

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

May 4, 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; Elizabeth Lapchak, Grants Administrator; Matthew Umstead, Director, Policy & Strategic Planning; Mike Laing, Chief Court Marshal; Brian Ross, Community Development Director; Doug Smith, County Engineer; Laura Hoffmaster, Senior Planner

Re: Call to Order

President Whitacre called the May 4, 2023 Berkeley County Council Meeting to Order at 9:35 A.M.

Re: Items from the Public

James Kief appeared before the Council and stated that he felt the Stormwater Management board needed at least five board members.

Re: Agenda

Councilperson Catlett made a motion to approve the Agenda for the May 4, 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/Encumbrances

Alan Davis, County Administrator reviewed the eight (8) internal budget revisions received.

3. Changes in Status

President Whitacre stated that a new hire recommendation was received from the Honorable Larry Hess, Assessor for James Coleman as an Appraiser effective May 4, 2023 with an annual salary of \$37,500.

Vice President Whitacre stated that a change in status was received from Mike Laing, Chief Court Marshal for Jason Owens to receive an increase for years of service effective May 15, 2023 with an annual salary change from \$40,517 to \$41,678.

President Whitacre stated that changes in status's were received from Jennifer Swisher, Emergency Management Director for Cynthia Bell to receive an increase for becoming a Certified Training Officer effective December 20, 2022 with an annual salary change from \$54,443 to \$54,943 and Chasity Loveless to receive an increase for becoming a Certified Training Officer effective March 19, 2023 with an annual salary change from \$55,501 to \$56,001.

President Whitacre stated that a request was received from the Circuit Clerk to remove Brenda Cooperman from payroll effective April 26, 2023.

4. Approval of Minutes

There were no changes to the April 20, 2023 Berkeley County Council meeting minutes.

Councilperson Barnhart made a motion to approve the minutes for the April 20, 2023 Berkeley County Council meeting. Vice President Gochenour seconded the motion. Councilperson Boyd abstained due to absence. The motion carried.

5. Council Calendar

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

6. Board and Commission Calendar

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

Councilperson Barnhart stated that Telemon would be meeting on Thursday.

7. Application to Operate a Mobile Food Vehicle on County Property – Papa's Chicken and Ribs, LLC

Re: Consent Agenda Approval

Vice President Gochenour made a motion to approve the Consent Agenda for the May 4, 2023 Berkeley County Council meeting. Councilperson Catlett seconded the motion. The motion carried unanimously.

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

The Honorable Larry Hess, Assessor appeared before the Council and presented five (5) personal tax exoneration applications for reason of office error totaling \$1,215.79.

Vice President Gochenour made a motion to approve the five (5) personal tax exonerations for reason of office error totaling \$1,215.79. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Councilperson Boyd reported that he had no meetings this week.

Councilperson Barnhart reported that he had no meetings this week.

Councilperson Catlett reported that he attended the Senior Services board meeting and stated that they are looking for two (2) board members. He also reported that he attended the Public Service Sewer District and Public Service Stormwater District board meetings and they are hopeful that the Council will approve the Stormwater Ordinance today and will then need a new MOU in place.

Vice President Gochenour reported that he attended the Planning Commission meeting where First Energy appeared requesting to do a power station in Ridgeway.

President Whitacre stated that he was unable to attend the Airport Authority meeting.

Re: Board and Commission Vacancies

Councilperson Boyd made a motion to appoint Daniel Kelly to the Roundhouse Authority for a full term. Vice President Gochenour seconded the motion. The motion carried unanimously.

Councilperson Barnhart made a motion to reappoint Brad Close to the Airport Authority for a full term. Vice President Gochenour seconded the motion. The motion carried unanimously.

Vice President Gochenour made a motion to reappoint Paul Orsini to the Development Authority for a full term. Councilperson Boyd seconded the motion. The motion carried unanimously.

Re: Honorary County Councilperson

Vice President Gochenour introduced Sophia Gregory, a junior at Martinsburg High School. Miss Gregory stated that she was a member of the Social Studies National Honor Society on the Student Council and planned to go to college and study physiology or criminology and work for the government. Vice President Gochenour swore in Miss Gregory as Honorary County Councilperson and presented her with a certificate.

**Re: Matthew Umstead, Director, Policy & Strategic Planning
Proclamation Recognizing Founders Day/Martinsburg Heritage Fair & Festival**

Matthew Umstead appeared before the Council and read the Proclamation recognizing Founders Day/Martinsburg Heritage Fair & Festival.

Councilperson Catlett made a motion to adopt the Proclamation recognizing Founders Day/Martinsburg Heritage Fair & Festival. Vice President Gochenour seconded the motion. The motion carried unanimously.

Keith Hammersla with the Adam Stephen Home appeared before the Council and spoke about the fair to be held at the Roundhouse.

Barbara Frankenberry with the Daughters of the American Revolution appeared before the Council and stated that they would be participating in the fair at the Roundhouse with children's activities such as face painting.

**Re: Elizabeth Lapchak, Grants Administrator
Approval to Apply for WV FY24 Court Securities Grant Program
Resolution WV FY24 Court Securities Grant Program**

Elizabeth Lapchak, Grants Administrator appeared before the Council and reviewed the WV FY24 Court Securities Grant Program reviewing what the grant would cover. She stated that the grant project total was \$176,402.28 with a 0% match. Ms. Lapchak reviewed the date and attendees of the Court Security Grant meeting where they reviewed the security needs for the next fiscal year.

Councilperson Catlett made a motion to approve to apply for the WV FY24 Court Securities Grant. Councilperson Boyd seconded the motion. The motion carried unanimously.

Ms. Lapchak read the Resolution for the WV FY24 Court Securities Grant Program.

Vice President Gochenour made a motion to approve the Resolution for the WV FY24 Court Securities Grant Program. Councilperson Catlett seconded the motion. The motion carried unanimously.

**Re: Mike Laing, Chief Court Marshal
Update on Transportation Division**

Mike Laing, Chief Court Marshal appeared before the Council and presented an update on the Transportation Division. He reported since January, 2023 they have traveled over 16,000 miles, transporting twenty (20) court ordered transports, seventy three (73) Eastern Regional Jail (ERJ) transports, twenty (20) mental hygiene transports and six (6) juvenile transports. Chief Laing stated that the program is running as designed and the Court Marshals are working in the courts when not on transports. Vice President Gochenour stated that while this program saves a minimal amount of money, it keeps the Deputies on the roads as it designed to do.

**Re: Alan Davis, County Administrator
Stormwater Management Ordinance**

Alan Davis, County Administrator reviewed the history of the Stormwater Management Ordinance. Vice President Gochenour stated that with this Ordinance all parties are represented and have the ability to do their jobs effectively.

Councilperson Catlett made a motion to adopt the Stormwater Management Ordinance effective July 1, 2023. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Executive Session – Economic Development and Legal Issues

Councilperson Barnhart made a motion to go into executive session at 11:06 A.M. for economic development and legal issues. Vice President Gochenour seconded the motion. The motion carried unanimously.

President Whitacre declared the Council out of executive session at 11:21 A.M.

There were no motions made during or after executive session.

Re: Recess

Councilperson Barnhart made a motion to Recess the May 4, 2023 Berkeley County Council meeting.

Submitted by Penny Shewell

Penny Shewell, Office Administrator