

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

July 20, 2023
9:30 A.M.

Present:

James P. Whitacre, President
G. Edgar Gochenour, Vice President
James R. Barnhart, Commissioner
H. D. Boyd, Commissioner
R. Stephen Catlett, Commissioner
Gary A. Wine, County Administrator
Penny Shewell, Office Administrator

Also Present: Antony Delligatti, Legal Director; Tracie McCormick, Procurement Coordinator; Will Lorensen, Fiduciary Supervisor; Tracey Guilliams, Grants Administrator

Re: Call to Order

President Whitacre called the July 20, 2023 Berkeley County Commission Meeting to Order at 9:35 A.M.

Re: Items from the Public

Al Benjamin retired NY Firefighter appeared before the Commission and stated that he was here to do what he can and do is part for the county as a volunteer or paid.

Re: Agenda

Vice President Gochenour made a motion to approve the Agenda for the July 20, 2023 Berkeley County Commission meeting. Commissioner Catlett seconded the motion. The motion carried unanimously.

Re: Consent Agenda

1. Purchase Order Log

Gary Wine, County Administrator stated that the Commission will see subtle changes to the Purchase Order Log next week when it involves moving cash from one account to another. He stated that next week there would be two (2) purchase order logs, one (1) for true expenditures and one (1) for moving of funds.

2. Internal Budget Revisions

There were no internal budget revisions to be addressed.

3. Changes in Status

President Whitacre stated that a new hire recommendation was received from Brian Ross, Community Development Director for Brian Mann as a Planner I effective August 1, 2023 with an annual salary of \$60,000.

President Whitacre stated that a new hire recommendation was received from the Honorable Sheriff Nathan Harmon for Tammy Miller as a Tax Deputy effective July 24, 2023 with an annual salary of \$33,972.

President Whitacre stated that a change in status was received from Brian Ross, Community Development Director for Sarah Sandri to change from Administrative Assistant II to Administrative Assistant III effective July 1, 2023 with an annual salary change from \$39,336 to \$43,135.

President Whitacre stated that a letter of resignation was received from the Sheriff's Tax Office from Rebekah Boswell effective July 17, 2023.

President Whitacre stated that a recommendation to remove Dawn Gonzalez from payroll was received from Tim Czaja, Community Corrections Director effective July 14, 2023.

President Whitacre stated that a letter of resignation was received from the Day Report Center from Susan Owens effective May 24, 2023.

4. Approval of Minutes

There were no changes to the July 6, 2023 Berkeley County Commission meeting minutes.

5. Commission Calendar

President Whitacre reviewed the Commission calendar for the month of July.

6. Board and Commission Calendar

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

Re: Consent Agenda Approval

Commissioner Catlett made a motion to approve the Consent Agenda for the July 20, 2023 Berkeley County Commission meeting. Commissioner Boyd seconded the motion. The motion carried unanimously.

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

The Honorable Larry Hess, Assessor appeared before the Commission and presented sixteen (16) personal tax exonerations for reason of office error totaling \$1,832.54.

Commissioner Barnhart made a motion to approve the sixteen (16) personal tax exonerations for reason of office error totaling \$1,832.54. Commissioner Boyd seconded the motion. The motion carried unanimously.

Mr. Hess presented eight (8) real estate exonerations for reason of office error totaling \$5,311.05.

Commissioner Catlett made a motion to approve the eight (8) real estate exonerations for reason of office error totaling \$5,311.05. Commissioner Barnhart seconded the motion. The motion carried unanimously.

Mr. Hess presented one (1) application for Consolidation of Properties application.

Commissioner Boyd made a motion to approve the one (1) application for Consolidation of Properties application. Commissioner Catlett seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Commissioner Boyd reported that he attended the Main Street Martinsburg board meeting where they discussed the “Back to School Bash” to be held at the Roundhouse on August 31. He also stated that Main Street thanked the Commission for their financial support this year.

Commissioner Barnhart reported that he attended the Telemon board meeting where it was business as usual.

Commissioner Catlett reported that he had no meetings this week. He did state that he received a note from Moore Capito thanking him for attending the House Judiciary committee meeting and stated that he would be following up on his concerns.

Vice President Gochenour reported that he attended the Planning Commission meeting where seven (7) public hearings were conducted. He also reported that he appeared on the WRNR radio program and discussed the Ambulance Authority increase and the TIF Districts. Vice President Gochenour reported that he attended the Parks & Recreation board meeting where requests were received for pickle ball courts and reported that Lambert Park pool was still not open. He also reported that he attended the Day Report Center construction meeting and also met with staff regarding the subdivision regulations and reported that they would be opening up three (3) roundtable meetings. Anthony Delligatti, Legal Director stated that a public hearing would also need to be held.

President Whitacre reported that he was unable to attend the EPTA board meeting, but reported that they received a \$10 million grant for the terminal downtown.

Re: Board and Commission Vacancies

There were no board and commission vacancies addressed.

**Re: Gary Wine, County Administrator
Employee Policy IC-9 Review/Discussion**

Gary Wine, County Administrator stated that the legal team has reviewed Employee Policy IC-9, “Employees Running for or Holding Elective Office” and recommended changes and if an employee chose to run they do not need to resign, but they cannot campaign while on county time.

Vice President Gochenour made a motion to adopt the revision to Employee Policy IC-9 effective July 20, 2023. Commissioner Catlett seconded the motion. The motion carried unanimously.

**Re: Will Lorensen, Fiduciary Supervisor
Estate Hearing – Estate of Lois M. Wilkinson**

Will Lorensen, Fiduciary Supervisor appeared before the Commission and reviewed the history of the estate of Lois M. Wilkinson requesting the Commission to probate the copy of the will in solemn form.

Commissioner Barnhart made a motion to probate the copy of the will for the estate of Lois M. Wilkinson in solemn form. Commissioner Boyd seconded the motion. The motion carried unanimously.

**Re: Tracey Guilliams, Grants Administrator
Approval to Apply for BJA FY2023 JAG Grant Assignment Agreement for the National Policing Institute to Safe and Sound Schools for the DHS Targeted Violence Terrorism Prevention Grant**

Tracey Guilliams, Grants Administrator appeared before the Commission and requested to apply for the BJA FY2023 JAG Grant. She stated that the grant was a \$15,257 grant with a 0% match.

Commissioner Catlett made a motion to approve to apply for the BJA FY2023 JAG Grant. Vice President Gochenour seconded the motion. The motion carried unanimously.

Vice President Gochenour left the meeting at 10:15 A.M.

**Re: Amy Orndoff, Executive Director, Berkeley Senior Services
Updated Bylaws Berkeley Senior Services**

Amy Orndoff, Executive Director, Berkeley Senior Services appeared before the Commission and presented the updated bylaws for the Berkeley Senior Services.

Commissioner Catlett made a motion to approve the updated bylaws for the Berkeley Senior Services effective immediately. Commissioner Boyd seconded the motion. The motion carried unanimously.

**Re: Gary Wine, County Administrator
Unencumbered Fund Balance General County Fund 001**

Gary Wine, County Administrator reviewed State Budget Revision #01 for Fund 001 declaring the unencumbered fund balance.

Commissioner Catlett made a motion to approve State Budget Revision #01 for Fund 001 declaring the unencumbered fund balance. Commissioner Boyd seconded the motion. The motion carried unanimously.

Re: Executive Session – Real Estate and Economic Development

Commissioner Barnhart made a motion to go into executive session for real estate and economic development at 10:55 A.M. Commissioner Barnhart seconded the motion. The motion carried unanimously.

President Whitacre declared the Commission out of executive session at 12:05 P.M.

Re: Recess

Commissioner Barnhart made a motion to Recess the July 20, 2023 Berkeley County Council meeting.

Submitted by: Penny Shewell

Penny Shewell, Office Administrator