

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

September 29, 2022
9:30 A.M.

Present:

Douglas E. Copenhaver, Jr., President

James P. Whitacre, Vice President

James R. Barnhart, Councilperson

G. Edgar Gochenour, Councilperson

Alan J. Davis, County Administrator

Penny Shewell, Office Administrator

Councilperson Dulyea was not present for the meeting.

Also Present: Tracie McCormick, Procurement Coordinator; Anthony Delligatti, Legal Director; Gary Wine, Deputy Count Administrator; The Honorable Larry Hess, Assessor; Will Lorensen, Fiduciary Supervisor; The Honorable Sheriff Nathan Harmon; Tracey Guilliams, Grants Administrator; Elizabeth Lapcheck, Grants Administrator

Re: Call to Order

President Copenhaver called the September 29, 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

Vice President Whitacre made a motion to approve the Agenda with the removal of the Honorary Councilperson and the Juvenile Delinquency II Grant and the MOU with the Salvation Army. Councilperson 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

There were no changes in status to be addressed.

4. Approval of Minutes

There were no changes to the September 15, 2022 Berkeley County Council Meeting minutes.

Councilperson Barnhart made a motion to approve the minutes for the September 15, 2022 Berkeley County Council meeting. Councilperson Gochenour seconded the motion. Vice President Whitacre abstained due to absence. The motion carried.

5. Council Calendar

President Copenhaver reviewed the Council calendar for the month of October.

6. Board and Commission Calendar

President Copenhaver reviewed the Board and Commission calendar for the month of October.

Re: Consent Agenda Approval

Councilperson Gochenour made a motion to approve the Consent Agenda for the September 29, 2022 Berkeley County Council meeting. Vice President Whitacre seconded the motion. The motion carried unanimously.

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

The Honorable Larry Hess, Assessor appeared before the Council and presented two (2) personal tax exonerations for reason of tax payer error totaling \$657.80.

Councilperson Barnhart made a motion to approve the two (2) personal tax exonerations for reason of office error totaling \$657.80. Councilperson Gochenour seconded the motion. The motion failed with a vote of zero to four.

Mr. Hess presented one (1) personal tax exonerations for reason of office error totaling \$6.98.

Councilperson Gochenour made a motion to approve the one (1) personal tax exonerations for reason of office error totaling \$6.98. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Hess presented three (3) real estate tax exonerations for reason of office error totaling \$3,565.63.

Councilperson Gochenour made a motion to approve the three (3) real estate exonerations for reason of office error totaling \$3,565.63. Vice President Whitacre seconded the motion. The motion carried unanimously.

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

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

Mr. Hess presented two (2) applications for consolidation of properties.

Councilperson Gochenour made a motion to approve the two (2) applications for consolidation of properties applications. Vice President Whitacre seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Councilperson Barnhart reported that he attended the Public Service Water District where they reviewed their audit and invoices and approved an easement and design plant. He also reported that the Executive Director presented a report.

Vice President Whitacre reported that he attended the EPTA meeting where they reported updates on the site facility which is now 30% complete. He also reported that he attended the WV Corp meeting held in Bridgeport, WV.

Councilperson Gochenour reported that he attended the Development Authority Executive Committee board meeting where they interviewed candidates for the Director position. He also reported that he attended the Historic Landmarks meeting where they finalized Morgan Cabin.

President Copenhaver reported that he was unable to attend the Ambulance Authority meeting.

Re: Board and Commission Vacancies

There were no board and commission vacancies addressed.

Re: Bid Opening – RFP Ammunition for Sheriff’s Department

Alan Davis, County Administrator reviewed the RFP for the Ammunition for the Sheriff’s Department. He stated that the RFP was posted on the county web site and social media sites and was advertised in the Martinsburg Journal with the Certification of Publication present in the read ahead and was distributed via mail.

At 10:00 A.M. President Copenhaver opened the sealed bids as follows:

| Bid # | Vendor | 9MM Ammo 200,000 Rounds | 223 Ammo 160,000 Rounds | 308 Winchester T308TT2 FED | 308 Winchester LE308TT2 FED |
|---------|---|----------------------------|-------------------------------|----------------------------------|-----------------------------------|
| Bid # 1 | Mountain Custom Cartridge Grafton, WV Delivered Factory Drop Ship | \$45,000.00 | \$65,600.00 | \$5,050.00 | \$7,250.00 |
| Bid # 2 | Kiesler Police Supply, Inc. Jefferson, IN Lead time for all Ammo 9-24 Months | \$48,444.00 | \$76,102.40 | \$4,997.30 | \$9,126.75 |

**Re: Gary Wine, Deputy County Administrator
Fiber Optic Master Plan
Broadband Expansion and Potential RFP**

Gary Wine, Deputy County Administrator appeared before the Council and reviewed the fiber optic master plan. He stated that this expansion would run from Ashburn,, VA to Berkeley County. Mr. Wine stated that the study would cost \$28,575 to cover the light and dark fiber.

Councilperson Gochenour made a motion to enter into an agreement with Design 9 for a feasibility study and authorize the President to sign. Vice President Whitacre seconded the motion. The motion carried unanimously.

Councilperson Barnhart made a motion to develop an RFP for broadband expansion for Phase I and Phase II and get the RFP out on the street. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Councilperson Dulyea left the meeting at 11:25 A.M.

**Re: Tracey Guilliams, Grants Administrator
WV Records Management and Preservation Grant**

Tracey Guilliams, Grants Administrator appeared before the Council and requested to apply for the WV Records Management and Preservation Board Grant of \$25,589 and reviewed what the grant would cover and stated that the grant would require a match of \$2,318.09.

Councilperson Barnhart made a motion to apply for the WV Records Management and Preservation Board Grant with a match of \$2,318.09. Vice President Whitacre seconded the motion. The motion carried unanimously.

**Re: Will Lorensen, Fiduciary Supervisor
FY2022-23 Budget Reallocation**

Will Lorensen, Fiduciary Supervisor appeared before the Council and stated that he would like to keep Marty Keesecker and Maria Childers on board as contractual employees and use the funds from Christina Isenberg's salary to pay them. Mr. Davis stated that this could be done, but would need to remove the funds from the salary line and place it in contractual services in Mr. Lorensen's budget.

Councilperson Gochenour made a motion to approve the budget recommendation for FY2022-23. Councilperson Barnhart seconded the motion. The motion carried unanimously.

**Re: Alan Davis, County Administrator
State Budget Revision # 04 Fund 001
Declaration of Surplus K9 "Pit" Sheriff's Department
Trick-or-Treat
Omega Contract Renewal
Health Department Addition Discussion**

Alan Davis, County Administrator reviewed State Budget Revision # 04 for Fund 001.

Councilperson Gochenour made a motion to approve State Budget Revision # 04 for Fund 001. Vice President Whitacre seconded the motion. The motion carried unanimously.

Mr. Davis reviewed the Declaration of Surplus to declare the K9 “Pit” for the Sheriff’s Department as surplus.

Vice President Whitacre made a motion to declare K9 “Pit” for the Sheriff’s Department as surplus. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Mr. Davis stated that the City of Martinsburg will be observing Trick-or-Treat for children twelve (12) and under from 6:00 PM to 8:00 PM on Monday, October 31 with no rain date and suggested that the county observe the same date and time.

Councilperson Barnhart made a motion to observe Trick-or-Treat in the county on Monday, October 31 from 6:00 P.M. to 8:00 P.M. for children twelve (12) and under. Vice President Whitacre seconded the motion. The motion carried unanimously.

Mr. Davis reviewed the proposed changes to the Omega Contract for services from December 1, 2022 to November 30, 2023.

Councilperson Barnhart made a motion to approve the Omega Contract Renewal and give the President the authority to sign. Vice President Whitacre seconded the motion. Councilperson Gochenour opposed the motion stating that he felt Omega does a great job, but opposed the amount of money. The motion carried three to one.

Mr. Davis discussed the addition to the Health Department stating that one portion of the addition could be proceeded with, however an environment study needed to be completed before the RFP could be put out on the street with a cost for that study not to exceed \$14,000.

Councilperson Barnhart made a motion to proceed with a site assessment not to exceed \$14,000 for the Health Department addition. Vice President Whitacre seconded the motion. The motion carried unanimously.

**Re: Sheriff Nathan Harmon
Request to Grant Ownership of K9 “Pit”**

Sheriff Nathan Harmon appeared before the Council to request to present ownership of K9 “Pit” to Deputy Dopson, who had been his handler and partner since January 2019. Sheriff Harmon stated that K9 Pit would give his life for his partner and on September 30, 2022 would turn eight (8) years old and requesting retirement and award ownership to Deputy Dopson and his family.

Councilperson Gochenour made a motion to grant ownership of K9 Pit to Deputy Dopson. Vice President Whitacre seconded the motion. The motion carried unanimously.

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

Councilperson Gochenour made a motion to go into executive session for County Council personnel, real estate acquisition, legal matters and economic development at 11:44 A.M. Vice President Whitacre seconded the motion. The motion carried unanimously.

President Copenhaver declared the Council out of executive session at 1:25 P.M.

There were no motions made during or after executive session.

Re: Recess

Councilperson Barnhart made a motion to Recess the September 29, 2022 Berkeley County Council meeting.

Submitted by: Penny Shewell

Penny Shewell, Office Administrator