

Berkeley County Council Meeting
Board of Review & Equalization
400 W. Stephen Street, Suite 205
Martinsburg, WV 25401

February 2, 2023
9:30 AM

Present:

James P. Whitacre, President
G. Edgar Gochenour, Vice President
James R. Barnhart, Councilperson
H. D. Boyd, Councilperson
Steve Catlett, Councilperson
Alan J. Davis, County Administrator
Tracie McCormick, Procurement Coordinator

Also Present: Tracie McCormick, Procurement Coordinator; Anthony Delligatti, Legal Director; Jeff Mauzy, Deputy Legal Director; Tracey Guilliams, Grants Administrator; Elizabeth Lapchak, Grants Administrator; Will Lorensen, Fiduciary Supervisor; Tim Czaja, Community Corrections Director

Re: Call to Order

President Whitacre called the February 2, 2023 Berkeley County Council Meeting to Order at 9:33 A.M.

Re: Items from the Public

There were no items from the public.

Re: Agenda

Vice President Gochenour made a motion to approve the Agenda for the February 2, 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 a change in status was received from Jennifer Swisher, Emergency Communications Director for Logan Murphy to go from part-time to full-time with a salary change from \$24.04 per hour to an annual salary \$52,747, effective February 4, 2023.

President Whitacre stated that a letter of retirement was received from the Fiduciary office from Janet Holzhauser, Fiduciary Supervisor effective October 13, 2023.

President Whitacre stated that a letter of resignation was received from the Engineering office from Roy Tucker effective February 7, 2023.

President Whitacre stated that a letter of resignation was received from the Day Report Center from Nicole Prentice effective January 30, 2023.

President Whitacre stated that a letter of resignation was received from the Animal Control from Holly Kidd effective January 30, 2023.

President Whitacre stated that a letter of resignation was received from the Fleet Management from Matt Olinger effective January 27, 2023.

4. Approval of Minutes

There were no Berkeley County meeting minutes to review.

5. Council Calendars

President Whitacre reviewed the Council calendar for the month of February. Mr. Davis spoke to the Council about scheduling a TIF Workshop on March 2, 2023. The consensus of the Council was to schedule the TIF Workshop on March 2, 2023.

6. Board and Commission Calendars

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

7. Cancelled Check Request

8. Bond Release – Pebble Ridge, Section 5 Phase 3F (Final Plat) BCP File #2207-195 tied to BCP File #2105-174 & #63-04 LOC #9000367 – Engineering Department

9. Bond Reduction – Yorkshire Glen Phase I, Section 2B, File #105-05 tied to #2106-214, Bond #1048580 – Engineering Department

10. Bond Reduction Yorkshire Glen Phase 1, Section 3, File #017-06 tied to #2103-098 & 2108-320, Bond #800015499 Engineering Department

Re: Consent Agenda Approval

Vice President Gochenour made a motion to approve the Consent Agenda for the February 2, 2023 Berkeley County Council meeting. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Correction of Assessment Logs, Apportionment of Assessments, Deconsolidation and Consolidation of Properties Applications – Assessor’s Office

The Assessor’s Office had nothing to present this week.

Re: Board Meeting Reports

Councilperson Boyd reported that he attended the Library board meeting where they had an introduction of the new members and discussed upcoming projects. He also reported appearing on WRNR Radio program.

Councilperson Barnhart stated he had no meetings to report on, however, he mentioned the Council held their first session of Board of Review and Equalization, and he thanked all of the volunteers for their time to the boards.

Vice President Gochenour reported that he had no meetings to report on. He shared his condolences to a pillar of the Fire Service Robert Roberts passing. He also reported on attending the Tax Cut Town Hall meeting with Governor Jim Justice, along with Councilpersons Boyd and Catlett.

Councilperson Catlett reported that he attended the Ambulance Authority meeting and stated he’s pleased to be a part of the board. He also reported appearing on WRNR Radio program where he thanked the current Councilpersons and staff for welcoming him to the County Council.

President Whitacre stated he had no meeting to report on.

Re: Board and Commission Vacancies

Councilperson Boyd made a motion to appoint Gregory Jones to the (CVB) Convention Bureau board for a full term. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Vice President Gochenour made a motion to reappoint Vickana Norton to the Planning Commission for a full term. Councilperson Boyd seconded the motion. The motion carried unanimously.

Vice President Gochenour requested to have Donald Silvius, Chris Breeze, and Carol Appenzellar scheduled for an interview for the Museum Board and President Whitacre requested to have Michael Bush scheduled for an interview for the Planning Commission.

Councilperson Barnhart made a motion to appoint Virginia Sine to the Building Commission for a full term. Vice President Gochenour seconded the motion. The motion carried unanimously.

Councilperson Boyd made a motion to reappoint Nicolas Diel to the Berkeley County Emergency Ambulance Authority for a full term. Councilperson Catlett seconded the motion. The motion carried unanimously.

Re: Councilperson Issues- Vice-President Gochenour DOH-Highway Improvements

Vice President Gochenour stated that he would like the Council to prepare letters to the Governor's office, Department of Highways, Senators, and HMPO offices supporting additional road infrastructure.

Alan Davis, County Administrator updated the Council on project updates at 400 W. Stephen Street, Sheriff's Department, and Baltimore Street renovations and additions. He also met with WV Secretary of State regarding their office moving to a suite located at the Dunn Building.

**Re: Jim Ouellet, Executive Director, BC Public Service Water District
Test Well**

Jim Ouellet, Executive Director, BC Public Service Water District appeared before the Council requesting permission for a test well to be located at the proposed Inwood Park.

**Re: Rachel Snavelly, Executive Director Region 9
FY2023-24 Budget Presentation**

Rachel Snavelly, Executive Director, Region 9 appeared before the Council and presented their FY 2023-24 budget requesting \$100,395.

**Re: Will Lorensen, Fiduciary Supervisor
Estate Accounts – Month of January
Estate Accounts to be Scheduled**

Will Lorensen, Fiduciary Supervisor appeared before the Council and presented twenty- eight (28) estate accounts for the month of February.

Councilperson Barnhart made a motion to approve the twenty-eight (28) estate accounts as presented. Councilperson Gochenour seconded the motion. The motion carried unanimously.

**Re: Board and Commission Interview
Ross Hudson – Candidate – Library Board**

Ross Hudson appeared before the Council and was interviewed as a candidate for the Berkeley County Library board.

**Re: Brian Costello, Executive Director, Berkeley County Emergency Ambulance Authority
Non-Residential Ambulance Service Fee**

Brian Costello, Executive Director, Berkeley County Emergency Ambulance Authority appeared before the Council and reviewed the Non-Residential Ambulance Service Fee. The consensus of the Council was to proceed with Public Hearing on March 23, 2023 at 11:00 A.M. and 6:00 P.M.

**Re: Tracey Guilliams, Grants Administrator
Resolution WV Community Corrections Grant
Approval for FY23 WV Justice Reinvestment Initiative Treatment Supervision Grant
Application**

Tracey Guilliams, Grants Administrator appeared before the Council and presented a Resolution for the WV Community Corrections Grant stating this would be a 40% match for the DRC and Home Confinement and reviewed what the grant would cover.

Councilperson Boyd made a motion to adopt the Resolution in Support of the WV Community Corrections Grant. Vice President Gochenour seconded the motion. The motion carried unanimously.

Mrs. Guilliams reviewed the application for the FY23 WV Justice Reinvestment Initiative Treatment Supervision Grant Application stating this was a \$267,851 maximum grant with no required match, but was encouraged. Mrs. Guilliams reviewed the positions and services that this grant would provide coverage for.

Vice President Gochenour made a motion to approve the application to be submitted for the FY23 WV Justice Reinvestment Initiative Treatment Supervision Grant. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Items from the Public

Mr. Shawn Wilt appeared before the Council and spoke on his concerns for the need of road improvement in Berkeley County.

Re: Executive Session – Litigation and County Council Personnel Matters

Councilperson Barnhart made a motion to go into executive session for personnel issues at 11:55 A.M. Vice President Gochenour seconded the motion. The motion carried unanimously.

President Whitacre declared the Council out of executive session at 1:05 P.M.

Councilperson Gochenour motioned to approve and give the President authority to sign the West Virginia Local Government Election and Release Form for the opioid-related claims against, The Pharmacy, Bypass Pharmacy, Rhonda's Pharmacy, Clendenin Pharmacy, and Fruth Pharmacy.

Councilperson Gochenour motioned to approve and give the President authority to sign the Settlement Agreement between the County Council, the Assessor, the Sheriff, and Martinsburg Investors II, LLC, and authorize the payment of the tax refund of \$39,723 by check.

**Re: Board of Review & Equalization
Larry Hess, Assessor, Review & Equalization – Session #1
Presentation of the 2022 Appraisal/Assessment Information
Discussion of Procedures – 2022 Review & Equalization**

The Honorable Larry Hess, Assessor appeared before the Council and stated that there were no books or applications received.

**Re: Mark Jordan, Executive Director, Convention & Visitor's Bureau
FY2023-24 Budget Presentation**

Mark Jordan, Executive Director, Convention & Visitor's Bureau appeared before the Council and presented their FY2023-24 budget requesting \$530,000 which includes 50% of the hotel/motel tax. Mr. Jordan stated that Berkeley County was the top county for GEO caching.

**Re: Stacie Rohn, CEO, Boys & Girls Club of the Eastern Panhandle
FY2023-24 Budget Presentation**

Stacie Rohn, CEO, Boys & Girls Club of the Eastern Panhandle appeared before the Council and presented their FY2023-24 budget requesting \$45,000. Ms. Rohn reviewed the services and programs offered by the Boys & Girls Club.

President Whitacre left the meeting at 3:11 pm and turned the meeting over to Vice-President Gochenour.

**Re: Michael Noll, President, Apollo Civic Theatre
FY2023-24 Budget Presentation**

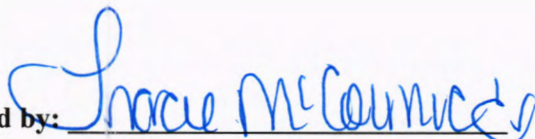
Michael Noll, President, Apollo Civic Theatre appeared before the Council and presented their FY2023-24 budget requesting \$140,000 for repairs and upgrades to the sound system.

**Re: Tim Czaja, Director, Community Corrections
FY2023-24 Budget Presentation**

Tim Czaja, Community Corrections Director appeared before the Council and presented his FY2023-24 budget for the Day Report Center, the Recovery Recourse Center and Home Confinement reviewing each line item.

Re: Recess

Councilperson Barnhart made a motion to Recess the February 2, 2023 Berkeley County Council meeting.

Submitted by: 

Tracie McCormick, Procurement Coordinator