

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

August 4, 2022
9:30 A.M.

Present:

James P. Whitacre, President Pro Tem

Dan Dulyea, Councilperson

James R. Barnhart, Councilperson

G. Edgar Gochenour, Councilperson

Alan J. Davis, County Administrator

Penny Shewell, Office Administrator

President Copenhaver was not present for the meeting.

Also Present: The Honorable Larry Hess, Assessor; Anthony Delligatti, Legal Director; Will Lorensen, Fiduciary Supervisor; Tracey Guilliams, Grants Administrator

Re: Call to Order

President Pro Tem Whitacre called the August 4, 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

1. Purchase Order Log

2. Internal Budget Revisions

There were no internal budget revisions to be addressed.

3. Changes in Status

There were no changes in status to be addressed.

4. Approval of Minutes

There were no changes to the July 21, 2022 Berkeley County Council meeting minutes.

Councilperson Barnhart made a motion to approve the July 21, 2022 Berkeley County Council meeting minutes. Councilperson Dulyea seconded the motion. The motion carried unanimously. President Copenhaver and Councilperson Gochenour abstained due to absence.

5. Council Calendar

President Pro Tem Whitacre reviewed the Council calendar for the month of August.

6. Board and Commission Calendar

President Pro Tem Whitacre reviewed the Board and Commission calendar for the month of October.

7. Bond Release – Middle Creek Manor, Phase 1, BCP File #67-03 tied to BCP #2110-369, LOC #1197 – Engineering Department

8. Bond Reduction – South Brook, Section 1, Phase 1, BCP File #2202-163 tied to File #2107-246 & 2015-176, Bond #0798308 – Engineering Department

Re: Consent Agenda Approval

Councilperson Gochenour made a motion to approve the Consent Agenda for the August 4, 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 three (3) personal tax exonerations for reason of tax payer error totaling \$1,223.16.

Councilperson Barnhart made a motion to approve the three (3) personal tax exonerations for reason of tax payer error totaling \$1,223.16. Councilperson Dulyea seconded the motion. The motion failed with a vote of zero to five.

Mr. Hess presented eight (8) personal property tax exonerations for reason of office error totaling \$696.38.

Councilperson Gochenour made a motion to approve the eight (8) personal tax exonerations for reason of office error totaling \$696.38. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Hess presented twenty one (21) real estate exonerations for reason of office error totaling \$33,513.70.

Councilperson Gochenour made a motion to table the exonerations for further review. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Hess presented three (3) applications for consolidation of properties applications.

Councilperson Dulyea made a motion to approve the three (3) applications for consolidation of properties applications. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Hess presented one (1) application for deconsolidation of properties application.

Councilperson Dulyea made a motion to approve the one (1) deconsolidation of properties application. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Hess presented three (3) apportionment of assessments per final divorce order.

Councilperson Gochenour made a motion to approve the three (3) apportionments 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, but did participate in the Council booth at the Youth Fair.

Councilperson Dulyea reported that he had no meetings this week, but did go the Senior Services Center and look at the new flooring that was installed.

Vice President Whitacre reported that he had no meetings this week.

Councilperson Gochenour reported that he attended the CCAWV conference held by the State Auditor's Office and they provided guidance on the ARPA funding. He also reported that Matt Harvey gave a presentation on regional jail bills and how to keep them down in addition to a Senator speaking on Amendment 2. He also reported that he participated in the Council Youth Fair booth along with Councilperson Barnhart and thanked the Youth Fair board and the parents and children that were involved. Councilperson Gochenour reported that he attended the Development Authority meeting where they discussed the new Executive Director.

Re: Board and Commission Vacancies

Councilperson Gochenour made a motion to reappoint Nic Diehl to the EPTA for a full term. Councilperson Dulyea seconded the motion. The motion carried unanimously.

**Re: Bid Opening –RFP Dunn Building Addition & Renovations
400 W. Stephen Street**

Alan Davis, County Administrator reviewed the RFP for the Dunn Building Addition & Renovations stating that the RFP had been placed on the county web site, advertised in the Martinsburg Journal with the certification of publication present in the bid file and the read ahead.

At 10:00 A.M. President Pro Tem Whitacre opened the one (1) sealed bid received as follows:

Bid #	Vendor	Bid Total
Bid # 1	Cooper Building System, LLC	\$9,760,000

Re: Bid Opening – RFP Conflict Resolution Training

Alan Davis, County Administrator reviewed the RFP stating that the RFP had been placed on the county web site and advertised in the Martinsburg Journal with the certification of publication present in the bid file and the read ahead.

At 10:05 President Pro Tem Whitacre opened the one sealed bid received as follows:

Bid #	Vendor	Bid Total
Bid # 2	Institute of Leadership Development	\$26,220

**Re: Dirk Stansbury
Request for Permit Fee Waiver**

Dirk Stansbury appeared before the Council and requested a permit fee waiver for the Martinsburg Composite Squadron in the amount of \$433.24.

Councilperson Barnhart made a motion to grant the permit fee waiver in the amount of \$433.24 for the Martinsburg Composite Squadron. Councilperson Dulyea seconded the motion. The motion carried unanimously.

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

Will Lorensen, Fiduciary Supervisor appeared before the Council and presented fifty two (52) estate accounts with two (2) interim accounts.

Councilperson Gochenour made a motion to approve the fifty two (52) estate accounts and the two (2) interim accounts. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Lorensen had one estate hearing for the Estate of Lawrence Edward Williams to schedule which the Council scheduled for September 1, 2022 at 11:00 A.M.

**Re: Brian Costello, Executive Director, Berkeley County Emergency Ambulance Authority
Joy Shrek, Operations Manager
Update on Commercial Ambulance Fees**

Brian Costello, Executive Director, Berkeley County Emergency Ambulance Authority along with Joy Shrek, Operations Manager appeared before the Council and spoke regarding the due diligence they had done to try to come to up with a fair formula for commercial rates and spoke regarding the obstacles they had encountered. Mr. Costello stated that they continue to research to try to come up with fair rates. The Council will discuss a public meeting to discuss further.

**Re: Jennifer Smith, Associate Executive Director, Development Authority
2023 Project Red Rock Industrial Access Road Funding**

Jennifer Smith, Associate Executive Director, Development Authority appeared before the Council to request a Resolution for 2023 Project Red Rock Industrial Access Road funding.

The Council advised they would add the Resolution to next week's Consent Agenda.

**Re: Leroy Manspile
Environmental Health Department Training for Inspectors**

Leroy Manspile appeared before the Council and spoke regarding numerous issues and concerns with the Health Department and the need for environment training for inspectors.

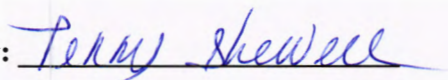
**Re: Alan Davis, County Administrator
Tracey Guilliams, Grants Administrator
American Rescue Act Fund Distribution Recommendation**

Alan Davis, County Administrator and Tracey Guilliams, Grants Administrator presented the American Rescue Act Funding distribution.

Councilperson Dulyea made a motion to approve the recommended distribution list for the American Rescue Act funds. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Recess

Councilperson Barnhart made a motion to Recess the August 4, 2022 Berkeley County Council meeting.

Submitted by: 

Penny Shewell, Office Administrator