIFF RETIREMENT SYSTEM  | 28,157.71  |
| 89205 |        | WV PUBLIC EMPLOYEE RETIREMENT SYSTEM | 48,355.84  |
| 89206 |        | WV PUBLIC EMPLOYEE RETIREMENT SYSTEM | 166.49     |
| 89207 | FG/009 | SHERIFF OF JEFFERSON COUNTY          | 5,784.77   |
| 89208 | BS/011 | SHERIFF OF JEFFERSON COUNTY          | 10,303.81  |
| 89209 | AM/053 | SHERIFF OF JEFFERSON COUNTY          | 1,799.13   |
| TOTAL |        |                                      | 538,907.89 |

- **Mr. Stolipher motioned to approve the accounts payable for February 1, 2024, in the amount of \$538,907.89. The motion was unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

|         |        | 25-Jan-24                        |             |
|---------|--------|----------------------------------|-------------|
|         |        | OTHER FUNDS                      |             |
| Check # | Fund   | Vendor                           | Amount      |
| 333     | DG/003 | SHERIFF OF JEFFERSON COUNTY      | \$38.14     |
| 893     | HD/008 | SHERIFF OF JEFFERSON COUNTY      | \$1,469.79  |
| 291     | AR/207 | AT&T                             | \$423.83    |
| 292     | AR/207 | AT&T                             | \$608.73    |
| 293     | AR/207 | CITIZENS VOLUNTEER FIRE COMPANY  | \$3,400.00  |
| 294     | AR/207 | INDEPENDENT VOLUNTEER FIRE CO    | \$2,400.00  |
| 295     | AR/207 | INSITE INSTRUMENTATION GROUP     | \$1,237.00  |
| 296     | AR/207 | SHEPHERDSTOWN VOLUNTEER FIRE CO  | \$1,600.00  |
| 297     | AR/207 | SHERIFF OF JEFFERSON COUNTY      | \$8,915.97  |
| 298     | AR/207 | WV CASA                          | \$10,000.00 |
| 1873    | CO/246 | EXECUTIVE EMERGENCY LIGHTING LLC | \$9,257.96  |

|       |        |                            |             |
|-------|--------|----------------------------|-------------|
| 158   | IP/249 | JEFF CO PARKS & RECREATION | \$42,000.00 |
|       |        |                            |             |
| TOTAL |        |                            | \$81,351.42 |

- **Mr. Stolipher motioned to approve the manual checks for January 26, 2024, in the amount of \$81,351.42. The motion was unanimously approved.**

|         |        |  |              |
|---------|--------|--|--------------|
|         |        | FEB 1 2024                             |              |
|         |        | OTHER FUNDS                            |              |
| Check # | Fund   | Vendor                                 | Amount       |
| 894     | HD/008 | ALLIED UNIVERSAL ELECTRONIC MONITORING | \$2,374.40   |
| 895     | HD/008 | SHERIFF OF JEFFERSON COUNTY            | \$1,482.49   |
| 1126    | AV/056 | IAAO INTERNATIONAL ASSOC OF ASSESSING  | \$240.00     |
| 1127    | AV/056 | MILLER'S SUPPLIES AT WORK              | \$212.42     |
| 1128    | AV/056 | PRINT-O-STATIC                         | \$190.00     |
| 370     | FP/057 | JEFFERSON CO FARMLAND PROTECTION BOARD | \$89,971.07  |
| 299     | AR/207 | JEFFERSON COUNTY LITTLE LEAGUE         | \$113,000.00 |
| 300     | AR/207 | SHERIFF OF JEFFERSON COUNTY            | \$10,442.86  |
| 1874    | CO/246 | AXON                                   | \$150,486.72 |
| 983     | CW/059 | TOTAL ID SOLUTIONS                     | \$807.00     |
| 410     | WV/269 | WV DEPUTY SHERIFF RETIREMENT SYSTEM    | \$594.00     |
|         |        |  |              |
|         |        |  |              |
| TOTAL   |        |  | \$369,800.96 |

- **Mr. Stolipher motioned to approve the manual checks for February 2, 2024, in the amount of \$369,800.96. The motion was unanimously approved.**

**PUBLIC COMMENT:**

Public comment was received by:

Jacquelyn Milliron (see attached)

Christy Stadig (see attached)

David Tabb (see attached)

**PRESENTATIONS**

1. Rhonda Willingham, Assessor’s Office- Exonerations approval request

| NAME                          | TYPE | DISTRICT | AMOUNT   | TICKET NO. |
|-------------------------------|------|----------|----------|------------|
| Ricardo & Mirian C. Fernandes | PP   | HF       | \$146.40 | 307168     |

- **Mr. Stolipher motioned to approve the Exoneration of ticket No. 307168 as presented by Ms. Willingham. The motion was seconded by Mrs. Krouse. The motion was approved unanimously.**

| NAME              | TYPE | DISTRICT | AMOUNT   | TICKET NO. |
|-------------------|------|----------|----------|------------|
| Honda Lease Trust | PP   |          | \$592.96 | 317593     |

- **Mr. Stolipher motioned to approve the Exoneration of ticket No. 317593 as presented by Ms. Willingham. The motion was seconded by Mrs. Krouse. The motion was approved unanimously.**

2. Tom Hansen, Sheriff- Requested approval of a new part-time bailiff

- **Mrs. Tabb motioned to approve the hire of James Eddy as a part-time bailiff starting salary of \$17 per hour with an effective date of 02/05/24. The motion was seconded by Mr. Stolipher. The motion was approved unanimously.**

3. Nikki Painter, chief deputy clerk of, County Clerk’s Voter and Elections Office requests

- a. Extended Emergency Absentee Voting Policy approval

- **Mr. Stolipher motioned to approve the Extended Emergency Absentee Voting Policy as presented. The motion was seconded by Mrs. Tabb. The motion was approved unanimously.**

- b. Early Voting Location Approval

- **Mr. Stolipher motioned to approve the Early Voting location of Charles Washington Hall. The motion was seconded by Mrs. Krouse. The motion was approved unanimously.**

c. Election Update/Timeline

*Informational only- See attachment*

4. Keith Lowry- Jefferson County Community Ministries- Funding request

- **Mr. Stolipher motioned to approve that \$70,000 of the remaining ARPA funds be paid to Jefferson County Community Ministries. The motion was seconded by Mrs. Tabb. The motion passed with three commissioners voting in favor; vote with Commissioner Stolipher, Commissioner Tabb, and Commission Jackson, and two voting in opposition; Commissioner Majdi and Commissioner Krouse.**

5. Kelly Franklin, Jefferson County Day Report Center- FY25 West Virginia Community Corrections Grant assistance request

- **Mr. Stolipher motioned to authorize the President of the Commission, to act on its behalf to enter into a contractual agreement with the Division of Justice and Administrative Services to receive and administer grant funds and provide the required County match through the Jefferson Day Report Center's budget allotment, pursuant to provisions of the Community Corrections Program. The motion was seconded by Mrs. Krouse. The motion was approved unanimously.**

6. Laura Kuhn, director, Fleet and Facilities- Enterprise Fleet Management Lease Agreement approval

- **Mrs. Krouse motioned to authorize the Director of Fleet and Facilities to enter into a lease agreement with Enterprise Fleet Management and transition the County's fleet to a leased vehicle program. The motion was seconded by Mr. Stolipher. The motion was approved unanimously**

7. Mike Sine, director, Emergency Service Agency-employees status change, new hire, and software requests

a) Employee status change

- a. **Mrs. Tabb motioned to transfer Cheyenne Edwards from a part-time position to a full-time position as an FF/EMT I effective January 14, 2024. She will continue at her current pay rate until the completion of her probationary period as previously approved. The motion was seconded by Mr. Stolipher. The motion was approved unanimously.**
- b. **Mrs. Tabb motioned to transfer Ronald Poe from a part-time position to a full-time position as an FF/EMT II, effective January 14, 2024. He will continue at his current pay rate as previously approved. The motion was seconded by Mr. Stolipher. The motion was approved unanimously.**
- c. **Mrs. Krouse motioned to hire Allyssa Pierce, Donavan King, Jared Morgan, William Sigmon, and Jeffery Ritenour as a part-time FF/EMT I at a pay rate of \$19.67 per hour effective January 28, 2024. Upon completion of the introductory period and meeting the requirements of AP1060, they will receive a promotion to FF/EMT II with a new pay rate of \$20.16 per hour. The motion was seconded by Mr. Stolipher. The motion was approved unanimously.**
- d. **Mrs. Krouse motioned to hire Catherine Baker, Staci Lentz, and James West as full-time FF/Paramedic I at a pay rate of \$25.00 per hour effective January 28, 2024. Upon completion of the introductory period and meeting the requirements of AP1060 they will receive a promotion to FF/Paramedic II with a new pay rate of \$25.63 per hour. The motion was seconded by Mr. Stolipher. The Commission approved the motion unanimously.**

b) ESO Fire Reporting Software

- **Mr. Stolipher motioned to approve the purchase of the ESO Fire Reporting software for \$8,715.00 to be paid out of the IT Department for Emergency Agency Services budget. The motion was seconded by Mrs. Krouse. The motion was approved unanimously.**



8. Roger Goodwin, chief county engineer and Michelle Mason, impact fees- bond release requests and impact fee presentation
  - a) Complete construction Bond Release for UFP Ranson, LLC – Universal Forest Products Ranson Plant Expansion (File #S18-04)
    - a. **Mr. Stolipher motioned to authorize a complete release of Performance Bond #30057552 with Western Surety company in the amount of \$201,139.00 construction bond amount for UFP Ranson, LLC- Universal Forest Products Ranson Plant Expansion (File #S18-04). The motion was seconded by Mr. Majdi. The commission approved the motion unanimously.**
  - b) Holtzman Oil Corporation – Burr Business Park Lot 16 (File #19-4-SP)
    - b. **Mr. Stolipher motioned to authorize a complete release of Performance Bond # B32564317 with The Cincinnati Insurance Company in the amount of \$1,640,395.00 construction bond amount for Holtzman Oil Corporation - Burr Business Park Lot 16 (File #19-4-SP). The motion was seconded by Mrs. Krouse. The commission approved the motion unanimously.**
  - c) Presentation of the Calendar Year 2023 Annual Report for the Office of Impact Fees
    - c. **Mr. Stolipher motioned to accept the Calendar Year 2023 Impact Fees Annual Report for the Office of Impact Fees, with the correction that there were no refunds for 2023. The motion was seconded by Mrs. Krouse. The Commission approved the motion unanimously.**
    - d. **Mr. Majdi motioned to approve the annual inflationary adjustments to the impact fees effective April 1, 2024. The motion was seconded by Mr. Stolipher. The Commission approved the motion unanimously.**
    - e. **Mrs. Tabb tabled the discussion of reinstating the full impact fees for schools to take effect on April 1, 2024. The motion was seconded by Mr. Majdi. The Commission approved the motion unanimously.**
    - f. **Mr. Stolipher motioned to approve the FY 2025 Capital Improvement Plan for the Office of Impact Fees as presented. The motion was seconded by Mrs. Krouse. The Commission approved the motion unanimously.**

9. Bessie Nelson, budget director –FY25 Budget Charge

**Commissioner Jackson requested all departments to provide a full disclosure of their budget including all sources of revenue and expenses to the County Commission during their budget presentations. Commissioner Jackson made this request to all of the departments.**

10. 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. Report by counsel on the status of the advisory opinion regarding the Planning Commission committee meetings.

**Mr. Cochran provided an update on the status of the advisory opinion regarding the Planning Commission committee meetings in open session.**

- c. Discussion of legal issues and potential action regarding Jefferson County Circuit Court Civil Action No.'s 2023-C-221 through 251 [Deputies v. JCC].

**No action was taken.**

- d. Discussion of minor boundary issue between Berkeley and Jefferson County.
- e. Consider matters involving or affecting the construction, planning, purchase, sale, or lease of property.

- f. Update on Board of Zoning Appeals residency requirement issue.

**Mr. Cochran provided an update on Board of Zoning Appeals residency requirement issue in open session.**

- **Mr. Stolipher moved to enter into executive session to receive legal advice and status updates on item (s) 10 a, d, and c. The motion seconded was by Mr. Majdi. The Commission approved the motion unanimously.**
- **Mr. Stolipher moved to exit executive session and reconvene in regular session. The motion was seconded by Mrs. Krouse. The Commission approved the motion unanimously.**

## **UNFINISHED BUSINESS**

11. Appointment to the Jefferson County Board of Zoning Appeals- One three-year term ending January 1, 2027.

- **Ms. Jackson motioned to reappoint Jacob Harris to the Jefferson County Board of Zoning Appeals for a three-year term ending January 1, 2024. The motion was seconded by Mrs. Krouse. The motion was approved unanimously.**

## **INTERIM COUNTY ADMINISTRATOR REPORTS**

- Update on Hiring - County Administrator and Deputy County Administrator Positions

**Ms. Benites, LM provided an update on County Administrator and Deputy County Administrator Positions**

- ESA Onboarding Update

**Ms. Benites, LM provided an update on ESA Onboarding.**

-TIF Attorney Update

**Ms. Benites, LM provided an update on TIF attorney.**

-Update on Meeting Room Sound Amplification

**Ms. Benites, LM provided an update on meeting room sound amplification.**

-Boards & Employees Ethics Training

**Ms. Benites, LM provided an update on Boards & Employees Ethics Training.**

-Approval of Temporary Assignment- Department of Homeland Security and Emergency Management

- **Mrs. Krouse motioned to move Dick Myers as the interim director of the Homeland Security and Emergency Management Department (grade 8) with a salary of \$76,361.00 effective February 1, 2024. The motion was seconded by Mrs. Tabb. The Commission approved the motion unanimously.**
- **Mrs. Krouse motioned to approve the lump sum payment of \$1,777.76 to Dick Myers for the clerical error in compensation for time worked between 12/12/2024 and 2/1/2024. The motion was seconded by Mr. Majdi. The Commission approved the motion unanimously.**

- Opioid Settlement Plan

- **Mr. Stolipher motioned to move funds received by the county as part of the Opioid settlement in the amount of \$1,190,509.59 into a CDAR account to receive better interest for six months. The motion was seconded by Mr. Majdi. The Commission approved the motion unanimously.**
- **Commissioner Jackson directed the interim county administrator to set up a public workshop on the Opioid settlement funds at a date that**

**works in conjunction with the budget schedule at an evening meeting. The motion was seconded by Mr. Majdi. The Commission approved the motion unanimously.**

-Board Vacancies

**Ms. Benites, LM provided an update on board vacancies.**

-On-Boarding Commissioner Majdi

**Ms. Benites, LM provided an update on On-Boarding Commissioner Majdi.**

### **Adjourn**

The Commission adjourned at 2:13 pm a motion by Mr. Stolipher. The motion was seconded and unanimously approved.

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Steve Stolipher, PRESIDENT

Respectfully submitted  
Sorayda Pitts  
Administrative Assistant