

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

May 26, 2022
9:30 A.M.

Present:

Douglas E. Copenhaver, Jr., President

James P. Whitacre, Vice President

Dan Dulyea, Councilperson

James R. Barnhart, Councilperson

G. Edgar Gochenour, Councilperson

Alan J. Davis, County Administrator

Penny Shewell, Office Administrator

Also Present: Tracie McCormick, Procurement Coordinator; Anthony Delligatti, Legal Director; The Honorable Larry Hess, Assessor; Tracey Guilliams, Grants Administrator; Cheri Horvath, Finance Director; The Honorable Sheriff Nathan Harmon

Re: Call to Order

President Copenhaver called the May 26, 2022 Berkeley County Council Meeting to Order at 9:35 A.M.

Re: Items from the Public

Stephanie Phillips appeared before the Council and spoke about a number of items.

Re: Agenda

Vice President Whitacre made a motion to approve the Agenda with the removal of the interview for Tracy Regalia per her request. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Re: Consent Agenda

1. Purchase Order Log

Alan Davis, County Administrator stated that there was one regular PO log this week in addition to a second PO Log for the poll workers which totaled \$1,319.00 which was considerably under budget.

2. Internal Budget Revisions

Alan Davis, County Administrator reviewed the twelve (12) internal budget revisions received.

3. Encumbrances

Mr. Davis reviewed the sixteen (16) encumbrances received.

Councilperson Dulyea made a motion to approve the encumbrances discussed. Councilperson Gochenour seconded the motion. The motion carried unanimously.

4. Changes in Status

President Copenhaver stated that a new hire recommendation was received from Michael Withrow, 4-H Agent for Bernadette Whalen as an Administrative Assistant effective May 30, 2022 with an annual salary of \$27,265.

President Copenhaver stated that new hire recommendations were received from Tim Czaja, Community Corrections Director for Jessica Lundlad as a Peer Recovery Coach effective June 1, 2022 with an annual salary of \$37,509 and Robert Winn as a QRT Peer Recovery Coach effective May 31, 2022 with an annual salary of \$37,509.

President Copenhaver stated that a change in status was received from Mr. Czaja for Patricia Nicole Prentice to go from a Peer Recovery Coach to a Therapist I effective June 1, 2022 with an annual salary change from \$37,509 to \$47,776.

President Copenhaver stated that a new hire recommendation was received from Mike Laing, Chief Court Marshal for Andrew Knoeller as a Building Custodian effective June 2, 2022 with an annual salary of \$27,265.

President Copenhaver stated that a change in status was received from Chief Laing for John Carbaugh for receiving his certification for Flash Bangs effective June 1, 2022 with an annual salary change from \$36,372 to \$36,872.

President Copenhaver stated that a new hire recommendation was received from the Honorable Elaine Mauck, County Clerk for Lindsay Zickefoose as a Deputy Clerk effective June 1, 2022 with an annual salary of \$31,000.

President Copenhaver stated that a letter of retirement was received from Facilities from William Polk effective June 1, 2022.

President Copenhaver stated that a letter of resignation was received from the Recovery Resource Center from Christal Miller effective May 31, 2022.

5. Approval of Minutes

There were no changes to the May 12, 2022 Berkeley County Council meeting minutes.

6. Council Calendar

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

7. Board and Commission Calendar

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

8. Bond Release – Brookside Section 1, BCP File #69-05, LOC #5390992-47 – Engineering Department

Councilperson Dulyea recused himself from the meeting at 10:30 A.M.

9. Bond Reduction – BTM Office Building, 5462 Williamsport Pike, BCP File #055-19 tied to BCP 2008-0057 & BCP 2112-451 LOC #6003298 – Engineering Department

Councilperson Barnhart made a motion to approve the bond reduction for BTM Office Building. Vice President Whitacre seconded the motion. The motion carried unanimously.

Councilperson Dulyea returned to the meeting at 10:40 A.M.

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

Re: Consent Agenda Approval

Councilperson Gochenour made a motion to approve the Consent Agenda for the May 26, 2022 Berkeley County Council meeting. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Re: Correction of Assessments, Apportionment of Assessment Logs, 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 \$603.94.

Councilperson Gochenour made a motion to approve the seven (7) personal tax exonerations for reason of office error totaling \$603.94. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Hess presented one (1) real estate exoneration for reason of office error totaling \$350.39.

Councilperson Dulyea made a motion to approve the one (1) real estate tax exoneration for reason of office error totaling \$350.39. Vice President Whitacre seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Councilperson Barnhart reported that he attended the Health Department board meeting held in Berkeley Springs and reported that department reports were presented and COVID is slightly up. He also reported that they adopted a new fee schedule, adopted the budget and re-adopted the chain of command.

Councilperson Dulyea reported that he attended the CVB meeting where a discussion was held on grants and decided not to get involved. He also reported that he attended the Senior Services board meeting where a discussion was held on creating new funding sources and bingo.

Vice President Whitacre reported that he had no meetings.

Councilperson Gochenour reported that he attended the Circuit Clerk’s banquet where Virginia Sine was honored. He also reported that he attended the Landmarks Commission meeting and they are

very appreciative of their new meeting location and a discussion was held on Boydville. Councilperson Gochenour reported that he attended the Parks & Recreation Facilities committee meeting and stated that complaints have been addressed and Lambert Park may not be open for Memorial Day. He also stated that they will be conducting a Master Plan meeting on June 28th and would like to have the Council present for support on Sportsman's Paradise. Councilperson Gochenour stated that he went to the Roundhouse with Matt Umstead and Randall Reid-Smith from the Governor's Office.

President Copenhaver stated that he didn't have any meetings, but did greet the Circuit Clerk's Conference.

Re: Board and Commission Vacancies

President Copenhaver stated that he would like to give his appointment as the liaison on the Development Authority to Councilperson Gochenour since they meet in the mornings.

Councilperson Barnhart made a motion to appoint Councilperson Gochenour to the Development Authority as the county liaison. Vice President Whitacre seconded the motion. The motion carried unanimously.

Councilperson Gochenour made a motion to appoint David Brining to the 9-1-1 Advisory Board. Vice President Whitacre seconded the motion. The motion carried unanimously.

Councilperson Dulyea requested to have Stephen Cohen scheduled for an interview as a candidate for the CVB.

Councilperson Gochenour made a motion to reappoint Mayor Kevin Knowles to the Berkeley County Development Authority for a full term. Councilperson Dulyea seconded the motion. The motion carried unanimously.

**Re: Doug Smith, County Engineer
Update on Department of Highways Procedures**

Doug Smith, County Engineer appeared before the Council and presented an update of the Department of Highways procedures. He stated that the conference he attended was more information from the MPO and mostly a planning informational meeting.

**Re: Gary Wine, Deputy County Administrator
Tracey Guilliams, Grants Administrator
Gig Ready Application Technical Assistance Process**

Gary Wine, Deputy County Administrator and Tracey Guilliams appeared before the Council and reviewed the Gig Ready Application for Technical Assistance Process. Mr. Wine stated that this grant is just for the technical design for Western Berkeley County. President Copenhaver stated that he wanted to go on record stating he does not own property in Back Creek Valley he only has a shop which has fiber and one (1) ten acre lot.

Councilperson Barnhart made a motion to approve to move forward with the Gig Ready Application for Technical Assistance Process. Vice President Whitacre seconded the motion. The motion carried unanimously.

**Re: Alan Davis, County Administrator
State Budget Revision #12 Fund 001
Capital and Land Development Projects**

Alan Davis, County Administrator reviewed State Budget Revision #12 for Fund 001.

Councilperson Dulyea made a motion to approve State Budget Revision #12 for Fund 001. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Mr. Davis reviewed the capital projects and a discussion followed by the Council. Mr. Davis stated that he would need to start the process to borrow \$10 million in bank qualified loans. The Council was in agreement to proceed.

Re: Executive Session Real Estate and Legal Acquisition

Councilperson Barnhart made a motion to go into executive session at 12:34 P.M. for real estate and legal acquisition. Councilperson Dulyea seconded the motion. The motion carried unanimously.

President Copenhaver declared the Council out of executive session at 1:30 P.M.

There were no motions made during or after executive session.

Re: Recess

Councilperson Barnhart made a motion to Recess the May 26, 2022 Berkeley County Council meeting.

Submitted by: Penny Shewell

Penny Shewell, Office Administrator+