

Minutes

Jefferson County Commission

Thursday, September 18, 2025

A meeting of the Jefferson County Commission was held on Thursday, September 18, 2025, during the third quarterly session at 393 N. Lawrence Street, Charles Town, WV at 6:00 p.m. The meeting was held via Zoom and in-person. Present were President Pasha Majdi, Vice President Mike Mood, Commissioner Steve Stolipher, Commissioner Cara Keys, and Commissioner Jack Hefestay. Also present were Edwina Benites-LM, County Administrator; Nathan Cochran, Assistant Prosecuting Attorney; and Jacki Shadle, County Clerk. The archived meeting of the Thursday, September 18, 2025, meeting is available on the Jefferson County Commission website.

Moment of Silence

Pledge of Allegiance

Pledge of allegiance to the West Virginia flag

V. Consent agenda

1. APPROVAL OF MINUTES

The following item was approved without objection:

- September 4, 2025 Regular Meeting Minutes DRAFT
- *July 17, 2025 Minutes have been updated with presentation transcripts*

2. APPROVAL OF ACCOUNTS PAYABLE

The following items were approved without objection:

- Accounts payable for September 11, 2025, in the amount of \$ 911,062.99

CHECK NUMBER	VENDOR NAME	UNCLEARED
93072	AMANDA MARTINSON	5,250.00
93073	AMERIFLEX	122.40
93074	AT&T	41.94

93075		ATLANTIC EMERGENCY SOLUTIONS, INC.	664.78
93076		BEGIN COUNSELING PLLC	1,463.74
93077		BERKELEY CLUB BEVERAGES	845.95
93078		BERKELEY COUNTY COUNCIL	33,106.45
93079		BJ'S EMBROIDERY CO INC	7,230.00
93080		BOLAND TRANE SERVICES INC	2,123.00
93081		BOLIVAR / HARPERS FERRY PUBLIC LIBRARY	14,879.90
93082		BOUND TREE MEDICAL LLC	569.70
93083		BUREAU OF CHILD SUPPORT	717.69
93084		CHARLES WISE	56.00
93085		CITIZENS VOLUNTEER FIRE DEPARTMENT	3,400.00
93086		COMPTROLLER OF MARYLAND	1,805.21
93087		DIANN BROWN	38.00
93088		DOUGLAS PITTINGER	38.75
93089		DUNCAN-PARNELL INC	495.00
93090		EFTPS IRS TAXES	182,186.70
93091		EMPOWER RETIREMENT	11,850.40
93092		EPTA-EASTERN PANHANDLE TRANSIT AUTHORITY	18,925.13
93093		FIDELITY POWER SYSTEMS	3,016.00
93094		FRIENDSHIP VOLUNTEER FIRE DEPARTMENT	1,800.00
93095		FRONTIER	3,369.12
93096		GUTTMAN OIL CO	6,141.46
93097		JEFFERSON SECURITY BANK	3,368.00
93098		JOHN A DANGLER	30.36
93099		JOHN LINDSTROM	201.67
93100		KATHRYN KING	478.83
93101		KELSEY STIPANOVIC	154.00
93102		LANGUAGE LINE SERVICES	138.45
93103		MCA, INC	6,610.47
93104		MCKESSON MEDICAL-SURGICAL GOVERMENT SOLUTIONS LLC	4,047.30
93105		MERIDITH R BLACKFORD	56.00
93106		MICHAEL LEE	56.00
93107		MOBILE WIRELESS LLC	1,029.00
93108		MOTOROLA SOLUTIONS INC	840.16
93109		NAPA AUTO PARTS	123.87
93110		NORTH AMERICAN RESCUE HOLDINGS, LLC	4,000.00
93111		NATIONWIDE RETIREMENT SOLUTIONS	865.00
93112		OBSESSION AUTOMOTIVE	669.22
93113		EMS TECHNOLOGY SOLUTIONS, LLC	31,376.75
93114		PA SCU	320.00
93115		POTOMAC EDISON	10,315.51
93116		RANDALL DOANE	56.00
93117		RCN COMMUNICATIONS LLC	3,323.77
93119		ROBERTS OXYGEN COMPANY, INC	1,710.84
93120		SHEPHERDSTOWN PUB LIBRARY	13,351.68
93121		SHEPHERDSTOWN VOLUNTEER FIRE DEPARTMENT	3,200.00
93122		SPIRIT OF JEFFERSON	222.40
93123		STATE TAX DEPARTMENT	393.81

93124		UNIFIRST	211.18
93125		URVIBEN PATEL	38.00
93126		WV DEPUTY SHERIFF RETIREMENT SYSTEM	33,658.97
93127		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	49,778.59
93128		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	165.60
93129		WV REGIONAL JAIL & CORRECTION FACILITY AUTH	95,853.42
93130		WV UNITED HEALTH SYSTEM	423.48
93131		WVCORP WV COUNTIES SELF INSURANCE RISK POOL	341,568.50
93132	AM/053	SHERIFF OF JEFFERSON COUNTY	2,288.84
TOTAL			911,062.99

3. APPROVAL OF MANUAL CHECKS

The following items were approved without objection:

- Manual checks for September 11, 2025, in the amount of \$ 860,241.64

		September 11, 2025	
Check #	Fund	Vendor	Amount
		OTHER FUNDS	
627	CS/002	RUGGED NOTEBOOKS	\$44,985.00
354	DG/003	SHERIFF OF JEFFERSON COUNTY	\$813.28
976	HD/008	ALLIED UNIVERSAL ELECTRONIC MONITORING US	\$3,468.80
977	HD/008	SATELLITE TRACKING OF PEOPLE, LLC	\$1,385.80
1264	AV/056	ANGELA L BANKS	\$126.00
1265	AV/056	COMMERCIAL PRESS INC	\$76.75
1266	AV/056	MONICA BENNETT	\$126.00
1267	AV/056	SEGRA	\$246.17
1946	CO/246	POTESTA & ASSOC. INC	\$2,500.00
1947	CO/246	SHERIFF OF JEFFERSON COUNTY	\$2,487.45
191	PI/249	JEFF CO PARKS & RECREATION COMMISSION	\$14,589.72
1537	IP/249	SHERIFF OF JEFFERSON COUNTY- SCHOOL	\$576,756.37
1538	IP/249	SHERIFF OF JEFFERSON COUNTY-LAW	\$11,525.57
1539	IP/249	SHERIFF OF JEFFERSON COUNTY-PARK	\$100,417.37
1540	IP/249	SHERIFF OF JEFFERSON COUNTY-EMS	\$43,442.40
1541	IP/249	SHERIFF OF JEFFERSON COUNTY-ADMIN	\$57,014.96
1026	CW/059	WV STATE AUDITOR	\$280.00
TOTAL			\$860,241.64

4. APPROVAL OF PAYROLL

The following item was approved without objection:

- Approval of payroll for September 12, 2025, in the amount of \$ 505,106.20

5. APPROVAL OF REQUISITIONS

The following item was approved without objection:

There were no requisitions this week.

6. APPROVAL OF HIRES/PROMOTIONS

The following items were approved without objection:

- Approve the hire of Brandon Wonder for the Grade Five, full-time, 80-hour, FLSA-exempt position of Public Affairs Coordinator within the Jefferson County Department of Homeland Security and Emergency Management at a salary of \$58,656, effective Tuesday, September 23, 2025.
- Approve the hire of Patti Richardson for the Grade Four, full-time, 80-hour, non-exempt position of Planning Clerk within the Jefferson County Office of Planning and Zoning at a salary of \$48,851.00, effective Monday, September 22 or Monday, September 29, 2025.

PUBLIC COMMENT:

Public comment was received by:

Bruce Chrisman	Jeff Hertrick	Tamar Kavaldjian-Liskey
Nichole Chapman	Stacy Chapman	Michael Binder
Rachel Shub	Adam McDowell	John Nissel
Heath Fleming	Charles Kerns	Jacquelyn Milliron
Lynn Delles	Amanda Stroud	Barbara Smith
Tina Michael	Chris Marshall	Cheryl Middleton
Christie Wimer	Bob Aitcheson	Adam McDowell
Heather Smith	David Tabb	John Doyle
Kelly Browne	Colin Stine	Diane Blust
Jessie Norris		

PRESENTATIONS

1. Angela Banks, Jefferson County Assessor

Exonerations:

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

2. Presentation: Overview of Tax Increment Financing (TIF) and Sales Tax Increment Financing (STIF) (Majdi); John Stump, Steptoe & Johnson PLLC

The agenda item was informational only. No action was taken.

3. Matt Harvey, Prosecuting Attorney's Office

Discussion of succession plan for the Prosecuting Attorney in the event of office vacancy and conditional appointment of temporary officer holder

Commissioner Stolipher motioned to adopt the order of appointment as presented. The motion was seconded by Commissioner Mood and approved unanimously.

Commissioner Stolipher motioned to advertise the position for two weeks and schedule a special interviews for the permanent replacement. The motion was seconded by Commissioner Hefestay and approved unanimously.

4. Consideration of Residential Impact Fee Adjustment for 55+ Communities (Keys)

Commissioner Stolipher motioned to refer the matter to Tischler Bise for review. The motion was seconded by Commissioner Hefestay and approved unanimously.

5. Economic Enhancement Ordinance Update (Stolipher)

Commissioner Stolipher motioned to approve four requests (1) Engineering, Planning and Zoning staff and the Planning Commission to review the concept plans processes and provide recommendations for improvements to streamline the process, (2) Engineering, Planning and Zoning staff to design flow charts of the commercial plan approval process, (3) Engineering, Planning and Zoning staff to provide process recommendations following site plan approval to encourage a sped up process and (4) request Agritourism task force to provide recommendation to improve ordinances and encourage agritourism development. The motion was seconded by Commissioner Mood and approved unanimously.

6. Resolution to Recognize October 2025 as Breast Cancer Awareness Month in Jefferson County and to Designate October 10, 2025 as Pink Casual Day, Encouraging All County Staff to Wear Pink on that Day to Support Breast Cancer Fighters, Thrivers, and Survivors (Hefestay)

Commissioner Mood motioned to approve the resolution as presented. The motion was seconded by Commissioner Stolipher and approved unanimously.

7. Jessica James, Chief Human Resources Officer

Approval of revised employee performance appraisal period for 2024-2025

Commissioner Keys motioned to adopt the recommendation that FY25 employee performance appraisals be determined solely on performance in Quarters 3 and 4, provided employees meet all baseline requirements as outlined on the first page of the Quantifiable Annual County Employee Review Rubric. The motion was seconded by Commissioner Mood and approved unanimously.

Revision of IT Helpdesk Level I and II positions with corresponding salary adjustments.

Commissioner Majdi motioned to approve the adjusted position descriptions to the IT Helpdesk Level I and Level II positions, and authorize the following salary adjustments once the individuals have taken the SIRN training and obtained the associated certifications:

- Christopher Montemurno as a Grade 4, Info Tech Specialist-I/Junior Radio Programmer at a salary of \$45,560.
- Spencer Fraser as a Grade 5, Info Tech Specialist-II/Senior Radio Programmer at a salary of \$52,132.80.

The motion was seconded by Commissioner Mood and approved unanimously.

8. David Bound, Chief Financial Officer

Temporary assignment for approving County bills

Commissioner Stolipher motioned to approve Jack Hefestay or Steve Stolipher as the interim approver of County financial bills. The motion was seconded by Commissioner Mood and approved unanimously.

West Virginia Courthouse Facilities Improvement Authority's Courthouse Facilities Improvement Fund grant submission request

Commissioner Majdi motioned to approve the West Virginia Courthouse Facilities Improvement Authority's Courthouse Facilities Improvement Fund grant application. The motion was seconded by Commissioner Hefestay and approved unanimously.

West Virginia First Foundation grant submission request

Commissioner Majdi motioned to approve the submission of the West Virginia's First Foundation grant application. The motion was seconded by Commissioner Stolipher and approved unanimously.

Chief Tax Deputy and Chief Financial Officer are requesting Read Only online access to the County's current bank accounts

Commissioner Stolipher motioned to approve the Chief Tax Deputy and Chief Financial Officer read only online access to county bank accounts. The motion was seconded by Commissioner Mood and approved unanimously.

Ambulance Fee exonerations

No ambulance fee exonerations were presented at this meeting.

9. Nathan Cochran, Prosecuting Attorney's Office

Discussion of Charles Town Utility Board v. West Virginia American Water Company (25-0263-PWD-C)

The agenda item was informational and provided updated information. No action was taken.

Discussion, advice from counsel and possible action regarding ongoing opioids litigation and related issues

Commissioner Majdi motioned to designate the County Administrator as a person to e-sign the National Opioid Settlements agreements. The motion was seconded by Commissioner Stolipher and approved unanimously.

Discussion and report from counsel on West Virginia Human Rights Commission Case No. EDR-194-25.

No action was taken on this agenda item.

COUNTY ADMINISTRATOR REPORTS

10. Edwina Benites-LM, County Administrator

Letter to Ranson Building Commission regarding Parcel ID: 19-08-0008-0008-0000

Commissioner Majdi motioned to approve and send the letter as presented. The motion was seconded by Commissioner Mood and approved unanimously.

Federal appropriations requests status

The agenda item was informational only. No action was taken.

Upcoming Events

The agenda was informational only. No action was taken.

Adjourn

Having no further business, Commissioner Majdi motioned to adjourn the meeting. The motion was seconded and unanimously approved. The Commission adjourned at 11:50 p.m.

Pasha Majdi, PRESIDENT

DRAFT

Steptoe & Johnson PLLC

Review of Tax Increment Financing

*The County Commission
Of Jefferson County*

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Relationships



Communication



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Know-How



Results

Overview

- Property Tax Increment Financing Districts (TIF)
- Economic Opportunity Development Districts (EODD)



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Know-How



Results



Relationships



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Results

Property TIF Districts

Executive Summary

- Statutory Authorization

- W. Va. Code §§ 7-11B-1, *et seq.* (the “TIF Act”)

- Purpose

- To capture projected increase in property tax revenue created by development and use increase to pay project costs.

- Authorized Governmental Entities

- County Commissions
 - Class I, II, and III Municipalities



Relationships



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Results

Executive Summary

- Eligible Projects

- Infrastructure (roads, streetscape, water, sewer, stormwater, fibre optic, etc.)
- Land Acquisition (historically no condemnation)
- New Buildings
- Renovation of Existing Buildings
- Demolition
- Environmental Remediation
- Other Capital Costs



Relationships



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Know-How



Results

How Does TIF Work?

- TIF District:
 - Must be a contiguous geographic area;
 - May be located within a municipality, unincorporated area or within boundaries of a Public Service District;
 - A County Commission must obtain prior written consent of a municipality prior to establishment of TIF within the municipality;
 - May be proposed by project developer (private or public), one or more county commissions or municipalities, or combination thereof.



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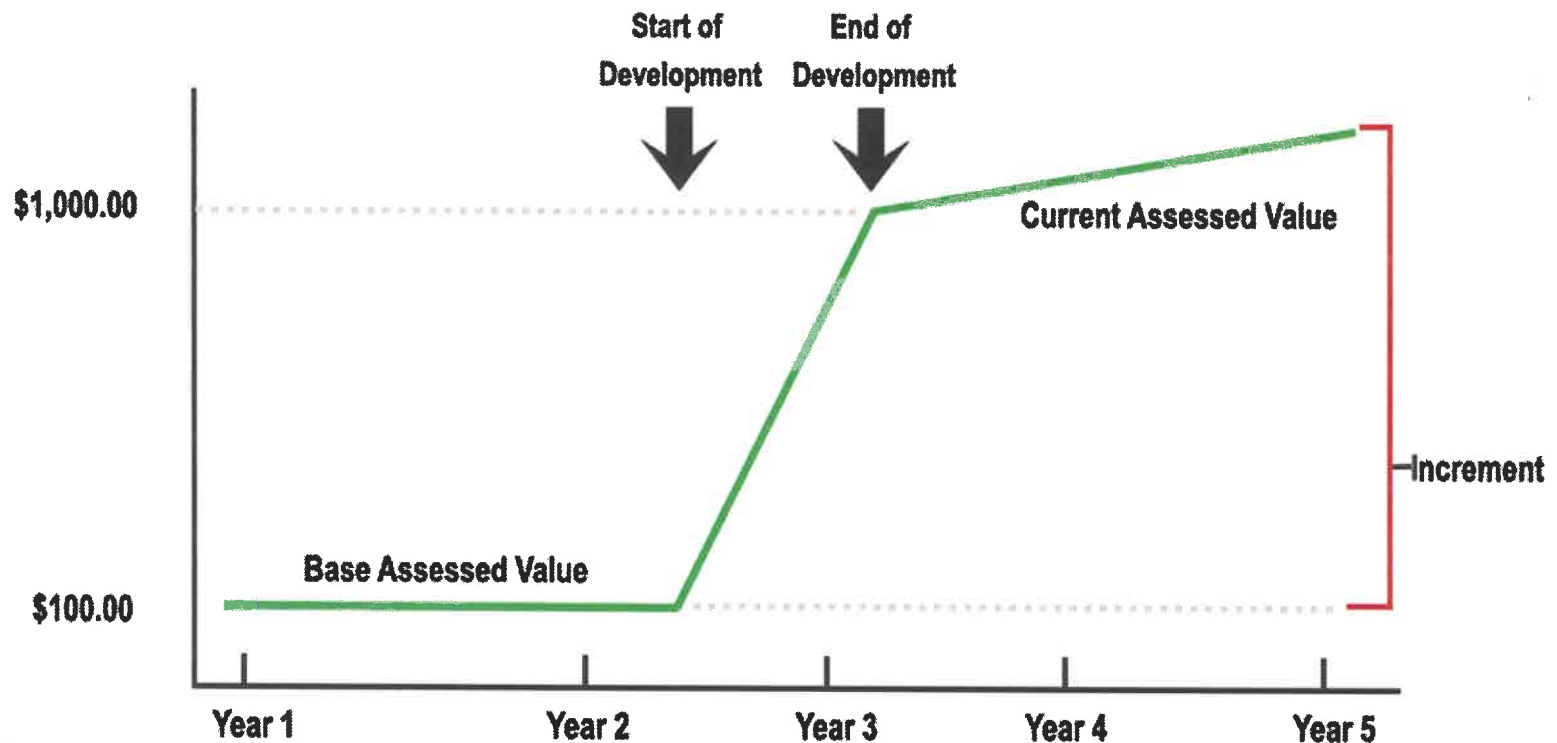


Results

How Does TIF Work?

- Tax Increment

- The difference between the base assessed value of property (before development) and the current assessed value of property (after development).



How Does TIF Work?

- Base Assessed Value

- Determined by County Assessor
- Value of all real and personal property within a District
- Personal motor vehicles, personal trailers, personal boats, personal campers, personal motor homes, personal ATVs, and personal motorcycles excluded.
- Valuation date of July 1 of year prior to order creating the District



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Results

How Does TIF Work?

- Tax Increment

- County Assessor certifies current assessed value each subsequent year.
- Difference between Base Assessed Value and Current Assessed Value is Increment.
- Regular levies in Base Assessed Value are not affected by Increment.
- Excess levies and bond levies are not deposited in TIF Fund.
- County school boards are not hampered by existence of a TIF because they are made whole by the school aid formula.



Relationships



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Know-How



Results

How Does TIF Work?

- Tax increment is collected and deposited in Tax Increment Financing Fund.
 - Separate fund for a TIF District into which all tax increment revenues and other pledged revenues are deposited.
- Projects funded through either:
 - Pay-as-you-go.
 - TIF Bonds
 - Not automatically tax-exempt under IRS Code.
 - Secured by pledge of TIF Fund and not credit of Issuer.
 - Maturity cannot exceed earlier of expiration date of District or 30 years.



Relationships



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Know-How



Results

How Does TIF Work?

- Project Costs

- Expenditures related to development or redevelopment project which include:
- Capital costs, including:
 - Construction, demolition, repair, improvement, and remodeling of capital improvements;
 - Acquisition of land;
 - Acquisition of equipment and other personal property; and
 - Environmental remediation.
- Financing costs, including:
 - Capitalized interest; and
 - Costs of Issuance.



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Results

How Does TIF Work?

- Benefits of TIF

- Captures tax increase to benefit local project.
- Broad statutory authorization as to permitted uses of funds.
- Designed to fund project costs where other financing is not available.
- Local Control
- Public policy protections:
 - “But for” Test
 - Competitive Bidding of Construction Contracts
 - West Virginia Jobs Act
 - Public hearing and notice requirements
 - West Virginia Development Office Approval
 - All documents and information subject to FOIA



Relationships



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Know-How



Results

Procedural Requirements

Overview

1. Prepare draft application for District/Project.
2. Meeting to propose District and/or Project.
3. Notice to affected taxing authorities and Development Office. (This recently changed to require at least 30 days before first publication date).
4. Publication of notice of public hearing on District and/or Project
5. Public hearing on District and/or Project.



Relationships



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Results

Procedural Requirements

Overview - Continued

6. Submit application for District/Project to Development Office.
7. Development Office review (60 days): approve, reject, request changes or further development.
8. Order or Ordinance creating or authorizing District or Project.
 - City must approve if County establishing within City limits.
 - All meetings must comply with the Open Governmental Proceedings Act.



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Results

Issuer's Ongoing Responsibilities

- Follow requisitioning process outlined in bond documents for expenditure of TIF funds.
- Ensure tax increment is collected and allocated properly.
- Determine treatment of excess monies, if any, in TIF Fund.
- File Annual Report with the West Virginia Development Office each year.
- Publish status of TIF District annually and hold a public hearing every 5 years.
- Comply with continuing disclosure obligations for any publicly offered TIF Bonds.



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Results

TIF Bonds and Other Obligations

Purchase of Bonds by Developer

- Bonds for Project issued by County but purchased initially by Developer
 - May reduce interest rate on debt as early development risk taken on by the Developer.
 - Bonds may be refinanced later once Project is "proven" and interest rate reduced.
 - May also reduce security requirements, e.g. coverage, personal guarantees.
 - Less restrictive document covenants.
 - Documents are prepared to limit default risk and incentivize Developer to comply with development schedule.



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Results

Common Characteristics of Successful TIF Projects

- Experienced developer, development team, and financing team
- Developer or developers with sufficient capital to make necessary private investments
- Ability of developer to attract investments by other parties
- Diversity of property taxpayer base
- Proximity to significant infrastructure already in place and/or a significant engine to drive future private investment (other successful developments, major employers, residential areas, college or university)



Relationships



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Results



Relationships



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Know-How



Results

Economic Opportunity Development Districts

Executive Summary

- Statutory Authorization

- W. Va. Code §§ 7-22-1, *et seq.* (the “County EODD Act”)
- W. Va. Code §§ 8-38-1, *et seq.* (the “Municipal EODD Act”)

- Purpose

- To capture projected increase in sales and use tax revenue created by development and use increase to pay project costs
- Commonly known as “Sales Tax TIF” or “STIF”

- Authorized Governmental Entities

- County Commissions
- All classes of municipalities



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Results

Executive Summary

- Requires approval of both WVDO and Legislature
- Currently only 4 EODDs in the State
 - Fort Henry (Ohio County)
 - Charles Pointe (Harrison County)
 - University Town Centre (Monongalia County)
 - Park Place (South Charleston)



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Results

Executive Summary

- Requires clear information to satisfaction of WVDO that at least \$75 million in private capital will be invested within the first two years following creation of the District
- Eligible Projects
 - Similar to Property TIF, but broader in that permitted “Development Expenditures” may also include grants to private parties and ownership interests in private entities
 - “Development Expenditures” would include nearly all costs commonly thought of as necessary to build out and operate a retail/commercial development



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Results

How Does EODD Work?

- Benefits of EODD

- Captures tax increase that would otherwise go to the State to benefit local projects
- Broad statutory authorization as to permitted uses of funds
- Designed to fund project costs where other financing is not available
- Local Control
- Public policy protections:
 - “But for” Test
 - Requirement of \$75M in private investment over first 2 years
 - Competitive Bidding of Construction Contracts
 - West Virginia Jobs Act
 - Public hearing and notice requirements
 - Legislative and West Virginia Development Office Approval
 - All documents and information subject to FOIA



Relationships



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Know-How



Results

Procedural Requirements

Overview

1. Prepare draft application for EODD.
2. Informal meetings to propose and discuss EODD.
3. Finalized application to WVDO based on discussions.
4. Publication of notice of public hearing on EODD.
5. Public hearing on EODD.
6. Submit application for EODD to WVDO.
7. WVDO review
8. WVDO requests certification of Base Tax Revenue Amount from Tax Commissioner (30 days)



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Results

Procedural Requirements

Overview - Continued

9. WVDO acts on application (30 days following receipt of base certification)
10. If approved, WVDO issues written certificate to County Commission/City Council.
10. Approval to impose special district excise tax by WV Legislature.
11. Order or Ordinance creating EODD entered by County Commission/City Council. Excise tax effective on 1st day of calendar month that begins at least 60 days following entry of the Order or Ordinance.



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Results

Procedural Requirements

WVDO Review

- WVDO considers an extensive list of criteria, including:
 - Whether project is supported by significant private sector investment and evidence that project would not be feasible but for EODD financing
 - Whether project will improve opportunities for successful establishment or expansion of industrial or commercial businesses
 - Whether project will assist in creation of long-term employment opportunities
 - Whether the project helps to diversify the local economy



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Results



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Results

Questions?