

Berkeley County Commission Meeting

September 21, 2023

400 W. Stephen Street, Suite 201

9:00 A.M.

Martinsburg, WV 25401

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 Larry Hess, Assessor; Will Lorensen, Fiduciary Supervisor; Sheriff Nathan Harmon; The Honorable Shelly Schoppert, Circuit Clerk; Sergeant Trampus Boyles

Re: Call to Order

President Whitacre called the September 21, 2023 Berkeley County Commission to Order at 9:05 A.M.

Re: Items from the Public

There were no items from the public.

Re: Agenda

Vice President Gochenour made a motion to approve the Agenda for the September 21, 2023 Berkeley County Commission meeting. Commissioner Catlett seconded the motion. The motion carried unanimously.

**Re: The Honorable Sheriff Nathan Harmon
Presentation of Service Weapon to Retiring Sergeant**

The Honorable Sheriff Nathan Harmon appeared before the Commission and spoke about the twenty years of service Sergeant Trampus Boyles had given to the Berkeley County Sheriff's Department and requested that the Commission present him with his service weapon. The Commission presented Sergeant Trampus Boyles with his service weapon upon his retirement and thanked him for his service and wished him well.

Re: Consent Agenda

1. Purchase Order Log

There were no questions regarding the Purchase Order Log.

2. Internal Budget Revisions

Gary Wine, County Administrator reviewed the one (1) internal budget revision received.

3. Changes in Status

President Whitacre stated that the following changes in status were received from the Honorable Shelly Schoppert, Circuit Clerk effective July 1, 2023 due to restructuring her office: Lori Neiderer salary increase from \$41,816 to \$44,415, Darla Berry salary increase from \$35,921 to \$41,808, Kim Popkins salary increase from \$34,515 to \$41,808, Haley Roberts salary increase from \$34,515 to \$41,808, Vivian Smallwood salary increase from \$34,515 to \$41,808, Cathy Knipe salary increase from \$35,921 to \$41,808, Myra Myers salary increase from \$34,515 to \$42,889, Conner Spencer salary increase from \$34,515 to \$42,889, Belinda Parson salary increase from \$38,240 to \$43,930, Billie Jo Ryman salary increase from \$34,515 to \$43,930, Joyce Smith salary increase from \$38,240 to \$40,830, Rachael James salary increase from \$47,413 to \$49,483, Debbie Hepner salary increase from \$43,929 to \$46,009, Lu Baird salary increase from \$35,921 to \$40,830, Janet Powers salary increase from \$38,240 to \$40,830; Joan Miller salary increase from \$34,448 to \$40,830, Sharon Borden salary increase from \$34,515 to \$40,830, Karyssa Brill salary increase from \$34,515 to \$40,830 and Tammy Burcham salary increase from \$20,966 to \$21,226.

President Whitacre stated that a new hire recommendation was received from the Honorable Sheriff Nathan Harmon for Crystal Shumaker as a Tax Deputy effective September 25, 2023 with an annual salary of \$33,972.

President Whitacre stated that a change in status was received from Jennifer Swisher, 9-1-1 Director for Caitlin Diggs to step up from Telecommunicator I to Telecommunicator II effective September 16, 2023 with an annual salary change from \$50,341 to \$52,858.

Vice President Whitacre stated that a letter of resignation was received from the Sheriff's Tax Office from Renee Richards Powers effective September 26, 2023.

4. Approval of Minutes

There were no changes to the September 7, 2023 Berkeley County Commission meeting minutes.

5. Council Calendar

President Whitacre reviewed the Council calendar for the month of September.

6. Board and Commission Calendar

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

Commissioner Catlett stated that the Ambulance Authority board meeting was cancelled.

7. Cancelled Check Request

Re: Consent Agenda Approval

Commissioner Catlett made a motion to approve the Consent Agenda for the September 21, 2023 Berkeley County Commission meeting. Vice President Gochenour 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 three (3) personal tax exonerations for reason of tax payer error totaling \$858.81.

Commissioner Barnhart made a motion to approve the three (3) personal tax exonerations for reason of tax payer error totaling \$858.81. Vice President Gochenour seconded the motion. The motion failed with a vote of zero to five.

Mr. Hess presented four (4) personal tax exonerations for reason of office error totaling \$286.33.

Commissioner Catlett made a motion to approve the four personal tax exonerations totaling \$286.33. Commissioner Boyd seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Commissioner Boyd reported that he was unable to join the Main Street Martinsburg meeting zoom link.

Commissioner Barnhart reported that he attended the Health Department board meeting via zoom where department meetings were presented and a report that COVID was on the increase. He also reported that new two (2) new sanitarians were in training in Charleston. Commissioner Barnhart also reported that he appeared on the WRNR radio program.

Commissioner Catlett reported that he participated in a zoom meeting set up by Matthew Umstead with a gentleman and our legal team regarding the distinguished battlefields in Berkeley County. He also reported that he attended the Public Service Sewer District and Stormwater District board meetings and reported that they are waiting on the Ordinance and fee structure. Commissioner Catlett reported that he and Vice President Gochenour would be attending a meeting later today regarding the Inwood Park.

Vice President Gochenour reported that he attended the Planning Commission meeting where five (5) public hearings were conducted. He also reported that he attended the Parks and Recreation board meeting where they are looking at including the barn as part of the wedding venue package. He also reported that the recreation programs other than the hockey are full and financing continues to remain strong. Vice President Gochenour reported that he attended the Dunn Building construction meeting and reviewed updates for the building. He also reported that he attended the DRC building construction meeting as well as the Health Department construction update meeting.

President Whitacre reported that he had no meetings this week.

Re: Board and Commission Vacancies

President Whitacre requested to have Sharmika Brooks scheduled for an interview as a candidate for the Roundhouse Authority and Deidre Johnson as a candidate for the Museum board.

Re: Bid Opening – RFQ Lobbying & Legislative Services

Gary Wine, County Administrator reviewed the RFQ for Lobbying & Legislative Services stating that the current contract expires in October, 2023. Mr. Wine stated that the RFQ was posted on Social Media and the county web site and advertised in the Martinsburg Journal with the Certification of Publication present in the read ahead.

At 9:55 A.M. President Whitacre opened the sealed bid as follows:

Bid #	Vendor
Bid # 1	Access Strategies

Re: Bid Opening – RFP Vehicle Outfitting Equipment

Gary Wine, County Administrator reviewed the RFP for the Vehicle Outfitting Equipment stating that the RFP was posted on Social Media and the county web site and advertised in the Martinsburg Journal with the Certification of Publication present in the read ahead.

At 10:00 President Whitacre opened the sealed bids as follows:

Bid #	Vendor	Bid Total
Bid # 1	Hall Public Safety, Co.	\$43,437.12
Bid # 2	Priority Install	\$41,096.00

**Re: Will Lorensen, Fiduciary Supervisor
Estate Hearing – Estate of Samie H. Pierce**

Will Lorensen, Fiduciary Supervisor appeared before the Commission and presented the Estate of Samie H. Pierce requesting to probate the copy of the will in solemn form. Tammy McWilliams from Trump & Trump representing the Petitioner appeared before the Commission and reviewed the history of the estate.

Commissioner Catlett made a motion to probate the will in solemn form for the Estate of Samie H. Pierce. Vice President Gochenour seconded the motion. The motion carried unanimously.

Re: Executive Session for Real Estate Acquisition and Pending Litigation

Commissioner Barnhart made a motion to go into Executive Session at 10:06 A.M for Real Estate Litigation and Pending Litigation. Commissioner Catlett seconded the motion. The motion carried unanimously.

President Whitacre declared the Commission out of Executive Session at 11:57 A.M.

There were no motions made during or after Executive Session.

Re: Gary Wine, County Administrator

Follow Up Discussion Funding Request for Eastern WV Regional Airport for Independence Day

Resolution Stating the Reasonable Expectation of the County Commission of Berkeley County, West Virginia to be Reimbursed for Capital Expenditures in Connection with the Acquisition Of Motor Vehicles and Related Equipment and other Personal Property for use by the County Commission of Berkeley County, West Virginia, including without limitation Departments, Boards and Agencies Thereof, Made Prior to the Execution and Delivery of One or More Master Equipment Lease/Purchase Agreements to Provide Permanent Financing for such Motor Vehicles and Related Equipment and Other Personal Property

Gary Wine, County Administrator stated that the Eastern WV Regional Airport needs to commit funding for the Independence Day celebration for next year at this time and is requesting a commitment of funding from the Commission of \$100,000 which would be \$30,000 left from this year and a commitment of an additional \$70,000.

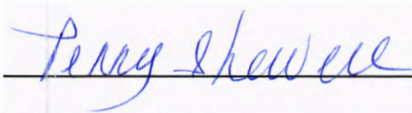
The consensus of the Commission was to commit and additional \$70,000 to the Airport Authority for next year's Independence Day.

Mr. Wine reviewed the Resolution for capital expenditures in connection with the acquisition for motor vehicles.

Commissioner Barnhart made a motion to approve the Resolution. Commissioner Boyd seconded the motion. The motion carried unanimously.

Re: Recess

Commissioner Barnhart made a motion to Recess the September 21, 2023 Berkeley County Commission meeting.

Submitted by: 

Penny Shewell, Office Administrator