

**Berkeley County Council Meeting**

**November 4, 2021**

**400 W. Stephen Street, Suite 205**

**9:30 A.M.**

**Martinsburg, WV 25401**

**Present:**

**Douglas E. Copenhaver, Jr., President**

**James P. Whitacre, Vice President**

**Dan Dulyea, Councilperson**

**James R. Barnhart, Councilperson**

**G. Edgar Gochenour, Councilperson**

**Alan J. Davis, County Administrator**

**Penny Shewell, Office Administrator**

Also Present: Tracie McCormick, Procurement Coordinator; the Honorable Larry Hess, Assessor; Will Lorensen, Fiduciary Supervisor; Matthew Umstead, Director, Policies and Strategic Planning

**Re: Call to Order**

President Copenhaver called the November 4, 2021 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 for the November 4, 2021 Berkeley County Council meeting. Councilperson Dulyea seconded the motion. The motion carried unanimously.

**Re: Consent Agenda**

**1. Purchase Order Log**

Councilperson Barnhart questioned the invoice for \$1,500 for a window replacement to Berkeley Mountaineer Glass. Mr. Davis stated this was to replace a broken window at the Judicial Center. Mr. Davis also stated that the Regional Jail bill was down \$52,269 less than this time last year.

**2. Internal Budget Revisions**

There were no internal budget revisions to be addressed.

### **3. Changes in Status**

President Copenhaver stated that a new hire recommendation was received from Alan Davis, County Administrator for Cheri Horvath as the Finance Director effective December 1, 2021 with an annual salary of \$95,000.

President Copenhaver stated that a letter of resignation was received from Animal Control from David Holtsclaw effective November 1, 2021.

President Copenhaver stated that a letter of resignation was received from Emergency Services from James Stavely effective November 2, 2021.

### **4. Approval of Minutes**

There were no changes to the October 21, 2021 Berkeley County Council meeting minutes.

### **5. Council Calendar**

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

Alan Davis, County Administrator stated that he would try to get a date in December to schedule the Legislative Summit.

### **6. Board and Commission Calendar**

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

Councilperson Barnhart stated that the Region 9 board would be meeting on November 8<sup>th</sup> at the Airport.

### **Re: Consent Agenda Approval**

Vice President Whitacre made a motion to approve Consent Agenda for the November 4, 2021 Berkeley County Council meeting. Councilperson 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 Council and presented three (3) personal tax exonerations for reason of office error totaling \$828.00.

Councilperson Dulyea made a motion to approve the three (3) personal tax exonerations for reason of office error totaling \$828.00. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Hess presented three (3) real estate exonerations for reason of office error totaling \$11,472.79.

Councilperson Barnhart made a motion to approve the three (3) real estate exonerations for reason of office error totaling \$11,472.79. Vice President Whitacre seconded the motion. The motion carried unanimously.

**Re: Board Meeting Reports**

Councilperson Barnhart reported that he attended the Region 9 personnel committee meeting. He also reported that he attended the Telemon board meeting via ZOOM where they interviewed new board members.

Councilperson Dulyea reported that he had no meetings this week.

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

Councilperson Gochenour reported that he attended the Planning Commission meeting where two (2) public hearings were held with one of interest being the Mt. Recovery Village. He also reported that he attended the Public Service Sewer and Stormwater Management board meetings. Councilperson Gochenour reported that he attended the Baker Heights Fire House committee meeting and reported that the project was moving along.

President Copenhaver reported that he had no meetings this week.

**Re: Board and Commission Vacancies**

There were no board and commission vacancies addressed.

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

Will Lorensen, Fiduciary Supervisor appeared before the Council and presented forty one (41) estate accounts for the month of November. Mr. Lorensen read the names of the estates

Councilperson Barnhart made a motion to approve the forty one (41) estate accounts as presented by Mr. Lorensen. Vice President Whitacre seconded the motion. The motion carried unanimously.

The Council scheduled two estate hearings, one for Norman Gruver Stokes on December 2, 2021 at 10:45 A.M. and one for Debra McGraw on December 2, 2021 at 11:00 A.M.

**Re: Will Lorensen, Fiduciary Supervisor  
Estate Hearing – Estate of Patricia Lou Tansill**

Will Lorensen, Fiduciary Supervisor appeared before the Council and reviewed the history of the estate of Patricia Lou Tansill. Debbie Mason, daughter of Patricia Lou Tansill appeared before the Council and stated that she didn't know why the will had not been updated, but she was fine the will.

Vice President Whitacre made a motion to probate the will of Patricia Lou Tansill and accept it in solemn form. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Vice President Whitacre left the meeting at 10:56 A.M.

**Re: Robert Blair, Director, Main Street Martinsburg  
Introduction**

Robert Blair, Director, Main Street Martinsburg appeared before the Council and introduced himself. He stated that Main Street Martinsburg was the heartbeat of the community He further stated that the food and truck event was a success with 2,000 to 4,000 in attendance.

**Re: Will Lorensen, Fiduciary Supervisor  
Estate Hearing – Estate of Gerald S. Nelson**

Will Lorensen, Fiduciary Supervisor appeared before the Council and reviewed the history of the estate of Gerald S. Nelson. Robert Izes appeared before the Council and requested the Council to accept the will.

Councilperson Barnhart made a motion to probate the will and accept in solemn form for the estate of Gerald S. Nelson. Councilperson Dulyea seconded the motion. The motion carried unanimously.

**Re: Will Lorensen, Fiduciary Supervisor  
Estate Hearing – Estate of Sarah Goff**

Will Lorensen, Fiduciary Supervisor appeared before the Council and reviewed the history of the estate of Sarah Goff. Robert Wolford appeared before the Council and stated that they cannot locate the original will.

Councilperson Dulyea made a motion to probate the will and accept it in solemn form. Councilperson Barnhart seconded the motion. The motion carried unanimously.

**Re: H. D. Boyd, President, Roundhouse Authority  
Request for Matching Grant Funding**

H. D. Boyd, President, Roundhouse Authority appeared before the Council and stated that the Roundhouse had received grant funding from the Governor, but the grant required a 20% match which he was requesting 10% from the City of Martinsburg and 10% from the County Council. Mr. Boyd stated that the total match was \$148,578 which would be \$74,289 each for the city and the county.

Councilperson Dulyea made a motion to provide the 10% match for the Roundhouse Authority grant totaling \$74,289 contingent upon the city approving a 10% match. Councilperson Gochenour seconded the motion. The motion carried unanimously.

**Re: Matthew Umstead, Director Policies and Strategic Planning  
Morgan Park Project**

Matthew Umstead, Director, Policies and Strategic Planning appeared before the Council and spoke regarding the Morgan Park Project. Mr. Umstead reviewed the history of the Morgan Park.

The consensus of the Council was to move forward with the State Road for a long term lease.

**Re: Anthony Delligatti, Legal Director  
PILOT Agreement**

Anthony Delligatti, Legal Director appeared before the Council and stated that Chris Johnson from Monument Companies as well as representatives from the City of Martinsburg were present. Mr. Delligatti reviewed the PILOT Agreements for the Innerwoven and Perfection Garment Properties.

Chris Johnson from Monument Companies appeared before the Council and spoke about the plans for the property. Mayor Kevin Knowles appeared before the Council and thanked the Council for these PILOT's for this project. Shan Farthing, Economic Development Director for the City of Martinsburg also appeared before the Council and spoke about what this project means to the City of Martinsburg.

Councilperson Barnhart made a motion to approve the PILOT for 301 Winchester Ave, LLC. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Councilperson Gochenour made a motion to approve the PILOT for 300 Porter Ave, LLC. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Councilperson Dulyea made a motion to approve the PILOT for 210 Porter Ave, LLC. Councilperson Gochenour seconded the motion. The motion carried unanimously.

**Re: Alan Davis, County Administrator  
Assessor Compensation and Work Week**

Alan Davis, County Administrator reviewed the history of compensation adjustments received by the Assessor's Office employees due to assuming additional responsibilities per Mr. Hess. Mr. Davis stated that Mr. Hess has agreed to move three (3) employees from Fund 407 to Fund 406 and eliminate two (2) positions. Mr. Davis stated that the 10% increase would go into effect retroactive to July 1, 2021 and would not be reflective until the November 30, 2021 payroll with the forty (40) hour work week to begin November 8, 2021.

Councilperson Dulyea made a motion to move \$136,481 into Fund 406 and the 10% retroactive to July 1, 2021 with Monday, November 8, 2021 being the first day of the forty (40) hour work week with the retro pay to be paid on the November 30, 2021 payroll. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Councilperson Gochenour made a motion to earmark \$60,000 to be placed into Contingency to be transferred from Fund 407 to be placed into Fund 406 once the position of Chief Deputy has been filled. Vice President Whitacre seconded the motion. The motion carried unanimously.

**Re: Recess**

Councilperson Barnhart made a motion to Recess the November 4, 2021 Berkeley County Council meeting.

Submitted by: 

**Penny Shewell, Office Administrator**