

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

**April 13, 2023**  
**9:30 A.M.**

**Present:**

**James P. Whitacre, President**

**G. Edgar Gochenour, Vice President**

**H. D. Boyd, Councilperson**

**Alan J. Davis, County Administrator**

**Penny Shewell, Office Administrator**

**Councilperson Barnhart and Councilperson Catlett were not present for the meeting.**

Also Present: Tracie McCormick, Procurement Coordinator; Anthony Delligatti, Legal Director; The Honorable Larry Hess, Assessor; The Honorable Sheriff Nathan Harmon; Jennifer Swisher, Emergency Communications Director; Tracey Guilliams, Grants Administrator; Elizabeth Lapchak, Grant Administrator

**Re: Call to Order**

President Whitacre called the April 13, 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 April 13, 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**

There were no internal budget received this week.

**3. Changes in Status**

President Whitacre stated that a new hire recommendation was received from the Honorable Sheriff Nathan Harmon for Dakota Little as a Deputy effective May 1, 2023 with an annual salary of \$52,466.

President Whitacre stated that changes in status were received from Jennifer Swisher, Emergency Communications Director for Rodina Miller and Heather Grandstaff to go from Call Takers to Telecommunicator I effective April 11, 2023 with salary changes from \$46,357 to \$50,341.

**4. Approval of Minutes**

There were no change to the March 30, 2023 Berkeley County Council meeting minutes.

**5. Council Calendar**

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

Alan Davis, County Administrator stated that the notification of the Petition for the rate increase had been received from the Public Service Water District which meant the Council would need to schedule a public hearing. The Council scheduled a Public Hearing for Thursday, May 11, 2023 at 11:00 A.M. and 6:00 P.M. Mr. Davis also reminded the Council of the Special Meeting on Tuesday at 9:00 A.M. to Lay the Levy and the Public Hearing to be held at 11:00 A.M. and 6:00 P.M. on Thursday, April 27 for the Stormwater Ordinance.

**6. Board and Commission Calendar**

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

- 7. Bond Release – Spring Mills, PUD, Phase 11, Section 1 (Plats 3, Lots 119-136) BCP File #016-14 tied to LAMA Case #2102-074 & #2301-001, Bond #100390856 – Engineering Department**
- 8. Bond Release – Stonecrest PUD, Phase 4, Lots 199-236 & Commercial Lot (Final Plat) BCP File #022-15 tied to #2208-231, Bond #100463454 – Engineering Department**
- 9. Bond Reduction – Stonecrest PUD, Phase 3, Lots 173-190 (Final Plat) BCP File #022-15 tied to #2208-235 & 2208-231, Bond #100463454 – Engineering Department**
- 10. Application to Operate a Mobile Food Vehicle on County Property**
- 11. Bond Release – Stonecrest PUD, Phase 3, Lots 126-137, 161-172, 191-198 & Open Space (Final Plat) BCP File #022-15 tied to #2208-242 & 2208-244, Bond #100474455 – Engineering Department**
- 12. Bond Release – Stonecrest PUD, Phase 3, Lots 138-160 (Final Plat) BCP File #022-15 tied to #2208-242 & 2208-244, Bond #100441776 – Engineering Department**
- 13. Bond Release – Stonecrest PUD, Phase 4, Lots 237-260 (Final Plat) BCP File #022-15 tied to 2208-235 & #2208-231, Bond #100531504 – Engineering Department**
- 14. Stop Payment Check Request – Count Clerk’s Finance Office**

**Re: Consent Agenda Approval**

Vice President Gochenour made a motion to approve the Consent Agenda for the April 13, 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 Honorable Larry Hess, Assessor appeared before the Council and presented seven (7) personal tax exonerations for reason of office error totaling \$818.74.

Vice President Gochenour made a motion to approve the seven (7) personal tax exonerations for reason of office error totaling \$818.74. Councilperson Boyd seconded the motion. The motion carried unanimously.

Mr. Hess presented one (1) real estate exoneration for reason of office error totaling \$1,692.06.

Councilperson Boyd made a motion to approve the one (1) real estate exoneration for reason of office error totaling \$1,692.06. Vice President Gochenour seconded the motion. The motion carried unanimously.

**Re: Board Meeting Reports**

Councilperson Boyd reported that he attended the Roundhouse Authority meeting on Tuesday and Wednesday. He stated that they were short on funding for the heating and HVAC system. He stated that they had received \$53,000 in grant funding from the Senators and Delegates, but fell short \$6,914 due to the bids being over 40 days old and wondered in the county could make up the difference. Mr. Davis stated that the funding could be taken from Coal Severance if the Council so chose to do so. The consensus of the Council was to provide the difference and requested that the Roundhouse send a letter to the Council requesting the funds. Councilperson Boyd also reported that they are working on a turn around. He also reported that he was in Charleston and met with the Governor on some issues in Berkeley County.

Vice President Gochenour reported that he attended the LEPC meeting where they are planning for the Table Top exercise for May 10 in Ranson, WV. He stated that the 9-1-1 Advisory board reported still being solid in staffing and working twelve (12) hour shifts. Vice President Gochenour reported that he was asked to participate in a Housing Summit for affordable housing. He also reported that he attended the Development Authority meeting and they are doing their due diligence and reported that the Foxcroft buildings are totally full.

President Whitacre reported that he was unable to attend the Airport Authority meeting, but had been in touch with Nic Diehl.

**Re: Board and Commission Vacancies**

There were no board and commission vacancies addressed.

**Re: Sheriff Nathan Harmon  
Declaration of Surplus Property from Animal Control**

The Honorable Sheriff Nathan Harmon appeared before the Council and requested to have Animal Control rifles declared as surplus since they are never used and provided three (3) quotes for the sale of the rifles and requested to be allowed to use the money from the sale of the rifles towards the purchase of Red Dot sights.

Vice President Gochenour made a motion to declare the rifles as surplus and award the bid for the sale of the rifles to Green Monstah Fire Arms, LLC in the amount of \$1,300. Councilperson Boyd seconded the motion. The motion carried unanimously.

The consensus of the Council was to allow the Sheriff to purchase Red Dot sights with the proceeds of the sale of the rifles.

Sheriff Harmon spoke regarding the Telecommunicators and thanked them for the work they do.

**Re: Jennifer Swisher, Emergency Communications Director  
Proclamation National Telecommunicator's Week**

Jennifer Swisher appeared before the Council to recognize National Telecommunicator's Week. Paula Wilson, Deputy Director read the Proclamation for National Telecommunicator's Week.

Vice President Gochenour made a motion to adopt the Proclamation for National Telecommunicator's Week. Councilperson Boyd seconded the motion. The motion carried unanimously.

Mrs. Swisher spoke about the staff of the Emergency Communications Center and how they have celebrated National Telecommunicator's Week.

Mrs. Swisher recognized Chasity Loveless as the Telecommunicator of the Year and presented her with an award.

Mrs. Swisher recognized Allison Litten as Supervisor of the Year and presented her with an award.

The Council all thanked Mrs. Swisher and the Telecommunicators for the work they do each and every day for the citizens of Berkeley County.

**Re: Tracey Guilliams, Grants Administrator  
FY23 Certified Community Behavioral Health Clinic Planning, Development and  
Implementation Grant**

Tracey Guilliams, Grants Administrator appeared before the Council reviewed the FY23 Certified Community Behavioral Health Clinic Planning, Development and Implementation Grant stating that this grant was a \$4 million dollar grant and reviewed what this grant would cover.

Vice President Gochenour made a motion to approve to apply for the FY23 Certified Community Behavioral Health Clinic Planning, Development and Implementation Grant. Councilperson Boyd seconded the motion. The motion carried unanimously.

**Re: Jennifer Swisher, Emergency Communications Director  
Enhanced 9-1-1 Bylaws**

Jennifer Swisher, Emergency Communications Director appeared before the Council and presented the Enhanced 9-1-1 Bylaws.

Councilperson Boyd made a motion to approve the Enhanced 9-1-1 Bylaws. Vice President Gochenour seconded the motion. The motion carried unanimously.

**Re: Summer Barrett, Vice President, Access Strategies  
Legislative Update**

Summer Barrett, Vice President, Access Strategies appeared before the Council and presented a legislative update reviewing the bills that passed and the ones that didn't. She reviewed legislative priorities she is continuing to work on.

**Re: Executive Session – Legal Matters**

Vice President Gochenour made a motion to go into executive session for legal matters at 11:49 A.M. Councilperson Boyd seconded the motion. The motion carried unanimously.

President Whitacre declared the Council out of executive session at 11:53 A.M.

There were no motions made during or after executive session.

**Re: Recess**

Councilperson Boyd made a motion to Recess the April 13, 2023 Berkeley County Council meeting.

Submitted by: *Penny Shewell*

**Penny Shewell, Office Administrator**