

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

July 21, 2022
9:30 A.M.

Present:

James P. Whitacre, President Pro Tem

Dan Dulyea, Councilperson

James R. Barnhart, Councilperson

Alan J. Davis, County Administrator

Penny Shewell, Office Administrator

President Copenhaver and Councilperson Gochenour were not present for the meeting.

Also Present: Tracie McCormick, Procurement Coordinator; Jeff Mauzy, Deputy Legal Director; Brian Ross, Director Community Development; Doug Smith, County Engineer; The Honorable Larry Hess, Assessor

Re: Call to Order

President Pro Tem Whitacre called the July 21, 2022 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

Councilperson Dulyea made a motion to approve the Agenda for the July 21, 2022 Berkeley County Council meeting. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Consent Agenda

1. Purchase Order Log

Alan Davis, County Administrator stated that the invoice on page 3 were payments to Crabtree for the Dunn Building totaling \$87,945 with a balance of \$326,975 which we will be reimbursing ourselves with ARPA funding. He also stated that the payment for the Solid Waste Authority in the amount of \$72,657 was the full allocation for FY2022-23 approved by the Council last week. Mr. Davis stated on page 7 the invoice for United Excavators in the amount of \$14,435 was for the property demolished at Sportsman's Paradise.

2. Internal Budget Revisions

There were no internal budget revisions to be addressed.

3. Changes in Status

President Copenhaver stated that a new hire recommendation was received from Tim Czaja, Community Corrections Director for James Gwinn as a Peer Recovery Coach in the Recovery Resource Center effective July 25, 2022 with an annual salary of \$37,509.

President Copenhaver stated that a change in status was received from Mr. Czaja for Sherri Ruffner and Emma Lardner for salary increases for receiving their Peer Recovery Support Specialist Certifications effective July 1, 2022 with salary changes from \$37,509 to \$38,009.

President Copenhaver stated that a change in status was received from Mr. Czaja for Robert Winn to transfer from the Recovery Resource Center to the Day Report Center as a Peer Recovery Coach with no changes in salary effective July 25, 2022.

President Copenhaver stated that a change in status was received from Randy Lilly, Director of Emergency Management for Brian DeHaven for a salary increase due to years of service from \$44,909 to \$46,381 effective August 2, 2022.

President Copenhaver stated that a letter of resignation was received from Emergency Communications from Tracy Moore effective July 14, 2022.

4. Approval of Minutes

There were no changes to the July 7, 2022 Berkeley County Council meeting minutes.

5. Council Calendar

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

6. Board and Commission Calendar

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

7. Stop Payment Check Request – County Clerk’s Finance Office

8. Bond Reduction – Red Hill, Phase 6, BCP File #033-05, Bond #CIC1-2095 – Engineering Department

9. Bond Release – Red Hill, Phase 5, Lots 226, 286-292, BCP File #033-05, Bond CIC912087 Engineering Department

10. Bond Release – Red Hill, Phase 4, Lots 18-27, 40-49 & 80-101, BCP File #033-05, Bond #CIC12089 – Engineering Department

11. Bond Release – Red Hill Section 1, Phase 3, BCP File #33-05, LOC #646008 – Engineering Department

12. Bond Release – Red Hill Section 1, Phase 1, BCP File #033-05, LOC #43149 – Engineering Department

13. Bond Release – Start Warranty Red Hill Phase 9, Lots 294-310, BCP File #2007-081 tied to BCP File # 033-05, Bond #CIC1912088 – Engineering Department

14. Bond Release Start Warrant Red Hill, Phases 7 & 8, Lots 13-17, 50-54 & 270-275, BCP File #2112-461 tied to BCP File #033-05, LOC #8001877 – Engineering Department

Re: Consent Agenda Approval

Councilperson Barnhart made a motion to approve the Consent Agenda for the July 21, 2022 Berkeley County Council meeting. Councilperson Dulyea 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 fourteen (14) personal tax exonerations for reason of office error totaling \$2,395.34.

Councilperson Dulyea made a motion to approve the fourteen (14) personal tax exonerations for reason of office error totaling \$2,395.34. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Hess presented two (2) real estate exonerations for reason of office error totaling \$3,345.90.

Councilperson Barnhart made a motion to approve the two (2) real estate exonerations for reason of office error totaling \$3,345.90. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Hess presented two (2) applications for Consolidation of Properties applications.

Councilperson Dulyea made a motion to approve the two (2) Consolidation of Properties applications. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Hess presented three (3) Apportionment of Assessment of Taxes per Final Divorce Order.

Councilperson Barnhart made a motion to approve the three (3) Apportionment of Assessment of Taxes per Final Divorce Order. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Councilperson Barnhart reported that he had no meetings this week.

Councilperson Dulyea reported that he attended the Airport Authority meeting and was elected as Chair for next year.

Vice President Whitacre reported that he attended the EPTA meeting where they continue to try to find matching grant funds. He stated that ridership for On-Demand was up. He also reported that two (2) employees were being recognized for their job performance at Stonewall Jackson Resort.

Re: Board and Commission Vacancies

Councilperson Dulyea requested to have Jason Barrett scheduled for an interview as a candidate for the Development Authority.

Councilperson Dulyea made a motion to reappoint Erin Gaertner to the Criminal Justice board for a full term. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Councilperson Barnhart made a motion to appoint Cora Kowalski to the Criminal Justice board for a full term to replace Linda Hash from the Prosecuting Attorney’s Office. Councilperson Dulyea seconded the motion. The motion carried unanimously.

**Re: Brian Ross, Director of Community Development
Building Code Adoption**

Brian Ross, Director of Community Development appeared before the Council and reviewed the history of the Building Code which was originally adopted in 1990 and reviewed the proposed amendments for public safety. Mr. Ross stated that the entire state adopted the new 2018 Building Code effective August 1, 2022.

Councilperson Dulyea made a motion to table the item until next week. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Alan Davis, County Administrator

**Unencumbered Fund Balance General County Fund 001
RESOLUTION STATING THE REASONABLE EXPECTATION OF THE COUNTY
COUNCIL OF BERKELEY COUNTY, WEST VIRGINIA TO BE REIMBURSED FOR
CAPITAL EXPENDITURES IN CONNECTION WITH THE CONSTRUCTION,
RENOVATION, IMPROVEMENT AND EQUIPPING OF PROPERTY LOCATED AT 110
W. KING STREET, 380 W. SOUTH STREET, 510 S. RALEIGH STREET & 315 W.
STEPHEN STREET IN MARTINSBURG, BERKELEY COUNTY, FOR USE BY THE
COUNTY COUNCIL OF BERKELEY COUNTY, WEST VIRGINIA AND/OR OTHERS
MADE PRIOR TO THE ISSUANCE OF TAX-EXEMPT REVENUE BONDS BY THE
BERKELEY COUNTY BUILDING COMMISSION AND TAKING OTHER ACTIONS IN
CONNECTION WITH SAID BONDS**

Alan Davis, County Administrator reviewed State Budget Revision # 01 for Fund 001 for the unencumbered fund balance for the General County fund.

Councilperson Barnhart made a motion to approve State Budget Revision # 01 for Fund 001 for the unencumbered fund balance for the General County fund. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Davis reviewed the Bond Reimbursement Resolution.

Councilperson Dulyea made a motion to adopt the Bond Reimbursement Resolution. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Recess

Councilperson Barnhart made a motion to Recess the July 21, 2022 Berkeley County Council meeting.

Submitted by: Penny Shewell

Penny Shewell, Office Administrator