

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

August 11, 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 meeting, but attended part of the meeting via ZOOM.

Also Present: Anthony Delligatti, Legal Director; The Honorable Larry Hess, Assessor; Tracey Guilliams, Grants Administrator; Doug Smith, County Engineer

Re: Call to Order

President Pro Tem Whitacre called the August 11, 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 with one (1) modification to remove the 10:45 item for the Health Department as President Copenhaver had met with them and would like it removed at this time. 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 1 for the City of Martinsburg in the amount of \$17,500 was for the Rt. 9 trail extension and the county's portion due to CEC. He also stated the invoice on page 4 for All Traffic Solutions in the amount of \$36,000 was two (2) traffic signs which was reimbursed with grant funds received from the State Delegates grants. Mr. Davis stated that the invoice on page 2 for Twisted Trunk was for the removal of a tree in the water at Morgan Cabin Park which was part of the agreement with the state.

2. Internal Budget Revisions

There were no internal budget revisions to be addressed.

3. Changes in Status

President Pro Tem Whitacre stated that a new hire recommendation was received from Tim Czaja, Community Corrections Director for Kyle Carlin as a Home Confinement Officer effective August 22, 2022 with an annual salary of \$37,509.

President Pro Tem Whitacre stated that a letter of resignation was received from Emergency Services from Nicholas Pannell effective September 3, 2022.

4. Approval of Minutes

There were no changes to the July 28, 2022 Berkeley County Council meeting minutes.

5. Council Calendar

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

Mr. Davis stated that Councilperson Dulyea would not be here next week. The Council requested to have a public hearing for the Ambulance Authority proposed commercial fees on September 1 in the morning and in the evening at 6:00 P.M.

6. Board and Commission Calendar

President Pro Tem Whitacre reviewed the Board and Commission calendar for the month of August. Councilperson Barnhart stated that the Health Department would be meeting in Berkeley Springs.

7. Bond Release – Bridle Creek, Phase 1, BCP File

#2108-310 tied to BCP File #076-04, Bond #892 - Engineering Department

8. Bond Release – Bridle Creek, Phase 4, Section 3, Lots 242-245, 261-264, 266-268 & 284 & 284, Bond #1001046866 - Engineering Department

9. Bond Release – Bridle Creek, Phase 4, Section 5, Lots 211-214, 222-229, 256-260 & 269-272, BCP File #027-08, Bond Number 100390853 – Engineering Department

10. Bond Release – Bridle Creek, Phase 4, Section 4, Lots 230-241 & 246-255, BCP File #2108-311 tied to BCP File #027-08, Bond #100378326 – Engineering Department

11. Bond Release – Bridle Creek, Phase 4, Section 2, Lots 208-210 & 273-275, BCP File #2108-311 tied to BCP File #027-08, Bond #100103512 – Engineering Department

12. Bond Release – Bridle Creek, Phase 4, Section 1, Lots 204-207 & 276-282, BCP File #2108-311 Tied to BCP #027-08, Bond #1000997824 – Engineering Department

13. Resolution IRA Grant Development Authority

Re: Consent Agenda Approval

Councilperson Barnhart made a motion to approve the Consent Agenda for the August 11, 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 fifteen (15) personal tax exonerations for reason of office error totaling \$6,252.84.

Councilperson Barnhart made a motion to approve the fifteen (15) personal tax exonerations for reason of office error totaling \$6,252.84. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Hess presented four (4) real estate exonerations for reason of office error totaling \$7,179.53.

Councilperson Dulyea made a motion to approve the four (4) real estate exonerations for reason of office error totaling \$7,179.53. Councilperson Barnhart 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 Dulyea made a motion to approve the twenty one (21) real estate exonerations for reason of office error totaling \$33,513.70. Councilperson Barnhart seconded the motion. The motion carried unanimously.

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

Councilperson Barnhart made a motion to approve the one (1) apportionment of taxes per final divorce order. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Councilperson Barnhart reported that he attended the Public Service Water District board meeting where the Executive Director presented a report.

Councilperson Dulyea reported that he attended the Development Authority meeting where they discussed Ms. Hamilton’s retirement and Jennifer Smith was appointed as the Interim Executive Director until a new Director was hired. He also stated that they agreed to keep Ms. Hamilton on as a sub-contractor for a few months.

Vice President Whitacre reported that he was unable to attend the Home Consortium meeting.

Re: Board and Commission Vacancies

There were no board and commission vacancies addressed.

President Copenhaver and Councilperson Gochenour joined the meeting via ZOOM at 10:20 A.M.

**Re: Alan Davis, County Administrator
State Budget Revision # 02 Fund 001
Recommendation for FY23 Compensation Increases**

Alan Davis, County Administrator reviewed State Budget Revision # 02 for Fund 001.

Councilperson Barnhart made a motion to approve State Budget Revision #02 for Fund 001. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Davis reviewed the history of the past five (5) years of compensation and work week changes approved by the Council. He stated that the Council had worked vigorously to make employee compensation competitive and an on getting career ladders in place for the county's public safety personnel. He further stated that these efforts have made Berkeley Count much more competitive with surrounding local jurisdictions which greatly enhances recruitment and retention efforts. Mr. Davis stated that the inflation rate for 2022 was 9.1%. Mr. Davis stated to stay competitive and reward employees for their hard work he was recommending that all full time employees receive an increase of \$5,000 or 15% whichever is greater and part time employees receive a 15% compensation increase retroactive to July 1, 2022. Mr. Davis stated if approved he was also requesting that all FY2022-23 Classification & Compensation scheduled be adjusted upward by 15% which will assist in recruiting new employees.

Councilperson Gochenour made a motion to approve the recommendation of Mr. Davis for an increase of \$5,000 or 15% whichever is greater to all full time employees and a 15% increase to all part time employees retroactive to July 1, 2022. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Items from the Public

Leroy Manspile appeared before the Council and spoke about issues with the Health Department.

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

Councilperson Dulyea made a motion to go into executive session at 10:55 A.M. for County Council personnel, real estate acquisition, legal matters and economic development. Councilperson Barnhart seconded the motion. The motion carried unanimously.

President Pro Tem Whitacre declared the Council out of executive session at 11:33 A.M.

No motions were made during or after executive session.

Re: Recess

Councilperson Barnhart made a motion to Recess the August 11, 2022 Berkeley County Council meeting.

Submitted by: Penny Shewell

Penny Shewell, Office Administrator