

1st Ind to Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC) Meeting
Minutes, RE: Wednesday, March 19, 2025 Meeting

PRESIDENT DALE A. BUCK, ESQ

March 19, 2025

MEMORANDUM FOR BCDSCSC, ADMINISTRATIVE ASSISTANT

Approved / ~~Disapproved~~. Distribute electronically to all Berkeley County Deputy Sheriff Civil Service Commissioners, Berkeley County Commissioners, Berkeley County Sheriff and Staff as required.



DALE A. BUCK, ESQ.,
President, BCDSCSC





**BERKELEY COUNTY
DEPUTY SHERIFF CIVIL SERVICE COMMISSION
400 West Stephen Street, Suite 103
Martinsburg, WV 25401-3802**

March 19, 2025

MEMORANDUM FOR COMMISSION PRESIDENT DALE A. BUCK, ESQ

FROM: Mr. John Alderton, Administrative Assistant, Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC)

SUBJECT: Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC)
Meeting Minutes : RE: Wednesday, March 19, 2025 Meeting

1. **Date, Time & Place.** The Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC) met on Wednesday, March 19, 2025, 400 West Stephen Street, 2nd Floor, Commission Chambers. Martinsburg, West Virginia. The meeting commenced, at 5:00 PM and was streamed on YouTube at: https://www.youtube.com/watch?v=8xc5cjt0O_g . The meeting starts at the 13:39 minute mark. The meeting was opened by President Dale A. Buck, President, Berkeley County Deputy Sheriff Civil Service Commission.

2. **Personnel in Attendance:**

Mr.	Dale A. Buck	President of Commission
Mr.	Stephen D. Dopson	Commissioner
Mr.	James G. Moffett	Commissioner
Mr.	John H. Alderton	Deputy County Clerk/ BCDSCSC Administrative Assistant
Sheriff	Robert (Rob) A. Blair	Berkeley County
Chief	Eric Burnett	Berkeley County Sheriff's Office
Chief	Tom Young	Berkeley County Sheriff's Office
Lieutenant	William D. Christian	Berkeley County Sheriff's Office
Corporal	Stephen T. Dopson	Berkeley County Sheriff's Office
Corporal	Jody Strickler	Berkeley County Sheriff's Office
Ms.	Brandy Sullivan	Berkeley County Sheriff's Office
Mr.	D. Scott Wilson	Rules & Regulations Committee Member

3. **Purpose.** The purpose of the meeting was to discuss and/or approve a variety of topics. See the agenda (**Attachment 1**) for those issues/items. The following is a summarization of the discussion surrounding each issue/item, listed on the agenda.

4. **Recognition & Appreciation.** President Buck stated the first item on the agenda is for recognition and appreciation for Commissioner Stephen Dopson. He announced the Commission would like to present him with a plaque. President Buck, requested Mr. Alderton read the certificate (**See Attachment 2**) on the plaque.

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The certificate among several accolades recognized past President Dopson for his exemplary leadership unwavering commitment, outstanding communication skills and remarkable achievements throughout his dedicated service as President of the Berkeley County Deputy Sheriff Civil Service Commission in 2024.

Commissioner Dopson, upon being presented the plaque stated ... he would be remised if he didn't say it was a team effort and you know John's help, the other commissioners and certainly the Sheriff and the Association (Deputy Sheriff's) have been willing to work together and it's just been it made it very easy to achieve anything, and Scott (Wilson) too., especially Scott on the uh rewrite of the rules and regulations. So great job thank you very much.

(CLOSE)

5. Approval of Meeting Minutes, dated February 19, 2025. President Buck, inquired if the commissioners had read the meeting minutes. All replied they had. President Buck, then called for a motion to approve. Commissioner Dopson made a motion, to approve the meeting minutes as written for the February 19, 2025 meeting. Commissioner Moffitt, seconded the motion. President Buck, called for any discussion. With there being no discussion. President Buck called for a vote. The vote was unanimous and the motion carried. (CLOSE)

6. Budget Update (Informational) - Current FY 2024-2025 Budget & Proposed 2025-2026 Budget. Mr. Alderton gave a summary of the current civil service budget, As represented on the County Clerk's financial report dated March 18, 2025 the following information was conveyed. There is no change to last month budget report as presented.

Berkeley County, WV



YEAR-TO-DATE BUDGET REPORT

FOR 2025 13							
ACCOUNTS FOR:	ORIGINAL	TRANFRS/	REVISED	YTD EXPENDED	ENCUMBRANCES	AVAILABLE	PCT
001 General County	APPROP	ADJSTMTS	BUDGET			BUDGET	USED
00152421 Contractual Services							
00152421 52218 Postage	750	0	750	45.50	.00	704.50	6.1%
00152421 52220 Avertise Publica	5,000	0	5,000	1,989.49	.00	3,010.51	39.8%
00152421 52223 Professional Ser	10,000	0	10,000	.00	.00	10,000.00	.0%
TOTAL Contractual Services	15,750	0	15,750	2,034.99	.00	13,715.01	12.9%
TOTAL General County	15,750	0	15,750	2,034.99	.00	13,715.01	12.9%
TOTAL EXPENSES	15,750	0	15,750	2,034.99	.00	13,715.01	

Berkeley County, WV



YEAR-TO-DATE BUDGET REPORT

FOR 2025 13							
	ORIGINAL	TRANFRS/	REVISED	YTD EXPENDED	ENCUMBRANCES	AVAILABLE	PCT
	APPROP	ADJSTMTS	BUDGET			BUDGET	USED
GRAND TOTAL	15,750	0	15,750	2,034.99	.00	13,715.01	12.9%

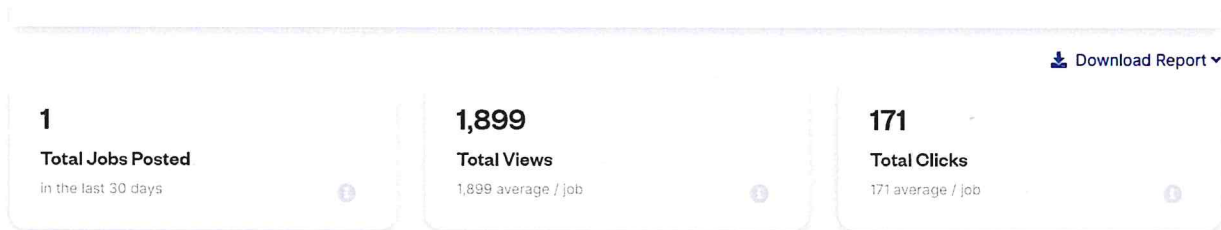
** END OF REPORT - Generated by Tony Petrucci **

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(1) Current Budget Report: We are still awaiting two (2) invoices in the amount of \$710.96 and \$210.00 from LocaliQ Advertising. The \$710.96 is to cover the cost of Advertisements in The Herald Mail (Hagerstown, MD), Waynesboro Record Herald (Waynesboro, PA) & Chambersburg Public Opinion (Chambersburg, PA). The amount of \$210.00 is to cover the cost associated with Online Job Boards advertising such as InDeed, ZipRecruiter, Glassdoor, etc.

(2) Mr. Alderton presented the below numbers associated with the Online Job Boards:

Reporting



(3) Proposed Budget for FY 2025-2026. Mr. Alderton updated the commissioners, by informing them of the below information:

(a) On Thursday, February 26, 2025 the County Commission met to begin working on the County Budget for 2025-2026.

(b) Initially, our Training/Education Line item of \$16,500.00, which was for our tests, was eliminated. The County Commissioners, were of the belief, this related to the purchase of books, not tests. The commissioners were adamant; they were not going to buy books. County Clerk Petrucci, heard this, came, and briefed me. Then we both went before the County Commissioners to provide clarification.

(c) Mr. Alderton, explained, the cost of \$16,500.00 was for the purchase of tests (First and Second Line Supervisor), a Study Guide, and a portion of the money was to customize the tests relating to local policy & procedures, and potentially state code.

(d) Additionally, it was further explained we knew the county clerk's budget could not afford to purchase the suggested set of five (5) "books" for every deputy who would be eligible to test.

NOTE: Our initial budget presentation to the County Commissioners can be viewed by going to <https://www.youtube.com/watch?v=gFZhTGohhIA>

(e) On Thursday, March 6, 2025 the County Commission announced the Civil Service Budget for 2025 – 2026 would be \$22,500.00. Thus eliminating the Training/Documentation Line item of \$16, 500.00. This is what was submitted for the Promotional Tests with Stanard & Associates.

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(f) Commissioner Moffitt asked for clarification on how many books would be needed to test all the way through the ranks. Mr. Alderton replied it would depend on how many people were testing. Clarification was given by Commissioner Moffitt, using the example of one (1) person. Commissioner Dopson replied by stating two (2) sets of five (5) books. Commissioner Moffitt's point he was making was maybe we could look at something like a checkout system for these books buy three sets of each of the five sets allow these people to check them out and utilize them.

(g) Commissioner Dopson, added it's a moot point now because they (County Commissioners) didn't approve the budget which was to get the test questions and sign with the company which was either they misunderstood or they just at the end didn't care. So the money was never for the books. The money was for the test and to get our own questions added to the test, based on policy and local rules. That's what the budget was for.

(h) The County Clerk is not in favor of utilizing any funds out of this year's 2024 – 2025 budget to fund any tests material with Stanard & Associates. His concern is we may not be able to continue the efforts in 2025-2026 without the adequate funding we requested.

(i) President Buck, added he thinks, it looks pretty much like the issue is dead for this year he thinks the question is what do we start doing so we do something better next year? Commissioner Moffitt agreed and added, he thinks it is dead for this year because the budget's already been approved. But we've got it and we now know we obviously didn't do something right and approach this properly. Because it's obvious we can see how much we need this and the sheriff wants it. You know the association wants it. These are all things that'll do nothing but better the Berkeley County Sheriff's Department and the people that we bring on board and the people that we promote. So you know we have to somehow sell that next year to get budget for this type of an endeavor.

(j) Mr. Alderton replied by saying the County Commissioners thought process was County Clerk has money that he can move around. In talking with the county clerk if he moves it from someplace else to us that's taking away from that other organization. It could be voter registration it could be finance department so somebody within his area is going to get cut. Mr. Alderton believes a reasonable approach is to go for one rank first and not going for two. Maybe next year we say we take a look at the promotion of using a new test system for just the rank of Corporal & Sergeant, since it's the same test. Then the year after we submit for the new test system for the rank of Lieutenants/Captains. Mr. Alderton went on to suggested allowing the stakeholder, such as the Sheriff weigh in on which ranks he would like to see new tests offered first. Commissioner Moffitt agree and thought this was a good idea.

(k) Commissioner Moffitt went on to say. You're going from a corporal and then from a corporal to a sergeant. So at least, if we get the books and the stuff these guys have all this stuff then they're going to get a lot of the very important stuff at the beginning. Then if we can prove within a couple of years how beneficial this is you get better

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candidates. You'll get better results, better statistics. Then we can say, we can relate it back to this and then maybe get the funding to go to the next level because he (Commissioner Moffitt) really think that's going to add a lot of value for you (the Deputies & Sheriff). By giving them this information allowing them to do study.

(l) Commissioner Dopson spoke up by stating, it's not something we're going to solve tonight. He suggested the issue/subject be tabled for tonight.

(m) Commissioner Moffitt stated, that we have sort of an idea now to cut it in half and then we also have \$10,000 that we never use that we could use. We've never needed it before and we have a lawyer on the commission. Commissioner Dopson stated he (President Buck) can't represent the Commission. Chief Young addressed the commissioners by adding 2010 would prove all incorrect, as he was one of the initiators of a legal suit and that bill went up \$40,000 to \$50,000 if he wasn't mistaken. Commissioner Moffitt commented he appreciated knowing that, as he was not aware of the money expended in the past.

(n) President Buck stated we would have a discussion next month again. For now, we'll move onto Old Business.

7. Old Business:

a. **Issue 2024-0003.** Investigating Test Providers for Deputy Sheriff Promotional Examination Services. Mr. Alderton didn't have any additional information to provide. As it was addressed under the budget update.

(1) Under the Budget update Discussion Commissioner Dopson, made the recommendation to table this issue for now. However, no formal motion was made to table the issue.

(OPEN)

b. **Issue 2024-0013.** Open Hire Process IAW Current Rules & Regulation. Commissioner Dopson, conveyed:

(1) The rules went out on March 10th to everybody to review. We're requesting any questions or concerns with anything in there by April 10th. Then we'll answer those back. All questions or comments are to be sent to Mr. Alderton.

(2) Hopefully we can get those approved at our April meeting. Some corrections or suggestions came in from Mr. Mauzy. President Buck, inquired if anything else had been received so far. Mr. Alderton replied, not at this point in time. He added, we've only received one (1) email with any updates. Mr. Mauzy originally suggested deleting the footnotes. But when asked why, he didn't realize they were for footnotes and he said "*No those are good to keep in there.*"

(3) We're waiting to hear back from the Sheriff and the Deputy Sheriff's Association on what they want to see revised. President Buck inquired, what's our process going forward? Commissioner Dopson replied, we're waiting for feedback and input then we'll consider

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all those and any changes in the commission or the committee and bring it back here. If there are a lot of changes of course we may not make April meeting for approval.

(4) One of the topics for discussion in relation to the rules and regulation involves accepting applicants up to the start of the physical agility testing. This is preferred by the Sheriff and his leadership team. Mr. Alderton, reminded the sheriff if this is something to be considered to ensure it is written in the response back to the Rules & Regulations Committee, and sent to him by April 9th.

(OPEN)

c. **Issue 2024-0029.** Request for New Open Hire Physical Agility & Written Examination. RE: **December 14, 2024 Test.** Mr. Alderton provided the following summary:

(1) As of March 18, 2025, Mr. Alderton was contacted by Ms. Brandy Sullivan of the Sheriff's Office inquiring when he could swear Applicant Plank in as Deputy Sheriff.

(2) Applicant Dallas Plank's name was submitted to the County Commission for hire, with a start/hire date of Monday, March 17, 2025.

(3) This action was approved by the County Commission at their meeting held on, Thursday, March 13, 2025.

(4) As of Wednesday, March 19, 2025, the Civil Service Commission has not received a letter from the Sheriff or Chief's stating Applicant Plank meets all the requirements in West Virginia Code or the Rules & Regulations. Mr. Alderton briefed, the Sheriff's Office have a verbal that he's passed all of the medical requirements. However, they're awaiting the signature of a second doctor, as required by West Virginia State Code (§7-14-9)

(5) Ms. Brandy Sullivan informed the Commission, the reason they do not have the letter is because of the hang-ups they're trying to overcome with Valley Health. They're not able to get results. Until multiple doctors sign off on Applicant Plank. He has completed all of his exam. Ms. Sullivan went on to state they've been told that he's passed everything and it's been over a week and they still do not have a second doctor to sign off on everything. This is unfortunate that we're having to deal with this but unfortunately we have not located anywhere else that can do all of the testing.

(6) As of Wednesday, March 19, 2025, Mr. Alderton reached out to Sheriff Blair and Chief Young to ascertain the status of the remaining applicant, Stephen Moreland. During the conversation with Sheriff Blair, he indicated, he is recommending applicant Moreland be removed/stricken from the Eligibility List. He further directed me to Chief Young to obtain the letter of request to have him removed/stricken.

(7) Chief Young sent me the letter at 10:45 AM, March 19, 2025.

(8) A Certified Letter of notification has been prepared, for Applicant Moreland. The certified letter states, Applicant Moreland has until 5:00 PM on Thursday, March 27, to respond if he desires to have a Public Hearing or wants to decline a Public Hearing.

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(9) Mr. Alderton made a recommendation to make a motion, should he want a Public Hearing; the date will be Wednesday, April 17, 2025, at 6:15 PM here providing the Commission Chambers are available. If unavailable, we could hold the hearing across the hall in the multi-purpose room. Only drawback there is the public hearing cannot be streamed.

(10) Mr. Alderton reminded everyone, the eligibility list from the December 14, 2024 test date will need to be exhausted, before the commission can provide the Sheriff with the Top three (3) or in this case four (4) scorer's from or March 8, 2025 examination.

Commissioner Dopson made a motion to hold a Public Hearing to have applicant Stephen Moreland removed/stricken as requested by Sheriff Blair, On Wednesday, April 17, 2025. In the County Commission chambers, at 6:15 PM. Commissioner Moffitt seconded the motion. President Buck called for further discussion. There being none, he called for a vote. The vote was unanimous on accepting the motion as stated.

Currently, the Sheriff's Office has five (5) openings.

This was given an **Issue Number of 2025 – 0007.**

(OPEN)

d. **Issue 2024-0032.** Request for New Open Hire Physical Agility & Written Examination. **RE March 2025.** Mr. Alderton provided the following information:

(1) This resulted in 14 (14) applicants being eligible to test. Out of the fourteen (14), we recieved notice from four (4) applicants, that they would not be able to attend the testing on March 8, 2025. This left a total of nine (9) applicants eligible to test. All nine (9) did report for testing on March 8, 2025. Out of the nine (9), only seven (7) were required to undergo the physical agility test, as the other two (2) were previously/currently certified law enforment officers. All seven (7) passed the physical agility test. Commissioner Moffitt served as the test proctor for the physical agility test. Which was conducted at Martinsburg High School Football Field.

(2) An Open Entry – Entry Level Physical Agility & Written Examination was held on Saturday, March 8, 2025.

(3) Upon completion of the physical agility testing, we transitioned to the Sheriff's Office for the 84 question, two (2) hour Written Examination. The examination commenced at 10:12 AM. The first applicant finished the exam at 11:29 AM and the last applicant finished the exam at 12:02 PM, which was ahead of the cut-off time of 12:12 PM. President Buck served as test proctor for this event

(4) The test materials were mailed back to the West Virginia Division of Personnel, on Monday, March 10, 2025, at a cost of \$14.10.

(5) We recieved the test scores from WVDOP via email on Thursday, March 13, 2025, at 8:42 AM. All nine (9) did pass the written examination.

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(6) A letter has not been provided to Sheriff Blair, relating to the the top three (3) names/scorers. As the Eligibility List from the December 14, 2025 has not been exhausted.

(OPEN)

e. Issue 2025 – 0001, Annual Report for Calendar Year 2024. §7-14-6 Powers and Duties. Mr. Alderton reported the 2024 Annual Report is now complete. Mr. Alderton provided the following update:

(1) As a reminder... IAW the West Virginia State Code it states...

(6) Make an annual report to the county court and sheriff showing its own actions, its rules and regulations, including all exceptions thereto in force, and the practical effects thereof, and any suggestions it may have for the more effectual accomplishment of the purposes of this article. Such report shall be available for public inspection five days after it shall have been delivered to the county court and sheriff.

(2) Mr. Alderton urged the commissioners to approve the Berkeley County Deputy Sheriff Civil Service 2024 Annual Report.

(3) Mr. Alderton went onto to request two (2) motions be made.

(a) One, to accept the Berkeley County Deputy Sheriff Civil Service 2024 Annual Report, as Written. Commissioner Moffitt made the motion to accept the Berkeley County Deputy Sheriff Civil Service 2024 Annual Report, as written. Seconded by Commissioner Dopson. President Buck called for any further discussion. There was none, so a vote was called for by President Buck. The vote was unanimous, in favor of the Berkeley County Deputy Sheriff Civil Service 2024 Annual Report, approved as written.

(b) Second, to maintain the Berkeley County Deputy Sheriff Civil Service 2024 Annual Report, Civil Service Office, Suite 103-5 for viewing, and Post it to the County Clerk's Web Page for Civil Service. Commissioner Moffitt made the motion for it to be viewed in the Civil Service Office, Suite 103-5 and post it to the County Clerk's Web Page for Civil Service. Seconded by Commissioner Dopson. President Buck called for any further discussion. There was none, so a vote was called for by President Buck. The vote was unanimous, in favor of it being maintained in the Civil Service Office and posted to the County Clerk's Web Page.

(CLOSED)

e. Issue 2025 – 0003. Promotional Exam Request for Rank of Sergeant due to Sergeant Heagy Demotion (Voluntary) Request, which created the vacancy as of July 1, 2024. Mr. Alderton reported he has two (2) letters. One dated February 18, 2025 and the other dated March 17, 2025.

(1) The letter of February 18, 2025 relates to a test for Sergeant.

(2) The letter on March 17, 2025 is referring to a test for Sergeant and Corporal.

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(3) Chief Young then verbally rescinded his request for a test for Corporal. Stating a Corporal test is not needed. It was not needed due to when Sergeant Heagy stepped down that placed the Sheriff's Department heavy by one Corporal. Therefor a Corporal test is not needed.

(4) Mr. Alderton brought up the issue of an Addendum (**see Attachment 3**) to Current (9-15-2021) Rules & Regulations, Article III, Promotions, Section II – Eligibility (§7-14-13) For the records and tracking, this was given **Issue Number 2025 – 0006** and titled Addendum to Current (9-15-2021) Rules & Regulations, Article III, Promotions, Section II – Eligibility (§7-14-13). **NOTE:** The reason it was brought up at this point, is due to it directly affecting this issue.

(a) Discussion evolved around the Addendum stating how the process would work if approved. The Addendum was crafted, due to the way the current Rules and Regulations are written, Corporal Chronister would be the only one ever to be able to test for the vacancy created on July 1, 2024.

(b) Commissioner Dopson, recused from further discussion.

(c) President Buck asked, so in the event that we do this that we make this adjustment what becomes the vacancy date. Meaning, the vacancy date is from the date of July 1 is that going to be the vacancy date of the next officer to step. Mr. Alderton replied, he does not see it that way. Because the officer that is now the officer that is now eligible his date of eligibility wasn't until March 17th. Therefore, Mr. Alderton thinks that then becomes the new date to go off of.

(d) Lt Christian stepped up to the microphone requesting clarification. He asked ... are you saying that we have a person that's eligible as of Monday for the test but we're not we're going to wait till April 1st to send a letter in order to do the test? Mr. Alderton replied yes.

(e) Mr. Wilson then stepped up and stated... you have a person in this case here you're going by the first of the month because that's when the original vacancy date was. But let's say on the 17th of this month you have a person becomes eligible he (Sheriff) needs to send you all a letter right now, saying I have a person eligible on the 17th and then that way that person and then you can ask is there anybody else eligible which would be the one person in this case that that turned it down you should get two names. You can start, you don't have to wait till the next month. Commissioner Dopson, added so in our rules meeting we discussed that if we do that there's a possibility to manipulate the date. Because that person who turned it down could at any time say okay I want it now. Mr. Wilson responded, that's true. Commissioner Dopson, went on to say, you got to have a date and time unless maybe he's got a buddy that's like not eligible till a certain date. Mr. Wilson stated I got to tell you in the conversations we had then I misunderstood what you (Commissioner Dopson) were coming at. Because when a person becomes eligible that's the date you're going by. You're doing every 30 days because you're checking in with him to see if he had anyone else come available. You could have said it every two weeks you could have said it every week yeah but we didn't you said that's right you said it every 30 days when he has a man who becomes eligible on this date I think that you would be remiss as a commission by not going ahead and starting the procedures because he's eligible. Why are we going to wait and if you take this situation away and you go with just standard promotions. He (Sheriff) should be notifying you immediately when a person becomes eligible let's say that we didn't have that vacancy from back in July let's say that you had a

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vacancy that just came up on March 17 March. He (Sheriff) has a man that's eligible he should be sending you a letter and you should be moving forward with that. In this case here you should move forward if he sends you a letter. You should move forward then you don't have to wait till one April he's done notified you. He's got a man that's eligible you can look at that and say "Okay do you have anybody else is eligible?" In this case he would have two you know you're going to contact that other person or contact them both and say "You're eligible do you want to test. Everybody's anticipating only one person's going to do that and you move forward you don't have to wait till one April.

(f) President Buck recognized people were getting lined up at the podium and a motion had not been made yet. He acknowledged there would be time for discussion, if a motion is made to adopt. Therefore, President Buck wanted to move back to procedure.

(g) President Buck wanted to seek an understanding from Mr. Alderton by saying...you have suggested this amendment to the rules. Additionally, if there, there is a motion, we make and we adopt this... is there a motion, any motion regarding this

(h) Commissioner Dopson, again stated he was recusing. President Buck acknowledged Commissioner Dopson recusing himself.

(i) Commissioner Moffitt, made a motion to adopt it (Addendum) President Buck, seconded the motion. Then opened it up for further discussion, since there was a motion and a second.

(j) Chief Young stepped up to the podium. He stated he and others were under the impression that tonight is the night we discuss the issues we have we weren't told to send them in or we would have. Commission Dopson, clarified it was in the email sent to the Sheriff & Deputy Sheriff Association, for them to send their suggestion-recommendations to John (Mr. Alderton) and we (Rules Committee) would address all the questions at one time.

(k) Lt Christian again stepped up to the podium and inquired ... since we're still operating under the same rules that we currently have in place and these aren't adopted and that every 30 days thing is not adopted why would we hold up this promotion test and not go ahead and start it immediately? Commissioner Dopson, added, because under the current rules nobody could ever test for that position except Corporal Chronister, he's the only one that would be eligible to ever test for that vacancy.

(l) President Buck stated... We've got an addendum here, we've got a motion to adopt it and we're in a discussion period. He added, he thought the idea was good. The idea was to move this forward and to break the log jam. So we cleared the list and we can move forward, but with the discussion in room here. We're not ready to adopt this. There's just too many questions for adoption. President Buck acknowledged Commissioner Dopson recused but stated Commissioner Dopson can discuss rules. Commissioner Dopson stated, doesn't know how we ever move forward if we don't adopt something. He agrees, some procedure for allowing a new newly eligible person to test. Or if someone would change their mind or any number of things that kept a person him from taking the position; death in the family, family issues. Commissioner Dopson felt it was the thought among the committee was that if at any point after that he wanted to accept the promotion he could test again. We were trying to get some structure around it.

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(m) President Buck went onto state...we've got a motion it's been seconded, it's time for a vote. All in favor of adopting this amendment as proposed say yes. President Buck and Commissioner Moffitt voted in favor of adopting the Addendum Commissioner Dopson Abstained due to his recusal. The motion passed, and is therefore adopted on March 19, 2025. President Buck added, nothing precludes the Rules & Regulations Committee from tweaking it in their revision.

8. New Business.

a. **Issue 2025 – 0004.** 2025 West Virginia Legislative Update (**Informational**). Mr. Alderton Reported the following...

(1) HB 2166 A BILL to amend and reenact §7-14-8 of the Code of West Virginia, 1931, as amended, relating to providing for lateral transfers for deputy sheriffs.

https://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=hb2166%20intr.htm&yr=2005&sesstype=RS&i=2166

Introduced February 10, 2005; referred to the Committee on Pensions and Retirement then the Judiciary.

(2) HB 2615 A BILL to amend and reenact §7-14-8 of the Code of West Virginia, 1931, as amended, relating to extending the time during which deputy sheriffs who have separated from their departments may apply for reinstatement from two to five years.

https://www.wvlegislature.gov/Bill_Text_HTML/2025_SESSIONS/RS/bills/hb2615%20intr.pdf

Introduced February 19, 2025; referred to the Committee on Finance

(3) HB 2685 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §7-14-13a, relating to providing county sheriffs the authority to appoint a deputy chief; creating requirements for the establishment of the position; establishing duties; making the appointment of the position discretionary; and requiring a department to have at least 25 deputy sheriffs to be eligible to utilize position.

https://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=hb2685%20intr.htm&yr=2025&sesstype=RS&i=2685

Introduced February 20, 2025; referred to the Committee on the Judiciary

(4) HB 2810 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-14-17f, relating to providing salary increases for deputies with college degrees; and providing county commissions with an election option to reimburse deputies for all tuition expenses and expenses incurred for the purchase of textbooks while attending college-level courses at any accredited college or university in lieu of the mandated salary increases.

https://www.wvlegislature.gov/bill_status/bills_text.cfm?billdoc=hb2810%20intr.htm&yr=2010&sesstype=RS&i=2810

Introduced January 13, 2010; referred to the

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Committee on Political Subdivisions then Finance.

(5) HB 2863 A BILL to amend and reenact §7-14-13 of the Code of West Virginia, related to clarifying a sheriff's authority to hire within their own office
https://www.wvlegislature.gov/Bill_Text_HTML/2025_SESSIONS/RS/bills/hb2863%20intr.pdf

Introduced February 24, 2025; referred to the Committee on Government
Organization

(6) HB 2980 A BILL to amend and reenact §11-21-12 and §20-7-1 of the Code of West Virginia, 1931, as amended, relating to taxes and Division of Natural Resource officers; providing a pension benefits exempt from income taxation; and including Division of Natural Resources police, deputy sheriffs, full-time firefighters, and municipal police officers into the class of law-enforcement officers exempted.
https://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=hb2980%20intr.htm&yr=2025&sesstype=RS&i=2980

Introduced February 26, 2025; referred to the Committee on the Judiciary

(7) SB 193 A BILL to amend and reenact §7-14-17c of the Code of West Virginia, 1931, as amended, relating to clarifying the amount of a deputy sheriff's annual monetary payment for years of service.
https://www.wvlegislature.gov/bill_status/bills_text.cfm?billdoc=sb193%20intr.htm&yr=2025&sesstype=RS&i=193

Introduced February 12, 2025; referred
to the Committee on Government Organization

(8) SB 503 A BILL to amend and reenact §6-3-1 of the Code of West Virginia, 1931, as amended, relating to appointment of more than one chief deputy by the sheriff.
https://www.wvlegislature.gov/bill_status/bills_text.cfm?billdoc=sb503%20intr.htm&yr=2025&sesstype=RS&i=503

Introduced February 14, 2025; referred
to the Committee on the Judiciary

(9) SB 566 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15-2-57, relating to providing all certified Law-Enforcement Officers tuition-free education up to the highest rate for higher education in this state.
https://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=sb566%20intr.htm&yr=2025&sesstype=RS&i=566

Introduced February 21, 2025; referred
to the Committee on Education; and then to the Committee on Finance

“Second oldest county in West Virginia”

NOTE: Source of Information:

https://www.wvlegislature.gov/Bill_Status/Bills_all_bills.cfm?year=2025&sessiontype=rs&btype=bill

(INFORMATIONAL)

9. Items From the Floor.

a. Addendum (**see Attachment 3**) to Current (9-15-2021) Rules & Regulations, Article III, Promotions, Section II – Eligibility (§7-14-13) For the records and tracking, this was given **Issue Number 2025 – 0006** and titled Addendum to Current (9-15-2021) Rules & Regulations, Article III, Promotions, Section II – Eligibility (§7-14-13). **NOTE:** Nothing else to add, as this was covered under the above item of: e. **Issue 2025 – 0003.** Promotional Exam Request for Rank of Sergeant due to Sergeant Heagy Demotion (Voluntary) Request, which created the vacancy as of July 1, 2024. **(CLOSED)**

b. **Issue 2025 – 0003.** Promotional Exam Request for Rank of Sergeant due to Sergeant Heagy Demotion (Voluntary) Request, which created the vacancy as of July 1, 2024.

(1) Just before adjournment, Ms. Brandy Sullivan inquired about setting a test date for the upcoming Sergeant Examination. This was an oversight by Mr. Alderton to be discussed.

(2) The discussion centered around when to hold the promotional examination for Sergeant. The date of April 24, 2025, at 9:00 AM was selected. There are two (2) corporal (Chronister & Dopson) eligible to test. Date of Vacancy, as result of the Addendum (**see Attachment 3**) associated with Issue Number 2025 - 0006 will now be March 11, 2025.

(3) The two (2) possible test dates offered were April 24 & 25. After discussion the commissioners settled for April 24, 2025, and a time of 9:00 AM. The test is to be held at the Berkeley County Sheriff's Office, in the training/classroom.

(4) No test proctor was identified.

(OPEN)

10. Announcements (Informational). Mr. Alderton briefed the following announcements:

a. As of February 26, 2025 we begun officially recording the Meeting Minutes in the system of Record for the County Clerk's Office. An Instrument Number is assigned to the document, as is a Book & Page Number. The Date of Recording, along with the time the document is recorded, validated and stamped on the first or last page of the approved documents.

We also recorded on February 26, 2025 the Public Hearing we had back in October of 2024.

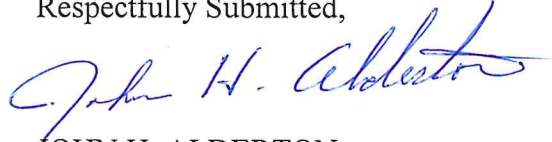
This came about because of a conversation the county clerk and Mr. Alderton had. Mr. Alderton, inquired if we should be recording these documents? Mr. Petrucci, affirmed we should.

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b. **Next Meeting.** The next meeting of the Berkeley County Deputy Sheriff Civil Service Commission is scheduled for 5:00 PM, Wednesday, April 16, 2025. Hopefully, in the Commission Chambers. **NOTE:** Per Ms. Penny Shewell, the commission chambers cannot be reserved until the first day of every month.

11. **Adjournment.** President Buck, inquired if there was a motion to adjourn. Commissioner Dopson, made a motion to adjourn. Commissioner Moffitt seconded the motion. President Buck called for any further discussion. With there being none, President Buck called for a vote. The motion carried unanimously. The meeting was adjourned at 6:30 PM. **NOTE: See Attachment 4,** for a complete review of Open/Closed/Tabled items.

Respectfully Submitted,



JOHN H. ALDERTON

BCDSCSC, Administrative Assistant

3 Attachment(s):

1. Meeting Agenda, Wednesday, March 19, 2025
2. Civil Service Commission Certificate of Recognition for 2024 Past President Stephen D. Dopson
3. Addendum to Current (9-15-2021) Rules & Regulations, Article III, Promotions, Section II – Eligibility (§7-14-13) (**Issue Number 2025 – 0006**)
4. Open/Closed/Tabled Issues/Item(s) Table of Contents, dated February 19, 2025

cc:

BCDSCSC File

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AGENDA

Berkeley County Deputy Sheriff's Civil Service Commission

3/19/2025 5:00 PM | Meeting called by: Civil Service Commissioners

Location: The Berkeley County Main Administration Building, County Commission Chambers, 2nd Floor

400 West Stephen Street

Martinsburg, WV 25401

Commissioners & Recorder

Dale Buck, Esq., President | Stephen D. Dopson, Commissioner | James G. Moffitt, Commissioner | John H. Alderton, Deputy County Clerk/Administrative Assistant for BCDSCSC

Item

OPR

1. **Welcome – Call to Order** President Buck
2. **Recognition & Appreciation** President Buck
3. **Reading & Approval of Minutes.** Approval of Meeting Minutes: All Commissioners
dated February 19, 2025.
4. **Budget Update (Informational).** Administrative Assistant
5. **Old Business:**
 - a. **Issue 2024–0003.** Investigating Test Providers for Deputy Sheriff Promotional Examination Services **RE:** Promotional Examination Vendors Update All Commissioners
 - b. **Issue 2024-0013.** Open Hire Process IAW Current Rules & Regulation. (**Revision & Update of R&R**) All Commissioners
 - c. **Issue 2024-0029.:** Request for New Open Hire Physical Agility & Written Examination. **RE: December 14, 2024** All Commissioners
 - d. **Issue 2024-0032.** Request for New Open Hire Physical Agility & Written Examination. **RE: March 2025** Administrative Assistant
 - e. **Issue 2025-0001.** 2024 Annual Report; January 2024 – December 2024 Administrative Assistant
 - f. **Issue 2025-0003.** Promotional Exam Request for Rank of Sergeant due to Sergeant Heagy Demotion (Voluntary) Request, which created the vacancy as of July 1, 2024. All Commissioners

ATTACHMENT "1"

6. **New Business.**

a. **Issue 2025 – 0004, 2025 West Virginia Legislative Update**

All Commissioners or
Administrative
Assistant

7. **Items from the Floor.**

Audience Members
Administrative
Assistant

8. **Announcements.**

All Commissioners or
Administrative
Assistant

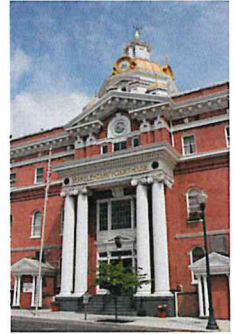
9. **Motion for Recess or to Adjourn**

All Commissioners

The Berkeley County Deputy Sheriff Civil Service Commission reserves the right to re-arrange items on the Agenda as needed due to time constraints of the commission.

NOTES:

Berkeley County Civil Service Commission Certificate of Recognition



Presented to

STEPHEN D. DOPSON

to

**Commemorate and Recognize Serving as President of
the Berkeley County Deputy Sheriff Civil Service
Commission for the Year of 2024, Berkeley County,
West Virginia**

In heartfelt recognition of your exemplary **Leadership**, unwavering **Commitment**, outstanding **Communication Skills**, and remarkable **Achievements** throughout your dedicated service as President of the Berkeley County Deputy Sheriff Civil Service Commission in 2024. Under your astute leadership, significant progress has been made in the area of promotional testing for Deputies—a topic that has been a focus for several years. Your vision and determination have brought this initiative closer to fruition, paving the way for enhanced opportunities and professional growth within the ranks of our Deputy Sheriffs. Your meticulous attention to detail led to a comprehensive review and revision of the Civil Service Rules and Regulations, which had remained unchanged since 2021. This process, guided by your insightful leadership, resulted in critical updates and refinements, ensuring that the Commission's guidelines are both relevant and effective in addressing the evolving needs of our community. Furthermore, your forward-thinking approach led to the creation of an addendum allowing for virtual attendance, a progressive step that has modernized our operations and improved accessibility for all Commission members. Your exceptional service, dedication, and vision have made a lasting impact on the Commission, Sheriff's Office and the Berkeley County community. We owe you a profound debt of gratitude for your tireless efforts, unwavering devotion, and steadfast commitment to excellence.



Given this 19th Day of March 2025.

DALE A. BUCK, ESQ
President, Civil Service Commission



COPY

ADDENDUM TO THE RULES & REGULATIONS OF THE BERKELEY COUNTY DEPUTY SHERIFF CIVIL SERVICE COMMISSION

Adopted: Wednesday, March 19, 2025

NOTE: The below language supersedes the current language as written in the current Rules & Regulation, adopted on September 15, 2021, titled Article III Promotions, Section II – Eligibility (§7-14-13)

Section II – Eligibility (§7-14-13)

1. Eligibility for Promotion:

No person shall be eligible for promotion from the lower grade to the next higher grade until they have completed at least two years of continuous service in the next lower grade. Eligibility for the two-year service requirement shall be determined as of the date of the vacancy for which the promotion is being made.

2. Process in the Absence of Eligible Candidates:

If there are no eligible candidates for promotion, or if the only eligible candidate declines, the following procedures shall be followed until at least one eligible candidate is identified and accepts the promotion:

a. No Eligible Candidates

- (1) Every 30 days from the date of the vacancy, the BCDSCSC shall formally request a written response from the Sheriff regarding the availability of eligible candidates.
- (2) The Sheriff shall provide a written response indicating whether any candidates have become eligible.
- (3) This process shall continue in 30-day intervals until an eligible candidate exists and agrees to participate in the promotional examination.

b. Declination of the Promotional Opportunity

- (1) Any deputy sheriff who declines to take the written examination or declines the promotion shall submit a written statement to the BCDSCSC within five (5) days of notification of eligibility or within five (5) days after passing the written examination.
- (2) Upon receiving such notice, the BCDSCSC shall continue to request eligibility updates from the Sheriff every 30 days, following the same procedures outlined above.
- (3) Each deputy who declines a promotion must do so in writing.

(4) During each 30-day review, the previously eligible deputy who declined shall be given another opportunity to accept the promotion and take the examination. If they reconsider, a new written examination shall be administered.

3. Promotion Criteria

Promotions shall be determined based on merit and fitness, as assessed by the Civil Service Commission, and upon the superior qualifications of the candidates, as demonstrated by their previous service and experience. The following criteria shall be used:

- a. Qualifications – Based on previous service (performance appraisals) and experience (seniority).
- b. Merit – Assessed through a competitive written examination provided by the Civil Service Commission.
- c. Fitness – Determined through a medical examination.

4. Legal Precedents

a. Civil Action 11-C92 affirms that the two-year service requirement must be continuous and immediately preceding the vacancy. The Commission is required to certify deputies for promotion in accordance with this interpretation.

b. Mangus v. Ashley, 199 W. Va. 651, 487 S.E.2d 309 (1997) establishes that promotions must be based on (1) qualifications as demonstrated by previous service and experience and (2) merit and fitness as determined by competitive examinations.

5. Approval and Adoption.

Signed this 19th day of March, 2025



DALE A. BUCK, President
Berkeley County Deputy Sheriff Civil Service Commission



STEPHEN D. DOPSON, Commissioner
Berkeley County Deputy Sheriff Civil Service Commission



JAMES G. MOFFITT, Commissioner
Berkeley County Deputy Sheriff Civil Service Commission



BERKELEY COUNTY
Anthony J. Petrucci, Clerk
Instrument 20250009930
04/14/2025 @ 10:02:24 AM
COUNTY COMMISSION MINUTES
Book 50 @ Page 411
Pages Recorded 2

Open/Closed/Tabled Issue Running List

Table of Contents

Issue Item Number	Title	Opened	Closed - Tabled	OPR
2024 - 0001	Nomination of BCDSCSC President	January 27, 2024	April 24, 2024	All Commissioners
2024 - 0002	BCDS Chief Young's Request for Reinstatement Submittal/Withdrawal.	March 27, 2024	March 27, 2024	All Commissioners
2024 - 0003	REVISED Title; Investigating Test Providers for Deputy Sheriff Promotional Examination Services. Titled changed 9-18-2024, Civil Service Meeting Former Title: Online Testing for the Berkeley County Deputy Sheriff Department for Open Entry and Promotional exams.	????????	This item was TABLED on May 22, 2024, pending more information relating to a budget – financial obligation. ----- This item was readdressed on 9-18-2024 and was also TABLED again on 9-18-2024	All Commissioners
2024 - 0004	Amendment to BCDSCSC Rules & Regulation RE: Virtual Attendance.	March 27, 2024	April 24, 2024	All Commissioners
2024 - 0005	Hiring of Deputy Charles Hess.	October 19, 2023	March 27, 2024	All Commissioners
2024 - 0006	Promotional Exam for Corporal on Monday, March 25, 2024. RE: due to Steerman vacancy	January 23, 2024	April 24, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0007	Letter of Resignation for Lt Kurt Yoder, Effective March 12, 2024, received this Office on March 13, 2024	March 13, 2024	March 27, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0008	Promotional Exam Request for Rank of Lieutenant due to Lt Yoder's resignation, which created the vacancy as of March 13, 2024	March 27, 2024	July 17, 2024	All Commissioners

Open/Closed/Tabled Issue Running List

Table of Contents - Continued

Issue Item Number	Title	Opened	Closed - Tabled	OPR
2024 - 0009	Promotional Exam Request for Rank of Sergeant due to Lt Yoder's resignation, which created the vacancy as of March 13, 2024	March 27, 2024	July 17, 2024	All Commissioners
2024 - 0010	Promotional Exam Request for Rank of Corporal Due to Lt Yoder's resignation, which created the vacancy as of March 13, 2024	March 27, 2024	July 17, 2024	All Commissioners
2024 - 0011	Transfer Request from Mr. Timothy Everhart	March 27, 2024	March 27, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0012	Part-Time Employment Amendment. IAW WV State Code §17-14-15a, to Rules & Regulations	January 27, 2024	April 24, 2024	Chief T.A. Young /Chief of Staff Eric Burnett
2024 - 0013	Open Hire Process IAW Current Rules & Regulation. Rules & Regulation Update/Review	April 24, 2024		President Dopson
2024 - 0014	Position Classification Plan – Does the Chief Administrator's Position Need to be added?	March 27, 2024	April 24, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0015	Master Classification & Proposed Rank Structure.	April 24, 2024	May 22, 2024	Chief T.A. Young All Commissioners
2024 - 0016	Draft of Revised Berkeley County Deputy Sheriff Civil Service Application	April 24, 2024	July 17, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0017	Open Hire Physical Agility & Written Examination (August 3, 2024)	May 22, 2024	August 21, 2024	All Commissioners
2024 - 0018	(Informational) Job Fair Participation (May 8, 2024)	May 22, 2024	May 22, 2024	Deputy County Clerk/ Administrative Assistant

Open/Closed/Tabled Issue Running List

Table of Contents - Continued

2024 - 0019	(Informational) Resignation of Deputy Thadeuss Wright (Last Work Day, June 1, 2024)	May 22, 2024	May 22, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0020	Provisional Appointment(s)	July 17, 2024	July 17, 2024	All Commissioners
2024 - 0021	Preference Points for Certified Officers	July 17, 2024	July 17, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0022	(Informational) Demotion (Voluntary) Letter of Request. Re Sergeant Harold Heagy	July 1, 2024	July 17, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0023	Promotional Exam Request for Rank of Sergeant due to Sergeant Heagy Demotion (Voluntary) Request, which created the vacancy as of July 1, 2024	July 1, 2024	October 16, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0024	Request for New Open Hire Physical Agility Test & Written Examination. RE October 26, 2024	August 21, 2024	January 15, 2025	Deputy County Clerk/ Administrative Assistant
2024 - 0025	Conditional Hiring Request for Approval RE: Applicant Bryce Reinhardt	September 18, 2024	September 18, 2024	All Commissioners
2024 - 0026	Request to Stricken/Remove Applicant RE: Jerry Lee Moschel	September 18, 2024	October 16, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0027	Request to Stricken/Remove Applicant RE: Stefan Cebotari	September 18, 2024	November 20, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0028	Conditional Hiring Request for Approval RE: Applicant Aden Drake	September 18, 2024	October 16, 2024	All Commissioners
2024 - 0029	Request for New Open Hire Physical Agility & Written Examination. RE December 14, 2024	October 30, 2024		Deputy County Clerk/ Administrative Assistant

2024 - 0030	Request to Stricken/Remove Applicant RE: Mackenzie Duclos	December 18, 2024	January 15, 2025	Deputy County Clerk/ Administrative Assistant
2024 - 0031	Request to Stricken/Remove Applicant RE: Reily Miller	December 18, 2024	January 15, 2025	Deputy County Clerk/ Administrative Assistant
2024 - 0032	Request for New Open Hire Physical Agility & Written Examination. RE March 8, 2025	December 18, 2024		Deputy County Clerk/ Administrative Assistant
End of Issue Items for 2024				
Beginning of Issue Items for 2025				
2025 - 0001	Annual Report for Calendar Year 2024	January 15, 2024		Deputy County Clerk/ Administrative Assistant
2025 - 0002	Social Media RE: Facebook and/or Instagram Presence	January 15, 2025	February 19, 2025	Deputy County Clerk/ Administrative Assistant
2025 - 0003	Promotional Exam Request for Rank of Sergeant due to Sergeant Heagy Demotion (Voluntary) Request, which created the vacancy as of July 1, 2024	February 19, 2025		All Commissioners
2025 - 0004	2025 West Virginia Legislative Session Update	March 19, 2025		All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0005	Promotional Exam Request for Rank of Corporal. As Requested in Chief Young's Letter Dated March 17, 2025	March 19, 2025		All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0006	Addendum to Current (9-15-2021) Rules & Regulations, Article III, Promotions, Section II – Eligibility (§7-14-13)	March 19, 2025		All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0007	Request to Stricken/Remove Applicant RE: Stephen Ray Moreland	March 19, 2025		Deputy County Clerk/ Administrative Assistant