

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

January 23, 2025
9:30 A.M.

Present:

G. Edgar Gochenour, President

R. Stephen Catlett, Vice President

James P. Whitacre, Commissioner

H. D. Boyd, Commissioner

Gary A. Wine, County Administrator

Penny Shewell, Office Administrator

Commissioner Hardy was not present for the meeting.

Also Present: Anthony Delligatti, Legal Director; Tracie McCormick, Procurement Coordinator; The Honorable Larry Hess, Assessor; Doug Smith, County Engineer; The Honorable Joe Kinser, Prosecuting Attorney; Dominic Orsini, Office Administrator; The Honorable Sheriff Rob Blair; Lieutenant Bill Christian; Chad Winebrenner, Deputy County Administrator

Re: Call to Order

President Gochenour called the January 23, 2025 Berkeley County Commission meeting to Order at 9:35 A.M.

Re: Items from the Public

There were no items from the public.

Re: Agenda

Commissioner Whitacre made a motion to approve the Agenda with the amendment to remove the 11:15 item for Chad Winebrenner, Deputy County Administrator. Vice President 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

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

3. Changes in Status

President Gochenour stated that a new hire recommendation was received from the Honorable Joseph Kinser, Prosecuting Attorney for Yesenia Rodriquez as a Legal Assistant effective January 27, 2025 with an annual salary of \$45,000.

President Gochenour stated that a new hire recommendation was received from the Honorable Joseph Kinser, Prosecuting Attorney for Jolene Trevalt as a Legal Assistant effective February 3, 2025 with an annual salary of \$45,000.

President Gochenour stated that a change in status was received from Tim Czaja, Community Corrections Director for Russell Oliver and Amanda Small to receive \$500 increases for obtaining Peer Recovery Specialist certifications effective February 1, 2025 with annual salary changes from \$43,135 to \$43,635.

President Gochenour stated that a letter of resignation was received from Jennifer Swisher, Emergency Communications Director for Chris Horan effective January 18, 2025.

President Gochenour stated that new hire recommendations were received from Jennifer Swisher, Emergency Communications Director for the following as Telecommunicator Trainees (Call Takers) with effective dates to be determined with annual salaries of \$46,356:

Brandy Arnold; Yesenia Agular Diaz; Angelina Dick; Susan Guerrero-Salazar; Corbin Henderson; Thomas Jones; Rebecca Lewis; Krysten McClure; Robin Moore; Michelle Pugh; Kaitlyn Shank; Destini Telke and Shelby Yeager

4. Approval of Minutes

There were no changes to the January 16, 2025 Berkeley County Commission meeting minutes.

5. **Bond Reduction – Cardinal Pointe, Section 2, Phase 2 Lots 516-527, 552-575 & 600-611 (Final Plat), BCP File #2408-226 tied to 2408-225, #2209-2612204-108 & #2007-037, Bond #100732304 – Engineering**
6. **Bond Reduction – Cardinal Pointe Section 4, Phase 1 Lots 8-9, 98-127 & 145-146 (Final Plat), BCP File #2408-228 tied to #2408-227, #2209-259 & 2205-134, Bond #100711272 – Engineering**
7. **Bond Reduction – Cardinal Point Section 5, Phase 2 Lots 326-341 & 420-431 (Final Plat), BCP File #2408-254 tied to #2209-263 & #2204-114, Bond #100754740 – Engineering**
8. **Bond Reduction – Cardinal Pointe, Section 2 Phase 1, Lots 432-479, 504-515 & 588-599 (Final Plat) BCP File #2408-253 tied to #2103-089 & #2007-037, Bond #100589042 Engineering**

9. **Bond Reduction – Cardinal Pointe, Section 4, Phase 2 Lots 1-7, 128-139 & 147-152 (Final Plat) BCP File #2409-271 tied to #2409-270, 2209-260 & #2205-134, Bond #100711273 – Engineering**
10. **Bond Reduction – Bridle Creek Phase 8, Lots 550-557 & 560-574 (Final Plat), BCP File #2408-251 tied to #2408-250, 2201-027 & #2108-303, Bond #100654466 – Engineering**
11. **Bond Release – Potomac Station, Phase 3 Townhomes, Lots 145-164, BCP File #2306-1998 tied to #2306-197, #2102-069 & #026-16, Bond #10045471 – Engineering**
12. **Bond Release – Brookfield Phase 2, Section 10 (Final) Lots 15-21 & 57-61, BCP #2401-011 tied to 2401-010, #2312-399 & 101-06, Bond #100146870 – Engineering**
13. **Bond Release – Brookfield Phase 2, Section 11 (Final), Lots 22-53, BCP #2401-012 tied to #2401-010, #2312-399 & 101-06 Bond #100435020 – Engineering Department**
14. **Bond Release – Brookfield Phase 2 (Grading Permit #08089) BCP #2401-013 tied to #2401-010, #2312,399 & 101-06, Bond #15438 – Engineering**
15. **Request for Building Permit Fee Waiver – Solid Waste Authority**

President Gochenour stated that this was a fee waiver of \$348.76 for a 12x14 shed for a replacement of shed that was destroyed due to arson.

Re: Consent Agenda Approval

Vice President Catlett made a motion to approve the Consent Agenda for the January 23, 2025 Berkeley County Commission meeting. Commissioner Boyd seconded the motion. The motion carried unanimously.

Re: Correction of Assessments Log, Apportionment of Assessments, Deconsolidation and Consolidation of Properties Applications – Assessor's Office

The Honorable Larry Hess, Assessor appeared before the Commission and presented five (5) personal property tax exonerations for reason of office error totaling \$11,533.44.

Commissioner Boyd made a motion to approve the five (5) personal property tax exonerations for reason of office error totaling \$11,533.44. Vice President Catlett seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Commissioner Boyd reported that he was unable to attend the CVB meeting, but did follow up and reported that they elected new officers and Roger Engle was elected as President with Greg Jones being elected as Vice President. He also reported that they gave out some grant funding.

Commissioner Whitacre reported that he attended the Airport Authority meeting where they reported seeing a decline in fuel sales as the fuel purchases are being made through a co-op in bulk. He further stated that the Airport is trying to become a part of the co-op. Commissioner Whitacre also reported that the Airport is dealing with a few issues due to freezing temperatures.

Vice President Catlett reported that he and County Administrator, Gary Wine attended the Comprehensive Plan meeting with the staff. He also reported that he attended the Public Sewer District meeting where they elected officers which stayed the same as last year. He also reported that an update was presented on the plants and stated that the Woods Treatment plant should be indoors soon. Vice President Catlett reported that he attended the Public Service Stormwater District meeting where they elected officers and they remained the same as last year. He also reported that the individual DEP permit is still moving forward. Vice President Catlett reported that he attended the Senior Services board meeting where they elected new officers with Patrick Henry being elected President. He also stated that they would need to be looking for a replacement for Richard Dennis who has resigned due to his new position. He reported that the board received a favorable audit and also reported that they were able to purchase a 2019 bus with an ADA lift with the funding received from an LEDA grant and insurance funds. Vice President Catlett stated that he would be meeting with Summer Barrett and the Shenandoah Battlefield representatives to discuss legislative issues this afternoon.

President Gochenour reported that he attended the Firefighter testing that was held at Baker Heights VFD and thanked Chief Roberts and the staff, Thomas Gorman and Chad Winebrenner, Deputy County Administrator also assisting and reported that 74 tested with 51 passing. He also reported that he attended the Comprehensive Plan meeting and the public safety meeting. President Gochenour reported that he attended the Landmarks meeting where they are trying to get a one room schoolhouse on the National Registry.

Re: Board and Commission Vacancies

Commissioner Boyd made a motion to reappoint Gregory Jones to the CVB for a full term. Vice President Catlett seconded the motion. The motion carried unanimously.

Commissioner Whitacre made a motion to reappoint David Michaels to the Historic Landmarks board. Vice President Catlett seconded the motion. The motion carried unanimously.

Re: The Honorable Joe Kinser, Prosecuting Attorney Reallocation of Vacant APA 1 Position

The Honorable Joe Kinser, Prosecuting Attorney appeared before the Commission and stated that he currently has two vacant Assistant Prosecuting Attorney positions open with salaries of \$75,000 and would like to reallocate \$50,000 for a second Victim's Advocate position. Mr. Kinser stated that he would like the option to be able to come back to the Commission if he is able to fill both of the Assistant Prosecuting Attorney vacant positions to request additional funding if needed. Mr. Wine stated the \$25,000 could be placed in contingency.

Vice President Catlett made a motion to grant the request of the Prosecuting Attorney and reallocate \$50,000 for a second Victim's Advocate position and place the additional \$25,000 in contingency. Commissioner Boyd seconded the motion. The motion carried unanimously.

**Re: The Honorable Sheriff Rob Blair
Tax Office Staffing**

The Honorable Sheriff Rob Blair appeared before the Commission and discussed the staffing of the Tax Office. He stated that he is restructuring the Tax Office with the assistance of Lieutenant Bill Christian and guidance from Gary Wine, County Administrator and Chad Winebrenner, Deputy County Administrator and would like to hire a Tax Office Director, Tax Office Deputy Director and a Conservator & Estate Manager. He further stated that his request would be budget neutral.

Commissioner Whitacre made a motion to approve the Tax Office staffing as presented by Sheriff Blair. Vice President Catlett seconded the motion. The motion carried unanimously.

**Re: Gary Wine, County Administrator
State Budget Revision # 05 Fund 001
MOU Mental Hygiene Transports with Sheriff**

Gary Wine, County Administrator reviewed State Budget revision # 05 for Fund 001.

Vice President Catlett made a motion to approve State Budget Revision # 05 for Fund 001 and give the President the authority to sign. Commissioner Boyd seconded the motion. The motion carried unanimously.

Mr. Wine reviewed the MOU for mental hygiene transports with the Sheriff which would alleviate Deputies having to make these transports.

Vice President Catlett made a motion to approve the MOU for the mental hygiene transports with the Sheriff and give the President the authority to sign. Commissioner Whitacre seconded the motion. The motion carried unanimously.

Re: Public Hearing Berkeley County Subdivision and Land Development Ordinance Revision

Laura Hoffmaster, Senior Planner appeared before the Commission and reviewed the revisions to the Berkeley County Subdivision and Land Development Ordinance stating that the changes were more clerical items.

President Gochenour stated that the Certification of Publication for the Public Hearing was present in the read ahead.

Vice President Catlett made a motion to open the public hearing for the Berkeley County Subdivision and Land Development Ordinance. Commissioner Boyd seconded the motion. The motion carried unanimously.

Ms. Hoffmaster stated that she received one email from Kym Mattioli that she presented for the record.

There were no further public comments.

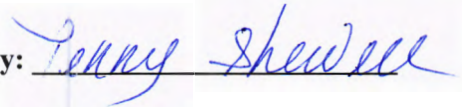
Commissioner Whitacre made a motion to close the public hearing. Commissioner Boyd seconded the motion. The motion carried unanimously.

President Gochenour thanked Brian Ross, Community and Development Director, Laura Hoffmaster, Senior Planner, Doug Smith, County Engineer; Anthony Delligatti, Legal Director and Jeff Mauzy, Deputy Legal Director for all their work and efforts on this process.

Re: Recess

Commissioner Boyd made a motion to Recess the January 23, 2025 Berkeley County Commission meeting.

Submitted by:



Penny Shewell, Office Administrator