

Berkeley Count Council Meeting
400 W. Stephen Street, Suite 201
Martinsburg, WV 25401

January 19, 2023
9:30 A.M.

Present:

James P. Whitacre, President
G. Edgar Gochenour, Vice President
James R. Barnhart, Councilperson
H. D. Boyd, Councilperson
R. Stephen Catlett, Councilperson
Alan J. Davis, County Administrator
Penny Shewell, Office Administrator

Also Present: Tracie McCormick, Procurement Coordinator; Anthony Delligatti, Legal Director

Re: Call to Order

President Whitacre called the January 19, 2023 Berkeley County Council Meeting to Order at 9:35 A.M.

Re: Items from the Public

Steve Smith appeared before the Council and requested that they not enact the Public Nuisance Ordinance.

Re: Agenda

Vice President Gochenour made a motion to approve the Agenda for the January 19, 2023 Berkeley County Council meeting. Councilperson Catlett seconded the motion. The motion carried unanimously.

Re: Consent Agenda

1. Purchase Order Log

There were no questions regarding the Purchase Order Log.

2. Internal Budget Revisions

There were no internal budget revisions to be addressed.

3. Changes in Status

President Whitacre stated that changes in status were received from Jennifer Swisher, 9-1-1 Director for Ana Hernandez to go from Telecommunicator I to Telecommunicator II effective January 12, 2023 with a salary increase from \$50,341 to \$52,858 and Brittany Shawyer to go from Call Taker to Telecommunicator I effective January 12, 2023 with a salary increase from \$46,357 to \$50,341.

President Whitacre stated that a change in status was received from the Honorable Anthony Petrucci, County Clerk for Melissa Ballenger to go from Software Specialist I to Software Specialist II effective January 15, 2023 with a salary increase from \$33,000 to \$40,000.

President Whitacre stated that a letter of resignation was received from Central Dispatch from David Bussard effective January 13, 2023.

President Whitacre stated that a letter of resignation was received from the Circuit Clerk's Office from Jennifer Benedict-Hoy effective January 3, 2023.

President Whitacre stated that a letter of resignation was received from the Circuit Clerk's Office from Julia Hylton effective January 13, 2023.

4. Approval of Minutes

There were no changes to the January 5, 2023 Berkeley County Council meeting minutes

5. Council Calendar

President Whitacre reviewed the Council calendar for the month of January.

6. Board and Commission Calendar

President Whitacre reviewed the Board and Commission calendar for the month of January.

Councilperson Boyd stated that the Landmarks Commission meeting was last Monday and not this coming Monday.

7. Bond Reduction – Amberfield, Section 7, Sta 13+29 to Sta 39+39 (Grading) BP File #2101-011 tied to BCP #2105-0119 & BCZP #2112-464, Bond #7901017737 – Engineering Department

Re: Consent Agenda Approval

Councilperson Catlett made a motion to approve the Consent Agenda for the January 19, 2023 Berkeley County Council meeting. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Correction of Assessments Log, Apportionment of Assessments, Deconsolidation and Consolidation of Properties Applications – Assessor's Office

The Assessor had nothing to present this week.

Re: Board Meeting Reports

Councilperson Boyd reported that he attended the Historic Landmarks board meeting where they have some needs and concerns in their new office space. He also reported that he attended the Roundhouse Authority meeting and reported that the elevator steps and concrete floor bid out is ready to go. Councilperson Boyd stated that he could not attend the Main Street Martinsburg meeting as the board stated that he needed to be voted on before he could attend. Tracie McCormick appeared before the Council and stated that there was some confusion with the board and that Councilperson Boyd was not replacing Dan Dulyea that Dan Dulyea was a member of the board and Councilperson Boyd was not a voting member, but was the Council's liaison. Anthony Delligatti, Legal Director will check into this.

Councilperson Barnhart reported that he attended the MPO meeting along with Councilperson Catlett. He also reported that he attended the Telemon board meeting where they reviewed their funding.

Vice President Gochenour reported that he attended the Parks and Recreation board meeting and reported that the basketball programs are up and running. He also reported that they are preparing the bid request for the Spring Mills Park, paving for Dupont Park and preparing for the park build across from Poor House Farm. He also reported that he attended the Planning Commission meeting where public hearings were held. He reported that they voted to send a new Ordinance to the Council. Vice President Gochenour also reported that he was invited to speak at the Stubblefield Institute regarding infrastructure and growth.

Councilperson Catlett reported that he attended the MPO meeting where representatives from the Department of Highways killed the bypass from Short Road to Novak Drive stating that it would not alleviate any traffic on Rt. 12. He also stated that Rt. 9 was not being pursued.

President Whitacre reported that that he attended the Fire Board meeting and reported that the Hedgesville VFD received a new truck which they purchased on their own. He also reported that all five (5) VFD's are now requesting 24/7 coverage.

Re: Board and Commission Vacancies

President Whitacre requested to have Keith Hammersla scheduled for an interview as a candidate for the Museum board.

Councilperson Boyd stated that he would be the liaison for the Library board which meets the fourth Thursday of every month.

Re: Honorary County Councilperson

Vice President Gochenour introduced Lochlyn Campbell, a student at South Middle School. Mr. Campbell stated that he enjoyed science, math and running cross country and planned to study for a medical career or architecture. Vice President Gochenour swore in Mr. Campbell as Honorary County Councilperson and presented him with a certificate.

**Re: Susan Crowell, Berkeley County Historic Landmarks Commission
FY2023-24 Budget Presentation**

Susan Crowell, Berkeley County Historic Landmarks Commission appeared before the Council and presented their budget requesting \$5,106 to cover their insurance. Ms. Crowell reviewed the services offered by the Landmarks Commission.

**Re: Gretchen Fry, Martinsburg Berkeley County Public Library
FY2023-24 Budget Presentation**

Gretchen Fry with the Martinsburg, Berkeley County Public Library appeared before the Council and presented their FY2023-24 budget request of \$886,254. Ms. Fry reviewed the programming and services offered at the library and how the library is funded.

**Re: Sherry Smith, Historic Morgan Cabin Association
FY2023-24 Budget Presentation**

Sherry Smith with the Historic Morgan Cabin Association appeared before the Council and presented their budget request of \$10,000. Ms. Smith stated the funding would be used for electrical repairs and grounds and infrastructure repairs. She also spoke about the improvements made to Morgan Cabin last year and the events held there.

**Re: Marcus Spina C & E Consultants, Inc.
Inwood Park and Frog Hollow Trail**

Marcus Spina with C & E Consultants, Inc. appeared before the Council and reviewed the draft Authorization for Additional Services. Mr. Spina stated that this would allow for changes to be made in the first part of the design plan such as Councilperson Catlett suggestion to add pickle ball courts rather than tennis courts. He stated that this authorization would allow for the entire plan or bits and pieces. Alan Davis, County Administrator stated that the Council already committed \$1 million from the Quality of Life fund and would need to encumber \$430,880 for CEC from the Quality of Life fund.

Vice President Gochenour made a motion to encumber \$430,880 for CEC out of the Quality of Life fund and give the President the authority to sign the Authorization for Additional Services. Councilperson Boyd seconded the motion. The motion carried unanimously.

**Re: Alan Davis, County Administrator
FY2023-24 Budget Presentation**

Alan Davis, County Administrator presented the FY2023-24 budgets for the County Council accounts.

Re: Executive Session – Potential Litigation

Councilperson Barnhart made a motion to go into executive session for potential litigation at 12:26 P.M. Vice President Gochenour seconded the motion. The motion carried unanimously.

President Whitacre declared the Council out of executive session at 2:50 P.M.

There were no motions made during or after executive session.

Re: Recess

Councilperson Barnhart made a motion to Recess the January 19, 2023 Berkeley County Council meeting.

Submitted by: *Penny Shewell*
Penny Shewell, Office Administrator