

**Berkeley County Council Meeting**  
**400 W. Stephen Street, Suite 201**  
**Martinsburg, WV 25401**

**May 25, 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; Brian Ross, Community Development Director; Laura Hoffmaster, Senior Planner; Catie Delligatti, Prosecuting Attorney

**Re: Call to Order**

President Whitacre called the May 25, 2023 Berkeley County Council meeting to Order at 9:35 A.M.

**Re: Items from the Public**

Doug Copenhaver appeared before the Council and invited everyone to attend a showing of the movie “The First Step” at the Apollo Theatre on June 8<sup>th</sup> at 7:00 P.M. He stated that there would be a ticket charge to raise funding for recovery efforts. He stated that it is also available on Amazon.

**Re: Agenda**

Vice President Gochenour made a motion to approve the Agenda for the May 25, 2023 Berkeley County Council meeting. Councilperson Catlett 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 Revision/Encumbrances**

Alan Davis, County Administrator reviewed the five (5) internal budget revisions and eleven (11) encumbrances received.

### **3. Changes in Status**

President Whitacre stated that a new hire recommendation was received from Tim Czaja, Community Corrections Director for Richard McQueen as a Home Confinement Officer effective May 30, 2023 with an annual salary of \$43,135.

President Whitacre stated that a new hire recommendation was received from Gary Wine, Deputy County Administrator for Christopher Bragg as a Fleet Specialist effective June 5, 2023 with an annual salary of \$46,749.

President Whitacre stated that a new hire recommendation was received from the Honorable Larry Hess, Assessor for Ashley McDonald as a Personal Property Tax Clerk effective May 25, 2023 with an annual salary of \$31,500.

President Whitacre stated that a change in status was received from Jennifer Swisher, Emergency Communications Director for Allison Litten to receive a step increase for years of service effective June 1, 2023 with a salary increase from \$61,825 to \$63,061.

President Whitacre stated that a change in status was received from Sheriff Harmon for Stephen Tyler Dopson to be promoted from Deputy to Corporal effective March 17, 2023 with an annual salary increase from \$65,802 to \$69,045.

### **4. Approval of Minutes**

There were no changes to the May 11, 2023 Berkeley County Council meeting minutes.

### **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.

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

#### **Re: Consent Agenda Approval**

Councilperson Catlett made a motion to approve the Consent Agenda for the May 25, 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 Assessor had nothing to present this week.

**Re: Board Meeting Reports**

Councilperson Boyd reported that he attended the Historic Landmarks board meeting where they are working on the Museum board and the building on King Street to get the building listed as historic and also working with Morgan Cabin. He also reported that he attended the Home Consortium meeting and he put them in touch with a gentleman with land in Inwood that is interested in developing an affordable housing development. He stated that they have now created an Affordable Housing committee to which he has been appointed. Councilperson Boyd also reported that he attended the Main Street Martinsburg meeting where they are working on legislature for ABC requirement updates.

Councilperson Barnhart reported that he attended the Public Service Water District board meeting where they approved a membrane procurement for two (2) plants and reviewed the water meter installations.

Councilperson Catlett reported that he participated in a conference call along with Anthony Delligatti and Vice President Gochenour with Catholic Charities regarding refugees. He also reported that he attended the Senior Services board meeting where they are working on updating their bylaws. He also reported that he will be meeting with the DOH this afternoon. Councilperson Catlett reported that he attended a dinner for the Boys and Girls Club and attended a function for Mac Warner and would be attending a ceremony on Tavern Road naming a bridge for Shug Kisner.

Vice President Gochenour reported that he participated in a conference call for the Catholic Charities and stated that there were only 109 refugees in the state and only 25 were approved by the state to come to Berkeley County. He also reported that he attended a school board meeting with Councilperson Catlett and Gary Wine regarding the growth and would be attending the DOH meeting today and also attending the bridge naming for Shug Kisner.

President Whitacre reported that he had no meetings.

**Re: Board and Commission Vacancies**

There were no Board and Commission vacancies to be addressed.

**Re: Vivian Parson, WV CoRP  
WV CoRP Update**

Vivian Parsons with the WV CoRP appeared before the Council and presented an update on the CoRP and the program and services offered.

**Re: Brian Ross, Director Community Development  
Subdivision Regulations**

Brian Ross, Director Community Development appeared before the Council requesting to hold a Public Hearing for the Subdivision Regulations. Alan Davis, County Administrator stated that he would provide some dates for mid-July to the Council next week.

**Re: Elizabeth Lapchak, Grants Administrator  
FY2024 Victim of Crime Act (VOCA) Victim Assistance Grant of WV**

Elizabeth Lapchack, Grants Administrator appeared before the Council and reviewed the FY2024 Victim of Crime Act (VOCA) Victim Assistance Grant of WV. She stated that the grant amount was \$80,188.80 with a 0% match for the Prosecuting Attorney's Office. Catie Delligatti, Prosecuting Attorney appeared before the Council and spoke about how this grant will assist her office.

Councilperson Barnhart made a motion to apply for the grant. Councilperson Boyd seconded the motion. The motion carried unanimously.

**Re: Alan Davis, County Administrator  
State Budget Revision # 11 Fund 001  
Juneteenth 2023 Holiday**

Alan Davis, County Administrator reviewed State Budget Revision # 11 for Fund 001.

Vice President Gochenour made a motion to approve State Budget Revision # 11 for Fund 001. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Davis read the Governor's Proclamation declaring Monday, June 19<sup>th</sup> as Juneteenth holiday.

Vice President Gochenour made a motion to amend the holiday schedule and adopt the Governor's Proclamation for Juneteenth, Monday, June 19<sup>th</sup> as a holiday. Councilperson Boyd seconded the motion. The motion carried unanimously.

**Re: Executive Session – Pending Litigation**

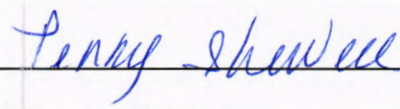
Vice President Gochenour made a motion to go into executive session at 11:20 A.M. for pending litigation. Councilperson Catlett seconded the motion. The motion carried unanimously.

President Whitacre declared the Council out of executive session at 11:50 A.M.

Vice President Gochenour made a motion to accept the Election and Release form for Mylan and Kroger. Councilperson Catlett seconded the motion. The motion carried unanimously.

**Re: Recess**

Councilperson Barnhart made a motion to Recess the May 25<sup>th</sup>, 2023 Berkeley County Council meeting.

Submitted by:   
Penny Shewell, Office Administrator