

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

August 3, 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: Anthony Delligatti, Legal Director; Tracie McCormick, Procurement Coordinator; Will Lorensen, Fiduciary Supervisor; The Honorable Tony Petrucci, County Clerk; Marcia Noll, County Clerk's Office; Tom Guilliams, Voter's Registration Supervisor; Tracey Guilliams, Grants Administrator

Re: Call to Order

President Whitacre called the August 3, 2023 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

Commissioner Catlett made a motion to approve the Agenda for the August 3, 2023 Berkeley County Commission 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

There were no internal budget revisions to be addressed.

3. Changes in Status

President Whitacre stated that a letter of resignation was received from Facilities from Kevin Cook effective July 28, 2023.

4. Approval of Minutes

Commissioner Barnhart noted a correction to the motion regarding executive session stating that the minutes reflect that he made the motion and seconded the motion for the July 20, 2023 Berkeley County Commission meeting.

5. Commission Calendar

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

6. Board and Commission Calendar

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

7. Bond Reduction – North Mountain Substation Grading Permit, BCP File #214-126 tied to 2212-393, 2097-248 & 2108-0004, Bond #K40311075 – Engineering Department

8. Bond Reduction – Nestle Woods, Section 2B, BCP File #2105-200 tied to BCP #086-04, Bond #SNN4010170 – Engineering Department

Re: Consent Agenda Approval

Vice President Gochenour made a motion to approve the Consent Agenda for the August 3, 2023 Berkeley County Council meeting. Commissioner Catlett 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 Commission and presented two (2) personal tax exonerations for reason of taxpayer error totaling \$344.63.

Commissioner Barnhart made a motion to approve the two (2) personal tax exonerations for reason of taxpayer error totaling \$344.63. Commissioner Boyd seconded the motion. The motion failed with a vote of zero to five.

Mr. Hess presented twenty four (24) personal property tax exonerations for reason of office error totaling \$6,247.33.

Vice President Gochenour made a motion to approve the twenty four (24) personal tax exonerations for reason of office error totaling \$6,247.33. Commissioner Barnhart seconded the motion. The motion carried unanimously.

Mr. Hess presented eight (8) real estate exonerations for reason of office error totaling \$28,798.92.

Vice President Gochenour made a motion to approve the eight (8) real estate exonerations for reason of office error totaling \$28,798.92. Commissioner Boyd seconded the motion. The motion carried unanimously.

Mr. Hess presented three (3) applications for Consolidations of Properties applications.

Commissioner Boyd made a motion to approve the three (3) applications for Consolidation of Properties applications. Commissioner Barnhart seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Commissioner Boyd reported that he attended the CVB meeting where they reported thirty one (31) Air B&B's came onto the map and their earnings were up \$100,000 for the month. He also reported that they voted to allow Mark Jordan and his staff to travel to meet with the American Film Market to partnership with the State of WV to bring tax credits back to WV. Commissioner Boyd reported that he attended the CMC Groundbreaking ceremony and afterwards attended a meeting with the Governor at the Roundhouse and were awarded grants for the Roundhouse and the Museum.

Commissioner Barnhart reported that he missed the events of last week and had no meetings this week.

Commissioner Catlett reported that he attended the Public Service Sewer and Stormwater District board meetings and reported that the Stormwater District is almost ready to sign off on the Stormwater Ordinance and will then come before the Commission to sign. He also reported that he was on the radio and spoke regarding the swimming pools and would like to bring everyone together to discuss an aquatic pool and would like to represent the Commission in those discussions along with another Commissioner and would also like Gary Wine involved.

Vice President Gochenour reported that he had no meetings this week, but did attend the CMC ground breaking ceremony.

President Whitacre reported that he and Vice President Gochenour appeared on the Hoppy Kercheval radio show. He also reported that he attended the CMC groundbreaking ceremony and also attended the Governor's presentation at the Roundhouse. President Whitacre also reported that he called in to the WRNR radio program regarding the 2026-27 Airshow.

Re: Board and Commission Vacancies

Commissioner Catlett made a motion to reappoint Cora Kowalski, Mike Laing, Harold Slaughter, Jimeca Lyomere, Erin Gaertner, Kathryn Bradly and Patrick Patton to the Criminal Justice board for full terms. Commissioner Boyd seconded the motion. The motion carried unanimously.

President Whitacre requested to have Darren Pevrnik scheduled for an interview as a candidate for the Roundhouse Authority.

**Re: Will Lorensen, Fiduciary Supervisor
Estate Accounts – Month of August
Estate Accounts to be Scheduled**

Will Lorensen, Fiduciary Supervisor appeared before the Commission and presented thirty four (34) estate accounts for the month of August.

Commissioner Barnhart made a motion to approve the thirty four (34) estate accounts for the month of August. Commissioner Catlett seconded the motion. The motion carried unanimously.

Mr. Lorensen had no estate hearings to be scheduled.

**Re: Tom Guilliams, Voter's Registration Supervisor
Approval of Early Voting Locations**

Tom Guilliams, Voter's Registration Supervisor appeared before the Commission and presented the early voting locations for the 2024 election.

**Re: Tracey Guilliams, Grants Administrator
Acceptance of FEMA BRIC Grant Award on Behalf of the Berkeley County Public Service Stormwater District**

Tracey Guilliams, Grants Administrator appeared before the Commission and stated that the Public Service Stormwater Management District needed to apply for the FEMA BRIC grant in the amount of \$250,000 through the county and the Commission needed to accept and sign the grant on behalf of the Stormwater District.

Commissioner Catlett made a motion to accept the FEMA BRIC grant award on behalf of the Berkeley County Public Service Stormwater District. Vice President Gochenour seconded the motion. The motion carried unanimously.

**Re: Gary Wine, County Administrator
Teen Court Building Usage**

Gary Wine, County Administrator stated that he had been contacted by Lou Ann Kramer, who is running Teen Court in regards to using a court room in the Judicial Center one night per month to conduct Teen Court. Mr. Wine stated that the Judge is willing to allow them to use their chambers one night per month. The consensus of the Commission was to allow Teen Court to use a court room in the Judicial Center one night per month to conduct Teen Court.

Re: Items from the Public

Sheriff Nathan Harmon appeared before the Commission and stated that the Sheriff's Department hosted a Tristate Emergency Event with multijurisdictional response attendees, educators, Law Enforcement Agencies, Emergency Management and 9-1-1 Dispatchers and the event was very well attended and informational.

Re: Executive Session – County Commission Personnel, Real Estate, Legal Matters and Economic Development

Commissioner Barnhart made a motion to go into Executive Session for County Commission Personnel, Real Estate, Legal Matters and Economic Development at 10:30 A.M. Commissioner Boyd seconded the motion. The motion carried unanimously.

President Whitacre declared the Commission out of Executive Session at 11:15 A.M.

No motions were made during or after Executive Session.

Re: Recess

Commissioner Barnhart made a motion to Recess the August 3, 2023 Berkeley County Commission meeting.

Submitted by: *Penny Shewell*

Penny Shewell, Office Administrator