

Berkeley County Council Meeting

March 3, 2022

400 W. Stephen Street, Suite 205

9:30 A.M.

Martinsburg, WV 25401

Present:

Douglas E. Copenhaver, Jr., President

James P. Whitacre, Vice President

Dan Dulyea, Councilperson

James R. Barnhart, Councilperson

G. Edgar Gochenour Councilperson

Alan J. Davis, County Administrator

Penny Shewell, Office Administrator

Also Present: Anthony Delligatti, Legal Director; Doug Smith, County Engineer; Brian Ross, Community Development Director; Tim Czaja., Community Corrections Director; Cheri Horvath, Finance Director; Jennifer Swisher, 9-1-1 Director; Randy Lilly, Director, Emergency Management; Matthew Umstead, Director, Policies & Strategic Planning; April Hollern, Grants Coordinator; Tracey Guilliams, Grants Administrator; Elizabeth Lapchak, Grants Administrator

Re: Call to Order

President Copenhaver called the March 3, 2022 Berkeley County Council meeting to Order at 9:35 A.M.

Re: Items from the Public

Tim Czaja, Community Corrections Director appeared before the Council and stated that he had submitted a grant for \$350,000 to HIDTA for the new Cabalist Juvenile program and was notified that we were awarded \$493,750 for FY2023-24 which will provide for new staff. He also stated that HIDTA requested him to give a fifteen (15) minute presentation to the HIDTA group on March 28th on the success of Berkeley County's programs.

Re: Agenda

Vice President Whitacre made a motion to approve the Agenda for the March 3, 2022 Berkeley County Council meeting. Councilperson Dulyea 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

Alan Davis, County Administrator reviewed the (2) internal budget revisions received.

3. Changes in Status

President Copenhaver stated that a new hire recommendation was received from the Honorable Larry Hess, Assessor for Monica Snyder effective March 3, 2022 with an hourly rate of \$15.00 per hour.

President Copenhaver stated that a new hire recommendation was received from Brian Ross, Community Development Director for David Cumley as a Building Inspector I effective March 21, 2022 with an annual salary of \$42,000.

President Copenhaver stated that changes in status were received from Randy Lilly, Director, Emergency Management for Thomas Gorman to go from Fire Fighter I to Firefighter II with an annual salary change from \$46,032 to \$48,459; Jeremy Taylor Firefighter I to Firefighter II with an annual salary change from \$53,501 to \$55,897; Nicholas Pannell, Firefighter I to Firefighter II with an annual salary change from \$53,501 to \$55,897; Tim Seibel, Firefighter I to Firefighter II with an annual salary change from \$53,501 to \$55,897; Joseph Fato, Firefighter I to Firefighter II with an annual salary change from \$53,501 to \$55,897; Aaron Files Firefighter I to Firefighter II with an annual salary change from \$53,501 to \$55,897 all effective February 16, 2022 and Jared Waugh, Firefighter I to Firefighter II with an annual salary change from \$53,501 to \$55,897 effective February 22, 2022.

4. Approval of Minutes

There were no changes to the February 10, 2022 Berkeley County Council meeting minutes or the February 10, 2022 Berkeley County Council meeting Sitting as the Board of Review & Equalization meeting minutes.

Councilperson Barnhart made a motion to approve the minutes for the February 10, 2022 Berkeley County Council meeting and the February 10, 2022 Berkeley County Council meeting sitting as the Board of Review & Equalization. Councilperson Gochenour seconded the motion. Councilperson Dulyea abstained due to absence. The motion carried.

5. Council Calendar

President Copenhaver reviewed the Council calendar for the month of March.

6. Board and Commission Calendar

President Copenhaver reviewed the Board and Commission calendar for the month of March.

Councilperson Barnhart stated that the Region 9 board meeting would be held on March 9th at the Cacapon State Park.

7. Bond Reduction – South Brook Section 1, Grading, BCP File #2112-439 tied to BCP #2105-176 & 2105-0301, Bond #0798292 – Engineering Department

8. Fee Wavier Minor Plat Clint Rock, RLA, Spring Mills Community Park

Alan Davis, County Administrator reviewed the fee waiver request of \$501.50 for the community park.

Re: Consent Agenda Approval

Councilperson Gochenour made a motion to approve the Consent Agenda for the March 3, 2022 Berkeley County Council meeting. Vice President Whitacre 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 Barnhart reported that he attended the Berkeley-Morgan Health Department board meeting where they reported receiving applications for Nurses. They also reported that COVID cases were down by 90%. Councilperson Barnhart also reported that he attended the Telemon board meeting where they reported pulling in \$4.5 in grants for the Eastern Panhandle.

Councilperson Dulyea stated that he was unable to attend the Airport Authority meeting.

Vice President Whitacre reported that he attended the WV Corp meeting and stated that the mod rate is coming down, so should see a wash for liability. He also reported that he attended the EPTA board meeting, but arrived late. Vice President Whitacre reported that he attended the Airport Authority meeting where they spoke regarding a scholarship training program and talked about outdoor dining with an observation view. He reported that fuel sales were down, but still strong.

Councilperson Gochenour reported that he and Councilperson Dulyea went to Charleston to meet with our Legislators while they were in session. He also stated that they were presented with a Proclamation for Berkeley County’s 250 Anniversary from the House and the Senate.

President Copenhaver reported that he received a letter from Bill Stubblefield regarding a litter program with the boy scouts requesting if the Boy Scouts picked up the trash and bagged it, if the county would pick up the bags.

Re: Board and Commission Vacancies

The Council requested to have Lynn Leatherman scheduled for an interview as a candidate for the Eastern WV Regional Airport, James Kief for the BC Public Stormwater board and Charles Brian Smith for the Building Codes Appeals board.

Re: Bid Opening – RFP Yoga Classes

Alan Davis, County Administrator reviewed the RFP for the Yoga Classes stating that this was part of a grant. He stated that the RFP was placed on the county web site and advertised in the Journal with the Certification of Publication present in the bid file and the read ahead.

At 10:00 A.M. President Copenhaver opened the sealed bid as follows:

Bid #	Vendor	Bid Total
Bid # 1	Whitney Ingram Moving Mountains Yoga	\$300.00 per week \$15,600 Total

**Re: Chuck Young, CPA, Managing Partner, Cox Hollida Young, PLLC
Charli Heilman, CPA, Manager, Cox Hollida Young, PLLC
County Council Financial Statement FY2020-21**

Chuck Young, CPA, Managing Partner. Cox Hollida Young, PLLC and Charli Heilman, CPA, Manager, Cox Hollida Young, PLLC appeared before the Council to present the County Council financial statement for FY2020-21. Mr. Young reviewed the audit in detail.

Vice President Whitacre made a motion to adopt the Financial Statement for FY2020-21. Councilperson Dulyea seconded the motion. The motion carried unanimously.

**Re: Will Lorensen, Fiduciary Supervisor
Estate of Robert G. Burke**

Will Lorensen, Fiduciary Supervisor appeared before the Council and presented the history of the estate of Robert G. Burke requesting to probate the will in solemn form. Michal Whalton of the Eastern WV Community Foundation appeared before the Council and stated that it was Mr. Burke's wishes to leave money to the foundation.

Councilperson Barnhart made a motion to probate the will in solemn form for the Estate of Robert G. Burke. Vice President Whitacre seconded the motion. The motion carried unanimously.

**Re: Will Lorensen, Fiduciary Supervisor
Estate of Marykay Hadley**

Will Lorensen, Fiduciary Supervisor appeared before the Council and reviewed the estate of Marykay Hadley requesting to probate the will in solemn form.

Councilperson Gochenour made a motion to probate the will in solemn form. Councilperson Dulyea seconded the motion. The motion carried unanimously.

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

Will Lorensen, Fiduciary Supervisor appeared before the Council and presented forty seven (47) estate accounts for the month of March. Mr. Lorensen read the names of the estates.

Councilperson Barnhart made a motion to approve the forty seven (47) estate accounts for the month of March. Councilperson Dulyea seconded the motion. The motion carried unanimously.

**Re: Tracey Guilliams, Grants Administrator
Grants Update**

Tracey Guilliams, Grants Administrator appeared before the Council and presented a grants update. She reviewed the changes to the department and updated the Council on the grant submissions since February, 2021. Mrs. Guilliams reviewed the grant funds awarded and the grant funds received and also the number of hours spent on training.

**Re: Alan Davis, County Administrator
State Budget Revision # 9 Fund 001
MOU 167 Airlift Wing
Adopt the Budget**

Alan Davis, County Administrator reviewed State Budget Revision # 9 for Fund 001.

Vice President Whitacre made a motion to approve State Budget Revision # 9 for Fund 001. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Davis reviewed the MOU for the 167 Airlift Wing.

Councilperson Gochenour made a motion to approve the MOU with the 167 Airlift Wing and give the President the authority to sign. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Davis reviewed the final budget stating the Levy Rate will be rolled back from \$14.06 to \$13.81 which is the largest rollback in the history of Berkeley County and only the second time in the history that the levy has been rolled back. Mr. Davis commended the Council on a great year and their hard work on being able to roll the levy rate back for the tax payers of Berkeley County.

Re: Executive Session – County Council Personnel, Real Estate Acquisition, Legal Matters and Economic Development

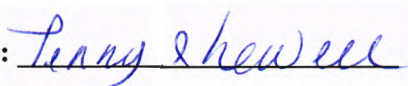
Councilperson Barnhart made a motion to go into executive session for County Council personnel, real estate acquisition, legal matters and economic development at 11:37 A.M. Councilperson Dulyea seconded the motion. The motion carried unanimously.

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

There were no motions made during or after executive session.

Re: Recess

Councilperson Barnhart made a motion to Recess the March 3, 2022 Berkeley County Council meeting.

Submitted by: 

Penny Shewell, Office Administrator