

Minutes

Jefferson County Commission

Thursday, September 5, 2024

A meeting of the Jefferson County Commission was held on Thursday, September 5, 2024, during the third quarterly session at 9:30 a.m. The meeting was held via GoToWebinar and in-person. Present were President Steve Stolipher, Vice President Jane Tabb, Commissioner Pasha Majdi, and Commissioner Kelvin Upson. Also present were Edwina Benites-LM, County Administrator; Nathan Cochran, Assistant Prosecuting Attorney; Jacki Shadle, County Clerk, and Jessica James, Assistant Deputy County Administrator. The archive of the Thursday, September 5, 2024, meeting is available on the Jefferson County Commission website.

Call to order

The meeting was called to order at 9:37 am.

Moment of Silence

Pledge of Allegiance

Pledge of allegiance to the West Virginia flag

APPROVAL OF ACCOUNTS PAYABLE

CHECK NUMBER		VENDOR NAME	UNCLEARED
90193		ALBERT HOCKMAN	795.74
90194		AT&T	712.60
90195		ATLANTIC EMERGENCY SOLUTIONS, INC.	575.00
90196		BESSIE NELSON	178.22
90197		EVELYN STEPHENSON	296.05
90198		FRIENDSHIP VOLUNTEER FIRE DEPARTMENT	1,800.00
90199		FRONTIER	3,192.68
90200		GUTTMAN OIL CO	12,293.81
90201		J.C. EHRLICH	889.28
90202		JASON MICKEY	1,165.40
90203		KELSEY STIPANOVIC	329.10
90204		MCA, INC	9,526.12

90205		OBESSION AUTOMOTIVE	2,087.06
90206		POTOMAC EDISON	246.58
90207		RICOH USA INC	19.50
90208		ROBERTS OXYGEN COMPANY, INC	1,558.76
90209		SHEPHERDSTOWN VOLUNTEER FIRE DEPARTMENT	1,600.00
90210		SHI INTERNATIONAL CORP	7,873.78
90211		SOFTWARE SYSTEMS INC	1,504.13
90212		US BANK	35.00
90213		WV AMERICAN WATER	306.19
90214		WV DEPT OF ENVIRONMENTAL PROTECTION	187.50
90215		WVCORP WV COUNTIES SELF INSURANCE RISK POOL	4,302.00
90216	FG/009	CITYOF CHARLES TOWN	331.44
90217	FG/009	RANSON POLICE DEPT	2,165.04
			53,970.98

Commissioner Stolipher motioned to approve the accounts payable for August 22, 2024, in the amount of \$53,970.98. The motion was approved unanimously.

CHECK NUMBER		VENDOR NAME	UNCLEARED
90219		ADVANCE AUTO PARTS	33.48
90220		AHA-ARTS & HUMANITIES ALLIANCE	1,898.81
90221		ANDREW BILLER	123.00
90222		APRIL BLAKER	48.24
90223		AT&T	489.58
90224		AUTOZONE	25.97
90225		BIEDLERS ELEC MOTOR REP	283.60
90226		BOLAND TRANE SERVICES INC	3,073.24
90227		BRUCE R DELL	150.00
90228		BUREAU OF CHILD SUPPORT	985.39
90229		CARDINAL HEALTH 110, LLC	1,220.00
90230		COMPTROLLER OF MARYLAND	1,453.60
90231		DOING BETTER BUSINES	860.64
90232		DOUGLAS H FLETCHER	4,059.40
90233		EFTPS IRS TAXES	163,654.18
90234		EMILY PULTZ	497.84
90235		EMPOWER RETIREMENT	7,980.71
90236		ENTERPRISE FM TRUST	2,588.85
90237		G & TRIPLE T LLC	675.00
90238		GEORGE WILSON	1,483.61
90239		GLEN KILMER	6,565.52

90240		GUTTMAN OIL CO	6,105.15
90241		HIGHMARK WV	206,171.87
90242		IMS DIESEL SERVICES, LLC	691.26
90243		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	2,811.67
90244		JEFFERSON CO CONVENTION AND VISITORS BUREAU	47,470.30
90245		JEFF CO PARKS & RECREATION COMMISSION	42,759.83
90246		JEFFERSON SECURITY BANK	3,885.00
90247		JOHN DEERE FINANCIAL	31.89
90248		JOSHUA SMITH	439.24
90249		LANGUAGE LINE SERVICES	129.44
90250		MALLOY FORD	974.50
90251		MCA, INC	6,216.17
90252		MCKESSON MEDICAL-SURGICAL GOVERMENT SOLUTIONS LLC	4,282.04
90253		MILLENIUIM INSURANCE GROUP	900.00
90254		MILLER'S SUPPLIES AT WORK	2,378.17
90255		NAPA AUTO PARTS	28.58
90256		NATIONAL VISION ADMIN.	1,590.84
90257		NATIONWIDE RETIREMENT SOLUTIONS	1,065.00
90258		OBSSESSION AUTOMOTIVE	19.78
90259		PA SCDU	320.00
90260		POTOMAC EDISON	32,528.28
90261		R.E. MICHEL CO. LLC	231.35
90262		RICE TIRES CO	730.13
90263		ROGER GOODWIN	449.48
90264		SCOTT BILLER	123.00
90265		SPIRIT OF JEFFERSON	146.90
90266		STAPLES	2,749.93
90267		UNIFIRST	512.65
90268		US BANK	81,269.63
90269		WAR MEMORIAL HOSPITAL	200.74
90270		WV DEPUTY SHERIFF RETIREMENT SYSTEM	29,668.70
90271		WV EMERGENCY MEDICAL SERVICES RETIREMENT SYSTEM	86,805.77
90272		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	50,624.82
90273		WV STATE TAX DEPARTMENT	67,384.53
90274	FG/009	SHERIFF OF JEFFERSON COUNTY	6,480.06
90275	BS/011	SHERIFF OF JEFFERSON COUNTY	7,336.18
90276	AM/053	SHERIFF OF JEFFERSON COUNTY	1,861.95
TOTAL			895,525.49

Commissioner Stolipher motioned to approve the accounts payable for August 29, 2024, in the amount of \$895,525.49. The motion was approved unanimously.

CHECK NUMBER		VENDOR NAME	UNCLEARED
90277		AMERICAN FAMILY LIFE INSURANCE COMPANY ICU	3,174.75
90278		BRITTNI FLETCHER	1,147.06
90279		COLONIAL LIFE	143.52
90280		DIANN BROWN	71.00
90281		DONNA MASON	1,388.78
90282		GUTTMAN OIL CO	7,093.83
90283		JAMIN BRANCH	3,704.54
90284		MARSHALL UNIVERSITY RESEARCH CORP	1,000.00
90285		MINGHINI'S	6,890.00
90286		MONICA ANDERSON	615.14
90287		NATIONAL VISION ADMIN.	567.71
90288		NEIL ZAHRADNIK	4,228.16
90289		NICOLE NOBREGA	2,490.97
90290		RCN COMMUNICATIONS LLC	2,194.06
90291		RUGGED NOTEBOOKS	3,100.00
90292		SANDRA KELLEY	127.05
90293		SOFTWARE SYSTEMS INC	1,149.95
90294		TAMMY MOBLEY	3,082.03
90295		TERESA HENDRICKS	71.00
90296		THOMAS HANSEN	105.00
90297		URVIBEN PATEL	71.00
90298		WENDI L. WATSON	36.00
			42,451.55

Commissioner Stolipher motioned to approve the accounts payable for September 5, 2024, in the amount of \$42,451.55. The motion was approved unanimously.

APPROVAL OF MANUAL CHECKS

		22-Aug-24		
		OTHER FUNDS		
Check #	Fund	Vendor		Amount
608	CS/002	EASTERN PANHANDLE MENTAL HEALTH CENTER		\$3,800.00
927	HD/008	US BANK		\$91.36
1188	AV/056	US BANK		\$1,345.37
360	AR/207	US BANK		\$898.64
1889	CO/246	CONTROL SYSTEMS INC		\$21,000.00
TOTAL				\$27,135.37

Commissioner Stolipher motioned to approve the manual checks for August 23, 2024, in the amount of \$27,135.37. The motion was approved unanimously.

		29-Aug-24		
		OTHER FUNDS		
Check #	Fund	Vendor		Amount
609	CS/002	EASTERN PANHANDLE MENTAL HEALTH CENTER		\$600.00
928	HD/008	SHERIFF OF JEFFERSON COUNTY		\$2,094.51
1189	AV/056	CARLSON SOFTWARE INC		\$215.00
1190	AV/056	PRINT-O-STAT INC		\$1,270.00
1191	AV/056	WV OFFICE OF TAX APPEALS-STATE OF WV		\$143.75
361	AR/207	SHERIFF OF JEFFERSON COUNTY		\$9,728.66
TOTAL				\$14,051.92

Commissioner Stolipher motioned to approve the manual checks for August 30, 2024, in the amount of \$14,051.92. The motion was approved unanimously.

		5-Sep-24		
		OTHER FUNDS		
Check #	Fund	Vendor		Amount
1192	AV/056	ANGELA BANKS		\$93.00
1193	AV/056	RHONDA WILLINGHAM		\$93.00
1004	CW/059	WV STATE POLICE ACCT OFFICE		\$15.00
1005	CW/059	WV STATE AUDITOR		\$720.00
417	WV/369	WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$995.00
TOTAL				\$1,916.00

Commissioner Stolipher motioned to approve the manual checks for September 6, 2024, in the amount of \$1,916.00. The motion was approved unanimously.

APPROVAL OF PAYROLL

Mr. Stolipher motioned to approve the payroll for August 16, 2024, in the amount of \$453,674.02. The motion was approved unanimously.

Mr. Stolipher motioned to approve the payroll for August 30, 2024, in the amount of \$470,539.81. The motion was approved unanimously.

PUBLIC COMMENT:

Public comments were received by the following individuals:

1. Toni Milbourne

2. Jacquelyn Milliron
3. David Tabb
4. Vicky Gail
5. Colin Stine
6. Donald Surravaldo
7. Christine Marshall

PRESENTATIONS

1. Angie Banks, Assessor

Exonerations

NAME	TYPE	DISTRICT	AMOUNT	TICKET NO.
Mary Capistran	RE	7	\$703.53	21484

NAME	TYPE	DISTRICT	AMOUNT	TICKET NO.
Richard Taylor	PP	9	\$688.32	317516

NAME	TYPE	DISTRICT	AMOUNT	TICKET NO.
Blake Cogle	PP	4	\$353.54	307261

Commissioner Stolipher motioned to approve the exonerations as presented. The motion was seconded by Commissioner Majdi. The motion was approved unanimously.

2. Edwina Benites-LM, County Administrator

Years of Service Awards-County staff were recognized for the following years of service

Ashtyn Reynolds – 15 years of service with the Circuit Clerk

Rebecca Chalk – 15 years of service with the Circuit Clerk

Deanna Davis – 5 years of service with the Circuit Clerk

Angel Stickle – 1 year of service with the Circuit Clerk

Lynn Costello – 35 years of service with Emergency Services

Tyler Amick – 5 years of service with IT

Chance Boehning – 1 year of service with Emergency Services

Jefferson County Excellence Awards

Lt. Robert Sell with the Jefferson County Sheriff's Department was recognized for Exemplary Constituent Service

Alex Beaulieu with Planning and Zoning was recognized for Outstanding Professionalism

3. Consideration of Shepherdstown District Seat Appointment

The commission considered the following applicants that were registered members of the Mountain Party on March 1, 2024.

1. Daniel Lutz
2. David Tabb

The two other eligible applicants were not available to be interviewed.

The commission accepted nominations.
Commissioner Upson nominated David Tabb.
Commissioner Stolipher nominated Todd Cotgreave.
Commissioner Majdi nominated Daniel Lutz.
Commissioner Tabb recused herself.

Each nominee received one vote. No nominee was selected.

David Tabb (1-Upson)
Todd Cotgreave (1-Stolipher)
Daniel Lutz (1-Majdi)

4. Nikki Painter, Election- County Clerk's Office

Poll Worker Approval

Commissioner Stolipher motioned to approve the poll workers and alternate list as presented for the 2024 General Election. The motion was seconded by Commissioner Majdi and approved unanimously.

5. Lieutenant Robert Sell on behalf of Tom Hansen, Sheriff and Treasurer

Approval of hire

Commissioner Tabb motioned to approve the hire of Cara Young as an 80-hour Tax Deputy effective August 23, 2024 with a starting salary of \$36,000.00. The motion was seconded by Commissioner Majdi and approved unanimously.

Highway Safety Grant Approval

Commissioner Tabb motioned to approve the Resolution for the Governor's Highway Safety Grant noting that it required no matching funds. The motion was seconded by Commissioner Majdi and approved unanimously.

6. Debbie Lowe on behalf of Tom Hansen, Sheriff; Laura Kuhn Director of Fleets and Facilities Management, and Mike Sine Director of Emergency Services Agency

Public Safety Center

Commissioner Stolipher motioned to designate the Public Service Center lot as the future site of the Public Safety Center. The motion was seconded by Commissioner Upson and approved unanimously.

Jefferson County Emergency Services CIP

Commissioner Majdi motioned to amend the Jefferson County Emergency Services CIP and the Sheriff of Jefferson County CIP as presented. The motion was seconded by Commissioner Stolipher.

7. Mike Sine, Director of Emergency Services Agency

Fire Department Application

Commissioner Stolipher motioned to remove the FDID number from the table. The motion was seconded by Commissioner Upson and approved unanimously.

FDID Application

Commissioner Stolipher motioned to accept the FDID application and support the approval for the Jefferson County Emergency Services Agency to submit the application. The motion was seconded by Commissioner Majdi and approved unanimously.

8. Jefferson County Commission - Boards and Commissions

Bolivar-Harpers Ferry Public Library Board

The commission accepted nominations.

Commissioner Tabb nominated Jodi Welty-Robinson

Commissioner Upson nominated Amanda Stroud

Ms. Welty-Robinson received three votes (Tabb, Stolipher, Majdi)

Ms. Stroud received one vote (Upson).

Ms. Welty-Robinson was appointed for a five-year term to the Bolivar-Harpers Ferry Public Library Board ending June 30, 2029.

South Jefferson Library Committee

Commissioner Stolipher moved to appoint Michael Dick for a five-year term ending June 30, 2029. The motion was seconded by Commissioner Majdi and approved unanimously.

Bolivar-Harpers Ferry Public Service District

The commission accepted nominations.

Commissioner Tabb nominated John Henry Dale

Commissioner Majdi nominated Helen Dettmer

Ms. Dettmer received three votes (Majdi, Stolipher, Upson)

Mr. Dale received one vote (Tabb)

Commissioner Stolipher moved to appoint Helen Dettmer for a six-year term ending June 30, 2030. The motion was seconded by Commissioner Majdi and approved unanimously.

Jefferson County Solid Waste Authority

The commission accepted nominations.

Commissioner Tabb nominated James McGowen.

Commissioner Stolipher moved to appoint James McGowen for a four-year term ending June 30, 2028. The motion was seconded by Commissioner Tabb. The motion was approved unanimously.

Jefferson County Building Commission

The commission accepted nominations.

Commissioner Tabb nominated Scott Sudduth.

Commissioner Majdi nominated Josh Beal.

Commissioner Stolipher motioned to appoint Josh Beall and Scott Sudduth for a five-year term ending July 27, 2029. The motion was seconded by Commissioner Majdi. There being no objections, the motion was approved unanimously.

HOME Consortium of the Eastern Panhandle

Commissioner Stolipher moved to appoint Jennifer Verdugo for a three-year term ending September 6, 2027. The motion was seconded by Commissioner Tabb and approved unanimously.

9. Pasha Majdi, Jefferson County Commissioner

Direct counsel to review legal options for prohibiting masks during political protests-discussion/possible action

Commissioner Majdi motioned to direct counsel to research legal options for prohibiting the wearing of masks during political protests and report back to the commission during the meeting on October 3, 2024. The motion was seconded by Commissioner Stolipher and approved unanimously.

10. Jane Tabb, Jefferson County Commissioner

County groundwater survey-discussion/possible action

The commission discussed gathering more information and getting input from Mr. Kozar and Mr. Goodwin with Engineering/Planning and Zoning.

11. Tara Mayson, The Hope Dealer Project

Jefferson County Goes Purple – Recovery Month Proclamation

Commissioner Stolipher motioned that the Jefferson County Commission approve the declaration of Jefferson County as a participant in the Jefferson County Goes Purple Initiative during the National Recovery Month in September 2024. The motion was seconded by Commissioner Upson and approved unanimously.

12. Leigh Koonce, Development Coordinator – Old Charles Town Library

Presentation and approval of resolution recognizing September as Library Card Sign-up Month

Commissioner Stolipher motioned to adopt the presented resolution by the Charles Town Library to declare and recognize September as National Library Card Sign-Up month in Jefferson County. The motion was seconded by Commissioner Tabb and approved unanimously.

13. Stephen Allen, Director – Jefferson County Homeland Security and Emergency Management

Approval of the Emergency Management Performance Grant reimbursement document for calendar year 2022

Commissioner Stolipher motioned to approve the 2022 Emergency Management Performance Grant document for reimbursement in the amount of \$62,342. The motion was seconded by Commissioner Upson and approved unanimously.

14. Will Smith on behalf of Roger Goodwin, Chief Engineer – Department of Engineering, Planning and Zoning

Partial bond release for Wall Street Partners, WV1, LLC-Dollar General Harpers Ferry (File #22-14-SP)

Commissioner Stolipher recused himself. Commissioner Tabb motioned to authorize a partial release of an irrevocable letter of credit # 5394051-44 with United Bank in the amount of \$244,451 for Wall Street Partners, WV1, LLC-Dollar General Harpers Ferry, File #22-14-SP. The motion was seconded by Commissioner Upson and approved unanimously.

15. Bessie Nelson, Budget Director

State budget revisions

Commissioner Stolipher motioned to approve the state budget revisions as presented. The motion was seconded by Commissioner Majdi and approved unanimously.

Internal budget revisions

Commissioner Stolipher motioned to approve the internal budget revisions as presented. The motion was seconded by Commissioner Majdi and approved unanimously.

Review and approval of FY 25 budget selection to include medical, dental, vision, short-term disability, accident, death and dismemberment, and life insurance

Commissioner Stolipher motioned to approve the FY25 Benefits Selection to include Medical, Dental, Vision and Life insurance as presented. The motion was seconded by Commissioner Majdi and approved unanimously.

16. Jessica James, Assistant Deputy County Administrator

Recognition of Commissioner Jane Tabb

Commissioner Tabb is the 2024 recipient of the WV Women's Commission's Mitchell-Bateman Government and Public Service Award.

Appointment of Zoning Administrator for the Department of Engineering, Planning and Zoning

Commissioner Stolipher motioned to appoint Jennifer Brockman as the Acting Interim Administrator effective September 13, 2024 until the vacancy is filled. The motion was seconded by Commissioner Tabb and approved unanimously.

Approval of hire – Planning and Zoning Clerk – Department of Emergency Communications

Commissioner Stolipher motioned to approve the hire of Colin Urie to the position of Planning and Zoning Clerk for the Department of Engineering, Planning and Zoning at a Grade IV, 80-hour employee with a salary of \$41,500 effective Monday, September 16, 2024. The motion was seconded by Commissioner Upson and approved unanimously.

Approval of lateral transfer – Finance and Administrative Manager – Emergency Services Agency

Commissioner Stolipher motioned to approve the lateral transfer of Bessie Nelson from budget director of the Jefferson County Commission Administration department to Finance and Administration Manager of the Jefferson County Emergency Services Agency as a Grade VI and maintaining her current salary of \$79,380 effective Friday, September 6, 2024. The motion was seconded by Commissioner Majdi and approved unanimously.

Approval to advertise – Chief Financial Officer – Department of Commission Administration

Commissioner Stolipher motioned to approve the advertisement for the position of a County Chief Financial Officer. The motion was seconded by Commissioner Majdi and approved unanimously.

Correction to clerical payment error for three employees of the Prosecuting Attorney's Office

Postponed until the September 19, 2024 meeting.

17. Nathan Cochran, Assistant Prosecuting Attorney
Report by counsel on Jefferson County Circuit Court Case No. 2023-C-127

Commissioner Stolipher motioned to go into executive session at 12:47 p.m. The motion was seconded by Commissioner Majdi and approved unanimously. Commissioner Stolipher recused himself from executive session.

Commissioner Tabb motioned to come out of executive session at 1:50 p.m. The motion was seconded by Commissioner Majdi and approved unanimously.

Commissioner Tabb motioned under agenda item 17 number 1 to reimburse Campbell, Flannery PC for legal services rendered in the amount of \$11,562 in the defense of Stephen Stolipher case number CC-19-2023-C-127 which is titled Christy Stadig versus Stephen Stolipher. The motion was seconded by Commissioner Upson and approved unanimously. Commissioner Stolipher recused himself for this agenda item.

Report by counsel on Shepherdstown Emergency Communications Tower Project

Commissioner Tabb motioned to send a letter to the West Virginia Emergency Management Center stating that we are exempt from local zoning ordinances. The motion was seconded by Commissioner Stolipher and approved unanimously.

Commissioner Stolipher motioned to accept the lease agreement for the communications tower in Shepherdstown as presented by counsel. The motion was seconded by Commissioner Upson and approved unanimously.

18. COUNTY ADMINISTRATOR REPORT

ESA policies-discussion/possible action

Commissioner Stolipher motioned to clarify that the county commission was aware that the JCESA had numerous employment and operational policies in effect at the time of the transition, and JCESA policies were adopted by the county commission on May 18, 2023 as part of the JCESA's transition to a county department. The motion was seconded by Commissioner Tabb and approved unanimously.

Fire Service RFP – discussion/possible action

The Request for Proposals has been posted with a closing date of August 30, 2024.

Using AI in grant applications – workshop-discussion/possible action

Jennifer Verdugo, Social Services Coordinator, will host a workshop on using AI to apply for grants on September 24, 2024 at 10 a.m.

Bloomery Road work group

Jefferson County Parks and Rec and the Sheriff's department will host a meeting on September 24, 2024 at 1 p.m. in the commission meeting room.

Opioid Settlement Funds

Commissioner Stolipher motioned to move the application recommendation deadline for the Opioid Settlement Funds to October 1, 2024. The motion was seconded by Commissioner Majdi and approved unanimously.

Impact Fee workshop

Commissioner Tabb motioned to hold a workshop on September 26, 2024 at 10 a.m. to discuss impact fees with the consultant that prepared the report. The motion was seconded by Commissioner Stolipher and approved unanimously.

Creation of the Office of Human Resources

Commissioner Stolipher motioned to create the Office of Human Resources in Department 401-County Commission. The motion was seconded by Commissioner Majdi and approved unanimously.

Promotion of staff to lead the newly created Office of Human Resources

Commissioner Majdi motioned to promote Jessica James to Chief Human Resources Officer/Assistant Deputy County Administrator, Grade VIII, at a salary of \$80,179 effective September 6, 2024. The motion was seconded by Commissioner Stolipher and approved unanimously.

Consider matters involving or affecting the construction, planning, purchase, sale, or lease of property for county office space and/or courthouse space

Commissioner Stolipher motioned to go into executive session at 12:47 p.m. The motion was seconded by Commissioner Majdi and approved unanimously. Commissioner Stolipher recused himself from executive session.

Commissioner Tabb motioned to come out of executive session at 1:50 p.m. The motion was seconded by Commissioner Majdi and approved unanimously.

Adjourn

Having no further business, Mr. Stolipher motioned to adjourn the meeting. The motion was seconded and unanimously approved. The commission adjourned at 2 p.m.

Steve Stolipher, PRESIDENT

Respectfully submitted
Jacki Shadle
Jefferson County Clerk's Office

