

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

May 12, 2022
9:30 A.M.

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; Anthony Delligatti, Legal Director; Will Lorenson, Fiduciary Supervisor; The Honorable Sheriff Nathan Harmon; Tim Czaja, Community Corrections Director; Mike Laing, Chief Court Marshal; Doug Smith, County Engineer; Cheri Horvath, Finance Director; Chief Tom Young; Brandy Sullivan, Sheriff's Department; Lt. Matt Rephann; Jack Laing, Facilities Director

Re: Call to Order

President Copenhaver called the May 12, 2022 Berkeley County Council Meeting to Order at 9:35 A.M.

Re: Items from the Public

Future Delegate Larry Kump appeared before the Council and stated that the biggest item on his agenda will be Route 9.

Re: Agenda

Vice President Whitacre made a motion to approve the Agenda for the May 12, 2022 Berkeley County Council meeting. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Re: Consent Agenda

1. Purchase Order Log

Alan Davis, County Administrator stated that the invoice on page 4 were encumbered funds from Coal Severance for the demolition and asbestos removal at 126 W. King Street and the removal of the pedestal and drive thru at 110 W. King Street. He also stated on page 8 the invoice in the amount of \$55,050 to Hagerstown Ford were for two (2) 4-wheel drive vehicles, one (1) for IT and one (1) for Emergency Services from which funds had been encumbered and delivery was take on those vehicles this morning.

2. Internal Budget Revisions

Alan Davis, County Administrator reviewed the seven (7) internal budget revisions received.

3. Changes in Status

President Copenhaver stated that a change in status was received from Randy Lilly, Director of Emergency Services for Zachary Markley to change from Firefighter I to Firefighter II effective May 16, 2022 with a salary change from \$51,802 to \$53,500.

President Copenhaver stated that a letter of resignation was received from the IT Department from Whitney Heironimus effective May 6, 2022.

President Copenhaver stated that a request was received from the Honorable Elaine Mauck, County Clerk to remove Shally Lapp from payroll effective May 4, 2022.

4. Approval of Minutes

There were no changes to the April 28, 2022 Berkeley County Council meeting minutes.

5. Council Calendar

President Copenhaver reviewed the Council calendar for the month of May. Alan Davis, County Administrator reminded the Council that the May 19th meeting would begin at 9:00 A.M. rather than 9:30 A.M.

6. Board and Commission Calendar

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

7. Letter of Intent WV Justice Assistance Program FY22

8. Cancelled Check Request – County Clerk’s Finance Office

9. Bond Release – Spring Mills Medical Office Building, BP File #R01820-16 tied to BCP #03-15. Bond #CA1534867 – Engineering Department

Re: Consent Agenda Approval

Vice President Whitacre made a motion to approve the Consent Agenda for the May 12, 2022 Berkeley County Council meeting. Councilperson Dulyea 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 approved a security deposit for a CD rollover and reviewed plant updates. He also reported that they presented their FY202-23 budget.

Councilperson Dulyea reported that he was unable to attend the Farmland Protection board meeting, but did attend the Development Authority meeting and reported that multiple businesses were coming to the area. He also reported that they did a nomination slate of officers.

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

Councilperson Gochenour reported that he had no meetings this week. Councilperson Gochenour expressed his thanks to all of the poll workers for being able to pull off the election so well with all the changes in the election.

President Copenhaver echoed Councilperson Gochenour's comments and thanked Gary Wine and his staff for all of their efforts during the election. He also stated that he was unable to attend the Development Authority meeting.

Re: Board and Commission Vacancies

President Copenhaver stated that a letter of resignation was received from Renee Pifer from the Senior Services board and requested that a letter thanking her for her service be sent.

Re: Bid Opening – RFQ Architectural & Engineering Services Inwood Park

Alan Davis, County Administrator reviewed the RFQ for the Architectural & Engineering Services for Inwood Park. He stated that the RFQ was posted on the county web site, advertised in the Journal with the Certification of Publication present in the bid file and the read ahead and distributed to nine (9) architectural firms with two (2) amendments.

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

- 1.HRG, State College, PA**
- 2. Alpha Architects & Engineering, Morgantown, WV**
- 3. Fox & Associates, Hagerstown, MD**
- 4. S & S. Engineers, Charleston, WV**
- 5. Thrasher Group, Martinsburg, WV**
- 6. CEC, Inc, Bridgeport, W**

**Re: Will Lorensen, Fiduciary Supervisor
Order for the Estate of Elizabeth K. Washington**

Will Lorensen, Fiduciary Supervisor appeared before the Council and stated that no Order was needed at this time, that Mr. Washington had increased his bonding status.

**Re: Clint Hogbin, Chair, Berkeley County Solid Waste Authority
Recognition of Winners of the School Recycling Contest “Operation Greenlid”**

Clint Hogbin, Chair, Berkeley County Solid Waste Authority appeared before the Council and stated in celebration of the 250 Anniversary of the county, there would be a clean-up effort and tire event this Saturday and multiple groups of volunteers will be doing litter pick up on Saturday.

Mr. Hogbin recognized the top three (3) winners of the School Recycling “Operation Greenlid” contest as follows:

- 3rd Place – James Rumsey
- 2nd Place – Martinsburg South Middle School
- 1st Place – Saint Joseph School

**Re: Sheriff Nathan Harmon
JHS Group
Request to Accept Donation for Emergency Events
Request for Additional Overtime Allotment for ATV Enforcement Team
Request to Declare Property as Surplus**

Sheriff Nathan Harmon appeared before the Council and stated that he met the owners, Mr. and Mrs. Shushan of JHS Group who are genuinely invested in emergency services and work with third party facility maintenance companies as their boots on the ground labor force and during their meeting they expressed wanting to financially assist the Sheriff’s Department in their goal of becoming more efficient in providing public safety services to our citizens while keeping our Deputies safe in the performance of their job duties. He further stated that the JHS Group would like to donate \$50,000 for the investment in equipment for the Deputies.

Alan Davis, County Administrator stated that a separate bank account would need to be opened so the money would not be co-mingled with public funds. Anthony Delligatti, Legal Director agreed and stated if there was any business in the county they would want to do work with they would be ineligible to bid in the future.

Henry Shushan appeared before the Council and stated that they mostly do federal work in the State of WV and wanted to be open and above board to avoid any conflict.

Sheriff Harmon stated that he has created an ATV Enforcement Initiative and was requesting \$8,000 of additional overtime funding for the ATV Enforcement Team of four (4) Deputies for five (5) months.

Councilperson Barnhart made a motion to approve the request for an additional \$8,000 of overtime for the ATV Enforcement Initiative. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Sheriff Harmon requested to declare firearms and suppressors as surplus. He stated that he would like to purchase five (5) red dot optics pistols and receivers for the holsters with the proceeds. Mr. Davis stated that he would prepare an Order for next week’s meeting to declare these as surplus.

**Re: Tim Czaja, Community Corrections Director
Recovery Services and Home Confinement Update**

Tim Czaja, Community Corrections Director appeared before the Council and presented an update on Recovery Services and Home Confinement. He reported that since the conception of Home Confinement they have supervised 690 offenders. Mr. Czaja recognized some of his staff and the staff that were recovered addicts had over 200 years of recovery between them. He stated that the DRC had an active roster of 301 participants currently and reviewed the numbers for the recovery services.

Mr. Davis stated that the DRC had applied and received their license to become a Behavioral Health Facility and would need to hire an additional therapist.

Vice President Whitacre made a motion to approve the hiring of an additional therapist for the DRC. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Catie Morgan, Recovery Resource Coordinator introduced a young man, Luke who chose to do his Eagle Scout Project on the Recovery Resource Center. Luke had lost his older brother to a drug overdose and made backpacks for the Recovery Resource Center which included things such as a blanket, water and snacks for people who were waiting to get into a recovery center and had nothing while they waited to get transported.

**Re: Mike Laing, Chief Court Marshal
Annual Report and Staffing Discussion**

Mike Laing, Chief Court Marshal appeared before the Council and reviewed his annual report for the Judicial Center reviewing the number of citizens entering the building and the court cases.

Mr. Laing also discussed his need for additional staffing due to the addition of new Magistrates coming to the Judicial Center.

Councilperson Barnhart made a motion to approve to recruit for two (2) additional Deputy Court Marshals. Councilperson Dulyea seconded the motion. The motion carried unanimously.

**Re: Alan Davis, County Administrator
Penny Shewell, Office Administrator
Tracey Guilliams, Grants Administrator
American Rescue Plan Act Guidelines & Application
Bid Recommendation RFP Roof Replacement 750 Baltimore Street
Bid Recommendation FY2022 Grounds Maintenance
ATV Ordinance County Property**

Alan Davis, County Administrator reviewed the American Rescue Plan Act Guidelines & Application. The Council made a few changes to the total numbers.

Mr. Davis reviewed the RFP for the roof replacement at 750 Baltimore Street. He recommended that the bid be awarded to Black Stone Roofing and replace the roof with the 20-year warranty reroof tear-of new system, \$885,000 with the R-20 insulation \$125,000 for a total cost of \$1,010,000.

Councilperson Dulyea made a motion to award the bid for the roof replacement at 750 Baltimore Street to Blackstone Roofing for a total cost of \$1,010,000. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Mr. Davis reviewed the RFP for FY2022 Grounds Maintenance. He stated that the recommendation was to award the FY2022-23 Grounds Maintenance Contract to C & D Property Management for Pikeside Waterway in the amount of \$500 per mowing and Sportsman's Paradise in the amount of \$600 per mowing with all other county mowing being done through the Community Services Program.

Vice President Whitacre made a motion to award the FY2022-23 Grounds Maintenance for Pikeside Waterway and Sportsman's Paradise to C & D Property Management. Councilperson Barnhart seconded the motion. The motion carried unanimously.

The ATV Ordinance County Property discussion will continue at a later date.

Re: Executive Session – Legal and Economic Development

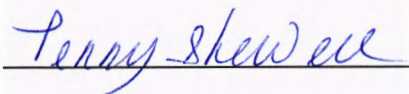
Vice President Whitacre made a motion to go into executive session for legal matters and economic development at 1:27 P.M. Councilperson Barnhart seconded the motion. The motion carried unanimously.

President Copenhaver declared the Council out of executive session at 2:25 P.M.

There were no motions made during or after executive session.

Re: Recess

Councilperson Barnhart made a motion to Recess the May 12, 2022 Berkeley County Council meeting.

Submitted by: 

Penny Shewell, Office Administrator