

**Berkeley County Council Meeting**  
**400 W. Stephen Street, Suite 205**  
**Martinsburg, WV 25401**

**February 16, 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; Gary Wine, Deputy County Administrator; Larry Hess, Assessor; Will Lorensen, Fiduciary Supervisor; Mike Laing, Chief Court Marshal; Shelly Schoppert, Circuit Clerk; Cher Horvath, Finance Director; Doug Smith, County Engineer; John Streetts, Assessor's Office, Rhonda Loudan, Assessor's Office; Curtis Trenary, Assessor's Office

**Re: Call to Order**

President Whitacre called the February 16, 2023 Berkeley County Council meeting to Order at 9:35 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 16, 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 reviewed.

### **3. Changes in Status**

President Whitacre stated that a new hire recommendation was received from the Honorable Sheriff Nathan Harmon for Ryan Austin Rudy as an Animal Control Officer effective February 17, 2023 with an annual salary of \$35,065.

President Whitacre stated that a new hire recommendation was received from the Honorable Sheriff Nathan Harmon for Hunter Alexander Reiff as an Animal Control Officer effective March 2, 2023 with an annual salary of \$35,065.

President Whitacre stated that a new hire recommendation was received from Randy Lilly, Emergency Management Director for Jesse Rupenthal as a part time Firefighter effective February 16, 2023 with an hourly rate of \$17.83.

President Whitacre stated that changes in status were received from Randy Lilly, Emergency Management Director for Joseph Fato, Aaron Files, Tim Seibel, Jeremy Taylor and Jared Waugh to go from Firefighter II to Firefighter III effective February 16, 2023 with changes in salaries from \$64,282 to \$66,210.

President Whitacre stated that a change in status was received from the Honorable Anthony Petrucci, County Clerk for Amanda Perez for an increase in salary effective March 1, 2023 for taking on more assignments from \$41,975 to \$46,975.

President Whitacre stated that a letter of resignation was received from the Circuit Clerk's Office from Elizabeth McCord effective February 15, 2023.

President Whitacre stated that a letter of resignation was received from Court Security from Gene Miller effective February 13, 2023.

President Whitacre stated that a letter of resignation was received from Emergency Communications from Noah Kinney effective February 28, 2023.

President Whitacre stated that a notice was received from Emergency Communications to remove Bethani Mummert from payroll effective January 25, 2023.

### **4. Approval of Minutes**

There were no changes to the January 26, January 31 or February 2, 2023 Berkeley County Council meeting minutes.

### **5. Council Calendars**

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

### **6. Board and Commission Calendar**

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

### **7. Bond Reduction – Est Mountain Health Advantage Medical Center – File #031-17 tied to #2211-325, #2211-326 & R02096-19 (Grading Bond) #106806466 – Engineering Department**

**8. Cancelled Check Request – County Clerk’s Finance Office**

**9. Potomac Valley Audobon Society – Permit Fee Waiver Request – Wheel Chair Accessibility Viewing Platform**

**Re: Consent Agenda Approval**

Vice President Gochenour made a motion to approve the Consent Agenda for the February 16, 2023 Berkeley County Council meeting. Councilperson Boyd 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 had nothing to present this week.

**Re: Board Meeting Reports**

Councilperson Boyd reported that he had no meetings this week.

Councilperson Barnhart reported that he attended the Health Department board meeting held in Berkeley Springs and stated that they accepted the resignation of Marty Snyder, Sanitarian for Morgan County. He stated that he was unable to attend the Public Service Water District meeting. Councilperson Barnhart reported that he attended the Extension Service annual meeting.

Vice President Gochenour reported that he attended the LEPC meeting and reported that they are working on a grant for a community flow study for the community. He also reported that he attended the Public Service Water District board meeting and reported that they set 140 new meters in January which puts them in the height of where they were in 2008. He also reported that the infrastructure monies requires the equipment to be made in the USA and may need to apply for a waiver for some equipment.

Councilperson Catlett reported that he attended the Farmland Protection board meeting. He stated that they had picked four (4) farms to put into the program this year. He also reported that Mark Schiavone would be retiring at the end of June and they were looking for a replacement for him.

President Whitacre reported that he attended the Airport Authority meeting and reported that projected revenues are steady through this month. He also reviewed an update on the air show.

**Re: Board and Commission Vacancies**

President Whitacre requested to have Leslie Gantt scheduled for an interview as a candidate for or the BC Convention & Visitor’s Bureau and Matthew Howard as a candidate for the BC Museum board.

**Re: Bid Opening – LED Lighting Financing**

Alan Davis, County Administrator reviewed the RFP for the LED Lighting Financing. He stated that the RFP was placed on the county web site and published in the Journal with the Certification of Publication present in the read ahead and the bid file.

At 10:05 A.M. President Whitacre opened the sealed bids as follows:

<b>Bid #</b>	<b>Vendor</b>
Bid # 1	Summit Community Bank Moorefield, WV
Bid # 2	Jefferson Community Bank Shepherdstown, WV
Bid # 3	United Bank Martinsburg, WV
Bid # 4	CNB Berkeley Springs, WV
Bid # 5	Bank Funding, LLC Boys, MD
Bid # 6	First American Victor, NY
Bid # 7	Carty & Company Charleston, WV
Bid # 8	Cogent Bank Orlando, FL

**Re: Bid Opening – RFP SWAT Vests Sheriff’s Department**

Alan Davis, County Administrator reviewed the RFP for the SWAT Vests for the Sheriff’s Department. He stated that the RFP was advertised on the county web site and advertised in the Journal with the Certification of Publication present in the read ahead and the bid file. Mr. Davis stated that no bids were received.

**Re: Will Lorensen, Fiduciary Supervisor  
Estate Hearings – Estate of James Edwin Keel**

Will Lorensen, Fiduciary Supervisor appeared before the Council and reviewed the history of the Estate of James Edwin Keel.

Councilperson Barnhart made a motion to accept the copy of the will of James Edwin Keel in solemn form. Vice President Gochenour seconded the motion. The motion carried unanimously.

**Re: Chuck Young, Cox Hollida Young  
Presentation of FY2021-22 County Council Financial Statement**

Chuck Young with Cox Hollida Young appeared before the Council and presented the FY2021-22 County Council Financial Statement highlighting top priorities.

**Re: Gary Wine, Deputy County Administrator  
FY2023-24 Budget Presentation**

Gary Wine, Deputy County Administrator appeared before the Council and presented his budget for the IT Department and Central Garage for FY2023-24.

**Re: Board and Commission Interview  
Michael Bush – Candidate – BC Planning Commission**

Michael Bush appeared before the Council and was interviewed as a candidate for the Planning Commission.

**Re: Alan Davis, County Administrator  
State Budget Revision # 08 Fund 001  
MS4 Permit**

Alan Davis, County Administrator reviewed State Budget Revision # 08 for Fund 001.

Councilperson Barnhart made a motion to approve State Budget Revision # 08 for Fund 001. Councilperson Catlett seconded the motion. The motion carried unanimously.

Mr. Davis reviewed the history of the MS4 permit. Curtis Keller, Director, Berkeley County Public Service Sewer District appeared before the Council and spoke regarding the MS4 permit.

Councilperson Catlett made a motion that the Berkeley County Council become co-permittees on the MS4 permit with the Berkeley County Public Service Stormwater District and give direction to our legal counsel to work with the Stormwaters legal counsel. Councilperson Boyd seconded the motion. The motion carried unanimously.

**Re: Mike Laing, Chief Court Marshal  
Recognition of Deputy Court Marshal of the Year and the GEM Award**

Mike Laing, Chief Marshal appeared before the Council and stated that the Court Marshal of Year was nominated on by all of the Deputy Court Marshals and this year the Deputy Court Marshal of the Year was Milford Sliger. Judge Lorensen presented Court Marshal Sliger with a plaque.

Chief Laing and Deputy Court Marshal Terrance Cyhanick presented Deputy Court Marshal John Carbaugh with the GEM (Going the Extra Mile) Award.

**Re: Board of Review & Equalization Session # 6  
Larry Hess, Assessor**

The Honorable Larry Hess, Assessor appeared before the Council and stated that they had no appeals scheduled and no changes to the books.

**Re: Nancy Lutz, EDPC Chairperson, Eastern Panhandle Conservation District  
FY2023-24 Budget Presentation**

Nancy Lutz, EDPC Chairperson, Eastern Panhandle Conservation District appeared before the Council and presented their FY2023-24 budget requesting \$5,000. Ms. Lutz reviewed the Conservation program and the services they provide to the county and the residents. She also reviewed their significant accomplishments for FY2022.

**Re: Bill Kearns, Director, Berkeley-Morgan Health Department  
FY2023-24 Budget Presentation**

Bill Kearns, Director, Berkeley-Morgan Health Department appeared before the Council and presented their FY2023-24 budget requesting \$100,000. Mr. Kearns spoke about the services provided by the Health Department and the plans for FY2023-24.

**Re: Mike Laing, Chief Court Marshal  
FY2023-24 Budget Presentation**

Mike Laing, Chief Court Marshal appeared before the Council and presented his budget for FY2023-24 for Court Security and the Transportation Division.

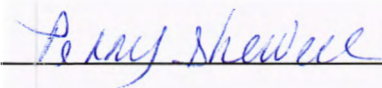
**Re: Shelly Schoppert, Circuit Clerk  
FY2023-24 Budget Presentation**

The Honorable Shelly Schoppert, Circuit Clerk appeared before the Council and presented her FY2023-24 budget.

**Re: Recess**

Councilperson Barnhart made a motion to Recess the February 16, 2023 Berkeley County Council meeting.

Submitted by: \_\_\_\_\_



**Penny Shewell, Office Administrator**