

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

March 16, 2023
9:30 A.M.

Present:

James P. Whitacre, President

James R. Barnhart, Councilperson

H.D. Boyd, Councilperson

R. Stephen Catlett, Councilperson

Gary Wine, Deputy County Administrator

Penny Shewell, Office Administrator

Vice President Gochenour was not present for the meeting.

Also Present: Tracie McCormick, Procurement Coordinator; Anthony Delligatti, Legal Director; Doug Smith, County Engineer; Anthony Petrucci, County Clerk

Re: Call to Order

President Whitacre called the March 16, 2023 Berkeley County Council Meeting to Order at 9:35 A.M.

Re: Items from the Public

Delegate Larry Kump appeared before the Council and stated that the Legislature passed the bill for the reformation for the Berkeley County Council to become the Berkeley County Commission, but wasn't sure if the Governor had signed the bill yet.

Re: Agenda

Councilperson Catlett made a motion to approve the Agenda for the March 16, 2023 Berkeley County Council meeting. Councilperson Boyd 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

Gary Wine, Deputy County Administrator reviewed the one (1) internal budget revision received.

3. Changes in Status

President Whitacre stated that new hire recommendations were received from Tim Czaja, Community Corrections Director for Lisa Valentine as a part time Driver effective March 20, 2023 with a salary of \$17.82 per hour and Airaka Riner as a JOTIPP Case Manager effective April 17, 2023 with an annual salary of \$50,676.

President Whitacre stated that a change in status was received from the Honorable Larry Hess, Assessor for Curtis Trenary to go from Appraiser to Chief Deputy effective March 31, 2023 with an annual salary change from \$73,267 to \$77,267.

President Whitacre stated that a change in status was received from Jennifer Swisher, Emergency Communications Director for Sabrina Hess for years of service effective March 20, 2023 with an annual salary change from \$65,009 to \$66,921.

President Whitacre stated that a letter of resignation was received from the Engineering Department from Jim Golden effective March 31, 2023.

4. Approval of Minutes

Councilperson Barnhart stated that a correction need to be made on a motion that he made and seconded for the March 2, 2023 Berkeley County Council meeting minutes.

5. Council Calendar

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

Councilperson Barnhart stated that he would not be present for the March 23 or March 30 meetings. Mr. Davis stated that the Council had two public hearings scheduled for next week.

6. Board and Commission Calendar

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

- 7. Bond Release- ROCS Route 9 West, File 316-04 tied to 2301-0016 & 2301-017, Bond #1001046482 – Engineering Department**
- 8. Bond Reduction – Dillon Farm (Final Plat) File #027-19 tied to 2012-371; 2212-368 & #2212-370, Bond # CIC1980875 – Engineering Department**
- 9. Bond Reduction – South Brook Section 1, Phase 2 (Final Plat) File #2210-311 tied to #2110-387, Bond #0798316 – Engineering Department**
- 10. Bond Reduction – Nadenbousch Pines, Phase 2, Lots 26-45 & 61-67 (Final Plat), File #43—04 tied to 2009-243 & 2211-339, LOC #8056277 – Engineering Department**
- 11. Declaration of Surplus Property**

Re: Consent Agenda Approval

Councilperson Catlett made a motion to approve the Consent Agenda for the March 16, 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 Honorable Larry Hess, Assessor appeared before the Council and presented six (6) personal tax exonerations for reason of office error totaling \$1,070.53.

Councilperson Barnhart made a motion to approve the six (6) personal tax exonerations for reason of office error totaling \$1,070.53. Councilperson Catlett seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Councilperson Boyd reported that he attended the Home Consortium meeting. He reported that they have more money than they’ve ever had, but are having a hard time providing it to first time home buyers as there are no houses that fall in the fair market range. He also reported that he attended a meeting with the Roundhouse Foundation board where they discussed fundraisers and meeting with the City regarding a turn around.

Councilperson Barnhart reported that he attended the Public Service Water District board meeting where they held a discussion on tanks. He also reported that he and Councilperson Catlett attended the MPO meeting which was an informational meeting.

Councilperson Catlett reported that he attended the MPO meeting along with Councilperson Barnhart and reported that they presented an update on the roads and stoplights. He also reported that he met with Matt Mullenex before the meeting and talked with Chris Strovel about an appropriation request for the training facility at James Rumsey.

President Whitacre reported that he attended the Airport Authority meeting where they reviewed their 2018 Strategic Plan and how much of it was implemented. He also reported that they reviewed their budget reports. President Whitacre reported that he met with Magistrate Norris this morning and stated that the Magistrate very much appreciated the Court Marshals.

Re: Board and Commission Vacancies

Councilperson Barnhart made a motion to reappoint James Moffitt to the Civil Service Commission for a full term. Councilperson Boyd seconded the motion. The motion carried unanimously.

Re: Honorary County Councilperson

President Whitacre introduced Charles Bohrman a student from St. Joseph School. Mr. Bohrman stated that he might like to study engineering. President Whitacre swore in Mr. Bohrman as Honorary County Councilperson and presented him with a certificate.

**Re: Board and Commission Interview
John Sullivan – Candidate – Convention & Visitor’s Bureau**

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

**Re: Jeff Mauzy, Deputy Legal Director
Order for the purchase and installation of LED Lighting in buildings leased or owned by the County Council of Berkeley County located at 380 West South Street, 510 South Raleigh Street, 724 South Queen Street and 802 Emmett Rousch Drive, all in Martinsburg, WV, for use by the County Council of Berkeley County; authorizing the execution and delivery of a Lease Agreement between the Berkeley County Building Commission, as Lessor, and the County Council of Berkeley County, West Virginia, as Lessee, and a Bond Purchase Agreement among the County Council, said Building Commission and the Underwriter for The Lease Revenue Bonds to be issued by the Building Commission to finance said purchase and installation of LED Lighting; and authorizing other necessary actions in connection with the foregoing.**

Jeff Mauzy, Deputy Legal Director appeared before the Council and reviewed the Order for the LED Lighting. Mr. Mauzy read the Order by title only.

Councilperson Barnhart made a motion to adopt the Order for the LED Lightning and authorize the President to sign. Councilperson Catlett seconded the motion. The motion carried unanimously.

**Re: Tracey Guilliams, Grants Administrator
WV FY2023 COSSAP Grant**

Tracey Guilliams, Grants Administrator appeared before the Council and reviewed the WV FY2023 GOSSAP Grant requesting approval to submit the grant.

Councilperson Catlett made a motion to approve the submittal of the WV FY2023 COSSAP Grant. Councilperson Boyd seconded the motion. The motion carried unanimously.

**Re: Anthony Delligatti, Legal Director
Stormwater Ordinance**

Anthony Delligatti, Legal Director appeared before the Council and reviewed the Stormwater Ordinance. Curtis Keller, Executive Director, Berkeley County Public Service District appeared before the Council and spoke regarding the Stormwater Ordinance. After discussion the consensus of the Council was to schedule a public hearing for some time in April.

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

Alan Davis, County Administrator reviewed the Levy Document for FY2023-24.

Councilperson Catlett made a motion to adopt the FY2023-24 budget. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Items from the Public

Jim Kief appeared before the Council and stated that he felt the Stormwater board should have five (5) board members rather than three (3).

Re: Recess

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

Submitted by: Penny Shewell

Penny Shewell, Office Administrator