

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

March 31, 2022
9:30 A.M.

Present:

James P. Whitacre, President Pro Tem

Dan Dulyea, Councilperson

James R. Barnhart, Councilperson

G. Edgar Gochenour, Councilperson

Alan J. Davis, County Administrator

Penny Shewell, Office Administrator

President Copenhaver was not present for the meeting.

Also Present: Tracie, McCormick, Procurement Coordinator; Anthony Delligatti, Legal Director; The Honorable Sheriff Nathan Harmon; Jeff Mauzy, Deputy Legal Director; Matthew Umstead, Director, Policies & Strategic Planning; Doug Smith, County Engineer

Re: Call to Order

President Pro Tem Whitacre called the March 31, 2022 Berkeley County Council Meeting to Order at 9:35 A.M.

Re: Items from the Public

Randall Reid-Smith, Curator of the Department of Arts Culture and History for the Governor's Office appeared before the Council and presented greetings from the Governor and stated that his office was looking forward to helping with the library HVAC and the Roundhouse with grants.

Re: Agenda

Councilperson Gochenour made a motion to approve the Agenda for the March 31, 2022 Berkeley County Council meeting. Councilperson Dulyea 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

Alan Davis, County Administrator reviewed the one (1) internal budget revision received.

3. Changes in Status

President Pro Tem Whitacre stated that a new hire recommendation was received from the Honorable Sheriff Nathan Harmon for D'Von J. Dorsey as a Deputy effective April 15, 2022 with an annual salary of \$51,692.

President Pro Tem Whitacre stated that a change in status was received from Mike Laing, Chief Court Marshal for Thomas Knock to be promoted to Sergeant Deputy Court Marshall effective April 1, 2022 with a salary increase from \$35,872 to \$39,909.

4. Approval of Minutes

There were no changes to the March 17, 2022 Berkeley County Council meeting minutes.

Councilperson Barnhart made a motion to approve the March 17, 2022 Berkeley County Council meeting minutes. Councilperson Dulyea seconded the motion. Vice President Whitacre abstained due to absence. The motion carried.

5. Council Calendar

President Pro Tem Whitacre reviewed the Council calendar for the month of April.

Alan Davis, County Administrator reviewed the upcoming meetings.

6. Board and Commission Calendar

President Pro Tem Whitacre reviewed the Board and Commission calendar for the month of April.

7. Proclamation Fair Housing Month

8. Bond Reduction – South Brook, Section 1, Phase 1, Final Plat, BCP File #2202-063 tied to BCP File #2107-246 & 2015-176, Bond #0798308 – Engineering Department

9. Letter of Endorsement IZAAK Walton League of America

Re: Consent Agenda Approval

Councilperson Dulyea made a motion to approve the Consent Agenda for the March 31, 2022 Berkeley County Council meeting. Councilperson Barnhart 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 Assessor's Office had nothing to present this week.

Re: Board Meeting Reports

Councilperson Barnhart reported that he attended the Public Service Water District board meeting where they reported updates on activities and the Bunker Hill plant.

Councilperson Dulyea stated that he had no meetings this week.

President Pro Tem Whitacre stated that he had no meetings this week.

Councilperson Gochenour reported that he attended the Historic Landmarks Committee meeting where they discussed the Morgan Cabin Association. Mr. Davis stated that the Council had received their proposed Agenda.

Re: Board and Commission Vacancies

Councilperson Gochenour requested to have a letter of reappoint sent to John Kunkle for the Public Service Sewer District board.

**Re: Councilperson Issues – Councilperson Dulyea
South Berkeley Park Design**

Councilperson Dulyea stated that the IT Department has put together a basic map for the South Berkeley Park project just to be able to clear a field, demo the house and provide parking. He stated that he would like to do an RFP to see what the cost would be to create a park. The consensus of the Council was to move forward with the RFP.

**Re: Mark Schiavone, Executive Director, Farmland Protection Board
Request to Close an Easement**

Mark Schiavone, Executive Director, Farmland Protection Board appeared before the Council requesting to close an easement for two (2) properties the first being in the Gerrardstown tax district owned by Appalachian Orchard Company and consists of 354 acres and the second being in the Tuscarara Historic District owned by Mark Burkhardt which consists of 400 acres.

Councilperson Barnhart made a motion to approve the request to close the two (2) easements as presented. Councilperson Dulyea seconded the motion. The motion carried unanimously.

**Re: Sheriff Nathan Harmon
Request to Use 510/520 S. Raleigh Street Parking Lots and for Fee Waiver for Food Vendors
For Community Event Day**

Sheriff Nathan Harmon appeared before the Council requesting to use the 510/520 S. Raleigh Street parking lots for a community event day and to waive the fee and requirements for food vendors for that day for the event. Sheriff Harmon stated that they would be responsible for the cleanup of the parking lots and would see if he could also obtain assistance on cleanup from Community Service. A discussion followed with the Council reviewing the Mobile Food Vendor Policy.

Councilperson Gochenour made a motion to approve the Sheriff to use the 510/520 S. Raleigh Street parking lots for the community event, but stated that the mobile food vendors needed to be in compliance with page 2 of the Mobile Food Vendor Policy. Councilperson Dulyea seconded the motion. The motion carried unanimously.

**Re: Jeff Mauzy, Deputy Legal Director
Orders Board of Review & Equalization**

Jeff Mauzy, Deputy Legal Director presented Orders for changes to the tax books for the Council's signature previously approved by the Council during the Board of Review & Equalization.

**Re: Amanda Shank, Child & Family Services
Children's Home Society of West Virginia
Proclamation Child Abuse Prevention Month Children's Memorial Flag**

Amanda Shank with Child & Family Services appeared before the Council and presented a Proclamation for Child Abuse Prevention Month Children's Memorial Flag. Ms. Shank read the Proclamation.

Councilperson Barnhart made a motion to adopt the Proclamation for Child Abuse Prevention Month Children's Flag. Councilperson Dulyea seconded the motion. The motion carried unanimously.

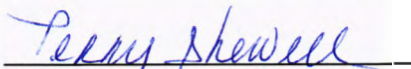
**Re: Alan Davis, County Administrator
State Budget Revision #10 Fund 001**

Alan Davis, County Administrator reviewed state budget revision #10 for Fund 001.

Councilperson Gochenour made a motion to approve state budget revision # 10 for Fund 001. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Re: Recess

Councilperson Barnhart made a motion to Recess the March 31, 2022 Berkeley County Council meeting.

Submitted by: 

Penny Shewell, Office Administrator