

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

March 9, 2023
9:30A.M.

Present:

James P. Whitacre, President

G. Edgar Gochenour, Vice President

James R. Barnhart, Councilperson

H. D. Boyd, Councilperson

R. Stephen Catlett, Councilperson

Gary Wine, Deputy County Administrator

Penny Shewell, Office Administrator

Also Present: Tracie McCormick, Procurement Coordinator; The Honorable Larry Hess, Assessor; Anthony Delligatti, Tracey Guilliams, Grants Administrator; Elizabeth Lapchak, Grants Administrator; The Honorable Shelly Schoppert, Circuit Clerk; The Honorable Sheriff Nathan Harmon; Marsha Kelley, Sheriff's Department; Brandy Sullivan, Sheriff's Department; Jeff Mauzy, Deputy Legal Director

Re: Call to Order

President Whitacre called the March 9, 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

Councilperson Catlett made a motion to approve the Consent Agenda for the March 9, 2023 Berkeley County Council meeting. Vice President Gochenour 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 new hire recommendations were received from Tim Czaja, Community Corrections Director for Jeff Shank as Home Confinement Officer effective March 22, 2023 with an annual salary of \$43,135; James White as a Peer Recovery Coach effective March 21, 2023 with an annual salary of \$43,135 and Constant Amoa as a Therapist II effective March 20, 2023 with an annual salary of \$70,104.

President Whitacre stated that a change in status was received from Mr. Czaja for Ryan Peterson to go from part time Driver to full time Driver effective March 13, 2023 with a salary change from \$17.82 per hour to \$39,812 annually.

President Whitacre stated that Mr. Czaja requested to remove Samantha Bianco from payroll effective March 1, 2023.

President Whitacre stated that Mr. Czaja requested to remove Robert Smith from payroll effective March 3, 2023.

President Whitacre stated that a change in status was received from Mike Laing, Chief Court Marshal for Thomas Knock for years of service effective March 15, 2023 with a salary change from \$47,779 to \$50,586.

President Whitacre stated that a letter of resignation was received Facilities from Todd Whitmore effective March 6, 2023.

4. Approval of Minutes

There were no changes to the February 21 or the February 23, 2023 Berkeley County Council meeting minutes.

5. Council Calendar

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

6. Board and Commission Calendar

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

Councilperson Boyd stated that the Home Consortium meeting would be held on March 15 at 9:30 A.M.

7. Cancelled Check Request – County Clerk’s Finance Office

8. Building Permit Fee Waiver – Lions Club

Vice President Gochenour stated that this was for a community bulletin board.

Re: Consent Agenda Approval

Vice President Gochenour made a motion to approve the Consent Agenda for the March 9, 2023 Berkeley County Council meeting. Councilperson Boyd seconded the motion. The motion carried unanimously.

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

The Honorable Larry Hess, Assessor appeared before the Council and presented one (1) personal tax exoneration for reason of tax payer error totaling \$140.58,

Councilperson Barnhart made a motion to approve the one (1) personal tax exoneration for reason of tax payer error totaling \$140.58 Vice President Gochenour seconded the motion. The motion failed with a vote of zero to five.

Mr. Hess presented eleven (11) personal tax exonerations for reason of office error totaling \$1,205.70.

Vice President Gochenour made a motion to approve the eleven (11) personal tax exonerations for reason of office error totaling \$1,205.70. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Councilperson Boyd reported that he attended the Roundhouse Authority meeting where they were getting ready for the Home Show. He reported that the Bridge and Machine Shop Phase II have been approved and will start April 1st with the elevator and steps to follow. Councilperson Boyd stated that he met with the Agriculture Director regarding \$43,000 of funding and the only caveat is that the funding must be spent on a Farmer’s Market. He also reported that they received bids on the HVAC.

Councilperson Barnhart reported that the Region 9 board meeting was rescheduled for March 22 as they did not have a quorum.

Councilperson Catlett stated that he attended the Public Service Sewer District board meeting where it was business as usual and was unable to attend the Public Service District Stormwater board meeting. Councilperson Catlett stated that he attended the Tomahawk Ruritan Club town hall meeting where they discussed ways to improve parks and property.

Vice President Gochenour reported that he attended the Planning Commission meeting where many citizens spoke in opposition of the Clover Hill development. He also stated that the CED sketch plan came through. Vice President Gochenour reported that he participated in the budget worksession and thanked Alan Davis, County Administrator and Gary Wine, Deputy County Administrator for their work on the budget. He also stated that he attended the Development Authority meeting where John Stump appeared and spoke regarding TIF districts.

President Whitacre reported that he had no meetings.

Re: Board and Commission Vacancies

Vice President Gochenour made a motion to reappoint Greg Janes to the Building Permits Advisory board for a full term. Councilperson Catlett seconded the motion. The motion carried unanimously.

Vice President Gochenour made a motion to reappoint Ian Gingold to the Eastern Panhandle Home Consortium board for a full term. Councilperson Catlett seconded the motion. The motion carried unanimously.

Re: Honorary County Councilperson-4

Vice President Gochenour introduced Juliet Owunna, a student at St. Joseph School. Miss Owunna stated that she would be going to Martinsburg High School and wanted to study to become an Anesthesiologist. Vice President Gochenour swore in Miss Owunna as Honorary County Councilperson and presented her with a certificate.

**Re: Councilperson Issues – Vice President Gochenour
Regional Fire Rescue and Law Enforcement Training Facility**

Vice President Gochenour stated that he and Councilperson Catlett attended a meeting to discuss a Regional Fire Rescue and Law Enforcement Training Facility which would be a cost of approximately \$3.8 million. He stated that James Rumsey needs to provide final approval for the facility to be built on their property and was asking for a consensus of the Council for our Grants Department to seek funding.

The consensus of the Council was given to Vice President Gochenour to work with the Grants Department on grant opportunities.

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

Gary Wine, Deputy County Administrator reviewed the RFP for the SWAT Vests for the Sheriff’s Department. He stated that the RFP was placed on the county’s web site and advertised in the Martinsburg Journal with the Certification present in the bid file and the read ahead.

President Whitacre opened the one (1) sealed bid received at 10:10 A.M. as follows:

Bid #	Vendor
Bid # 1	Tactical Distribution Virginia Beach, VA

**Re: Board and Commission Interview
Daniel Kelly, II – Candidate – Parks & Recreation Board or CVB**

Daniel Kelley, III appeared before the Council and was interviewed as a candidate for the Parks and Recreation board or the CVB.

**Re: Board and Commission Interview
Richard Campbell – Candidate – BC Museum Board**

Richard Campbell appeared before the Council and was interviewed as a candidate for the BC Museum board.

**Re: Stacy McFarland, Executive Director, American Red Cross
Proclamation American Red Cross Month**

Stacy McFarland, Executive Director, American Red Cross appeared before the Council and presented a Proclamation for American Red Cross Month. Ms. McFarland read the Proclamation

Councilperson Catlett made a motion to adopt the Proclamation for American Red Cross Month. Vice President Gochenour seconded the motion. The motion carried unanimously.

**Re: Board and Commission Interview
Leslie Gantt – Candidate – Convention & Visitor’s Bureau**

Leslie Gantt appeared before the Council and was interviewed as a candidate for the Convention & Visitor’s Bureau.

**Re: Board and Commission Interview
Clarence Martin – Candidate – BC Museum Board**

Clarence Martin appeared before the Council and was interviewed as a candidate for the BC Museum board.

**Re: Board and Commission Interview
Robert Mahaffey – Candidate – BC Museum Board**

Robert Mahaffey appeared before the Council and was interviewed as a candidate for the BC Museum board.

**Re: Gary Wine, Deputy County Administrator
Grant Application South Berkeley Park**

Gary Wine, Deputy County Administrator stated that the Grants Department would be proposing two (2) land and water grants for the South Berkeley Park for the Congressional Spending.

Re: Review of FY2023-24 Budgets with Elected Officials and Department Heads

President Whitacre reviewed each of the Elected Officials and Department Heads budget allocations with them for FY2023-24,

Councilperson Boyd left the meeting at 12:35 P.M.

Re: Executive Session – Pending Litigation and Legal Matters

Councilperson Barnhart made a motion to go into executive session for pending litigation and legal matters at 12:35 P.M. Vice President Gochenour seconded the motion. The motion carried unanimously.

President Whitacre declared the Council out of executive session at 1:25 P.M.

Councilperson Barnhart made a motion to approve the opioid settlement with Walgreens and authorize the President to sign. Councilperson Catlett seconded the motion. The motion carried unanimously.

Re: Recess

Councilperson Barnhart made a motion to Recess the March 9, 2023 Berkeley County Council meeting.

Submitted by: Penny Shewell

Penny Shewell, Office Administrator