

**Berkeley County Commission Meeting**  
**400 W. Stephen Street, Suite 201**  
**Martinsburg, WV 25401**

**August 10, 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; The Honorable Anthony Petrucci, County Clerk; Marcia Noll, Chief Deputy, Jennifer Miller, County Clerk's Office; Jennifer Swisher, Emergency Communications Director; Paula Wilson, Deputy Communications Director

**Re: Call to Order**

President Whitacre called the August 10, 2023 Berkeley County Council Meeting to Order at 9:35 A.M.

**Re: Items from the Public**

Al Benjamin appeared before the Commission and spoke about Berkeley County Policy PR-7 regarding the hiring of family members for the Fire Departments stating he didn't feel the Fire Departments should be held to this policy.

Cory Rodriguez appeared before the Commission and spoke about impact fees and infrastructure and the overcrowding of schools and suggested that the Commission put a hold on all new residential growth in Berkeley County.

**Re: Agenda**

Vice President Gochenour made a motion to approve the Agenda for the August 10, 2023 Berkeley County Commission meeting. Commissioner Catlett 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 new hire recommendation was received from the Honorable Larry Hess, Assessor for Thomas Everhart as an Out of State Tag Monitor effective August 15, 2023.

President Whitacre stated that a change in status was received from the Honorable Sheriff Nathan Harmon for Thomas Young to receive a step increase effective Jun 14, 2023 with a salary change from \$110,929 to \$113,144.

President Whitacre stated that changes in status were received from the Honorable Catie Delligatti, Prosecuting Attorney for taking on additional responsibilities for Casey Putney effective July 1, 2023 with an annual salary change from \$76,475 to \$83,000 and Megan Yates with an annual salary change from \$83,297 to \$89,700.

President Whitacre stated that a letter of retirement was received from Court Security from Rebecca Wentisky effective August 31, 2023.

President Whitacre stated that a request was received from the Prosecuting Attorney's Office to remove Jerrick Allen from payroll effective August 11, 2023 at their summer internship had ended.

## **4. Approval of Minutes**

There were no changes to the July 27, 2023 Berkeley County Commission meeting minutes.

Commissioner Boyd made a motion to approve the minutes for the July 27, 2023 Berkeley County Commission meeting. Vice President Gochenour seconded the motion. Commissioner Barnhart and Commissioner Catlett abstained due to absence. The motion carried.

## **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.

Commissioner Barnhart stated that the Public Service Water District board meeting was held on August 8<sup>th</sup> and could be removed from the calendar for August 14.

## **7. Cancelled Check Request – County Clerk's Finance Office**

**Re: Consent Agenda Approval**

Vice President Gochenour made a motion to approve the Consent Agenda for the August 10, 2023 Berkeley County Council meeting. Commissioner Catlett seconded the motion. The motion carried unanimously.

Vice President Gochenour amended his motion to approve the Consent Agenda to include the Cancelled Check Request. Commissioner Catlett seconded the motion. The motion carried unanimously.

**Re: Correction of Assessment Logs, Apportionment of Assessment Logs, Deconsolidation and Consolidation of Properties Applications – Assessor’s Office**

The Honorable Larry Hess, Assessor appeared before the Commission and presented five (5) personal tax exonerations for reason of tax payer error totaling \$2,299.83.

Commissioner Barnhart made a motion to approve the five (5) personal tax exonerations for reason of tax payer error totaling \$2,299.83. Commissioner Catlett seconded the motion. The motion failed with a vote of five to zero.

Cecelia Powers appeared before the Commission and explained why her personal property taxes were presented by the Assessor as a tax payer error in the amount of \$401.46 requesting the Commission to exonerate her personal property taxes.

Vice President Gochenour made a motion to approve the exoneration of personal property taxes for Cecelia Powers in the amount of \$401.46. Commissioner Catlett seconded the motion. The motion failed with a vote of zero to five.

Mr. Hess presented twenty (20) personal tax exonerations for reason of office error totaling \$4,791.73.

Commissioner Barnhart made a motion to approve the twenty (20) personal tax exonerations for reason of office error totaling \$4,791.73. Commissioner Catlett seconded the motion. The motion carried unanimously.

Mr. Hess presented fourteen (14) real estate exonerations for reason of office error totaling \$6,587.20.

Commissioner Catlett made a motion to approve the fourteen (14) real estate exonerations for reason of office error totaling \$6,587.20. Commissioner Boyd seconded the motion. The motion carried unanimously.

Mr. Hess presented one (1) apportionment of assessment of taxes pre final divorce order.

Commissioner Barnhart made a motion to approve the one (1) apportionment of assessment of taxes per final divorce order. Vice President Gochenour seconded the motion. The motion carried unanimously.

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

Vice President Gochenour made a motion to approve the one (1) application for consolidation of properties. Commissioner Catlett seconded the motion. The motion carried unanimously.

**Re: Board Meeting Reports**

Commissioner Boyd reported that he attended the Roundhouse Authority meeting and reported that the Farmers Market is growing.

Commissioner Barnhart reported that he attended the Public Service Water District board meeting where they approved several design plans and reviewed the end of the year budget.

Commissioner Catlett reported that he had no board meetings this week, however he did attend the Town Hall meeting held by Patrick Morrissey.

Vice President Gochenour congratulated the children, parents and grandparents for all their hard work all year preparing for the Berkeley County Youth Fair and also the leadership of the board. Councilperson Gochenour reported that he met with the Engineering and Planning staff for a roundtable discussion with two more workshops scheduled. He also reported that the Planning Commission meeting was cancelled on Monday evening due to the weather. Vice President Gochenour reported that he manned the Commission Office's Youth Fair booth along with Brian Ross. He also reported that he attended the Development Authority meeting where they discussed the possibility of purchases in addition to attending the DRC construction meeting.

President Whitacre reported that he had no meetings this week.

**Re: Board and Commission Vacancies**

There were no Board and Commission vacancies addressed.

**Re: Board and Commission Interview**

**Darren Pevrnik – Candidate – Roundhouse Authority**

Darren Pevrnik appeared before the Commission and was interviewed as a candidate for the Roundhouse Authority.

**Re: Tony Petrucci, County Clerk**

**Recognition of Employee for Years of Service**

The Honorable Tony Petrucci, County Clerk appeared before the Commission and recognized Jennifer Miller for twenty (20) years of service to the county at the County Clerk's Office. Clerk Petrucci read a Certification of Recognition received from the Governor. President Whitacre presented Ms. Miller with a certificate in recognition of her years of service from the Commission.

**Re: Gary Wine, County Administrator**

**9-1-1 Fee Discussion**

**Scheduling of Legislative Summit**

Gary Wine, County Administrator stated that the 9-1-1 fee structure had not been visited since 2018 and questioned if the Commission would like to have a study or analysis done? He stated that landlines were down 90% and a previous discussion had been held regarding other options such as moving from phone land lines to power meters.

Mr. Wine stated that Mrs. Shewell had reached out to Summer Barrett and she had advised the best date for the Commission to hold the Legislative Summit would be Thursday, December 7, 2023 if

that was agreeable with the Commission to be held at the Holiday Inn. The consensus of the Commission was to schedule the Legislative Summit on Thursday, December 7, 2023.

**Re: Executive Session County Commission Personnel**

Commissioner Barnhart made a motion to go into executive session for County Commission personnel and litigation at 11:04 A.M. Commissioner Catlett seconded the motion. The motion carried unanimously.

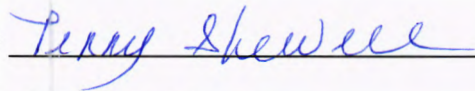
President Whitacre declared the Commission out of executive session at 11:43 A.M.

There were no motions made during or after executive session.

**Re: Recess**

Commissioner Barnhart made a motion to Recess the August 10, 2023 Berkeley County Commission meeting.

Submitted by:

  
\_\_\_\_\_

**Penny Shewell, Office Administrator**