

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

May 19, 2022
9:00 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; Tracey Guilliams, Grants Administrator; Elizabeth Lapchak, Grants Administrator; April Hollern, Grants Coordinator; Matthew Umstead, Director, Policy & Strategic Planning; Jeff Mauzy, Deputy Legal Director; Brian Ross, Director, Division of Community Development; Cheri Horvath, Finance Director; Jennifer Swisher, 9-1-1 Director; the Honorable Catie Delligatti, Prosecuting Attorney, Dominic Orsini, Office Administrator; Mike Laing, Chief Court Marshal; Ted Cyhanick, Deputy Court Marshal; the Honorable Virginia Sine, Circuit Clerk

Re: Call to Order

President Copenhaver called the May 19, 2022 Berkeley County Council Meeting to Order at 9:00 A.M.

Re: Welcome by President Copenhaver/Recognition of Special Guests

President Copenhaver thanked everyone for coming to celebrate the 250th Birthday of Berkeley County today and welcomed everyone.

Re: Recitation of the Minutes of the May 19, 1772 by Councilperson Barnhart

President Copenhaver stated that Tuesday, May 19, 1772 was the first meeting of the Berkeley County Commission.

Councilperson Barnhart read the minutes of the May 19, 1772 Berkeley County Commission meeting.

President Copenhaver recognized Matthew Umstead for the time he has spent on the recognition Anniversary of Berkeley County.

Re: Remarks from Guests

A video message was viewed from Senator Capital.

Councilperson Gochenour read a message send from Senator Manchin.

Randall Reid-Smith appeared before the Council and read a Proclamation from the Governor's Office.

Lexi Brown from the Secretary of State's Office appeared before the Council and sent greetings from the Secretary of State Mac Warner.

Elaine Mauck, County Clerk shared the original minute book which is located at the County Courthouse from 1772-1778 and the first Orders from 1772.

The Council spoke regarding the anniversary of Berkeley County. Matthew Umstead appeared before the Council and spoke regarding the county seal stating there was never a formal county seal, but a celebration seal was created in 1972. The Council unveiled the two new county seals which were the front and back of the new seal.

Re: Items from the Public

Randall Reid-Smith from the Governor's Office appeared before the Council and was presented with a 250th Anniversary pin to carry to the Governor. Mr. Reid-Smith stated that the Governor had approved a \$70,000 Cultural Facilities grant for the Berkeley County museum.

Delegate Elect Larry Kump appeared before the Council and stated that Route 9 had been added to the Legislative Agenda as a Berkeley County action item.

Stephanie Phillips appeared before the Council and spoke about a number of items.

Re: Agenda

Vice President Whitacre made a motion to approve the Agenda for the May 19, 2022 Berkeley County Council meeting. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Re: Consent Agenda

1. Purchase Order Log

Alan Davis, County Administrator stated that the invoice on page 6 for Michael Baker was for the roof replacement at 750 Baltimore Street and the funds had been encumbered from Coal Severance. He also stated that the hotel/motel tax was distributed at 375,990.57 each which was \$75,000 above budget. Councilperson Gochenour questioned if the invoice for Priority Install was for parts to which Mr. Davis replied that it was. Councilperson Gochenour also questioned where the reimbursements on the Regional Jail bill derive from and Tracie McCormick, Procurement Coordinator explained.

2. Internal Budget Revisions

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

3. Encumbrances

There were no encumbrances received.

4. Changes in Status

President Copenhaver stated that new hire recommendations were received from Tim Czaja, Community Corrections Director for Jordan Baylor as a Peer Recovery Coach with an annual salary of \$37,509 effective May 24, 2022, Lori Proudfoot as a Recovery Technician with an annual salary of \$37,509 effective May 31, 2022 and Quincey Miltenberger as a Home Confinement Officer with an annual salary of \$37,509 effective June 1, 2022.

President Copenhaver stated that a letter of resignation was received from Emergency Services from Phillip Barrow effective May 25, 2022.

President Copenhaver stated that a request was received from Sheriff Nathan Harmon to remove Elaine Mercurio from payroll effective May 11, 2022.

President Copenhaver stated that a letter of resignation was received from the Day Report Center from Janessa Lowans effective May 27, 2022.

President Copenhaver stated that a letter of resignation was received from the Prosecuting Attorney's Office from James Lyons effective July 15, 2022.

President Copenhaver stated that a letter of resignation was received from Recovery Resources from Johnathan Rudy effective May 16, 2022.

President Copenhaver stated that a letter of resignation was received from Home Confinement from Ranae Collins effective June 2, 2022.

5. Approval of Minutes

There were no changes to the May 5, 2022 Berkeley County Council meeting minutes.

6. Council Calendar

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

7. Board and Commission Calendar

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

8. Order Fund "103" Public Safety Contribution Fund

Re: Consent Agenda Approval

Vice President Whitacre made a motion to approve the Consent Agenda for the May 19, 2022 Berkeley County Council meeting. Councilperson Dulyea seconded the motion. The motion carried unanimously.

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

There was nothing received from the Assessor's Office.

Re: Board Meeting Reports

Councilperson Barnhart reported that he was unable to attend the Public Service Water District board meeting due to Board of Canvass. He did report that he attended the MPO meeting where the EPTA commuter bus service was approved and they reviewed Matt Mullenex's record and held executive session.

Councilperson Dulyea reported that he attended the Airport Authority meeting where the budget was approved and a plane needed upgraded which reduced the budget.

Vice President Whitacre reported that he was unable to attend the EPTA meeting due to the Board of Canvass. He reported that he attended the Airport Authority meeting where they discussed upcoming events.

Councilperson Gochenour reported that he attended the Duck Derby and Color Me Run events and stated that it was well executed and well attended. He also reported that he attended the Planning Commission meeting where four (4) public hearings were held. Councilperson Gochenour reported that he attended the Parks & Recreation board meeting where summer camps and programs are on schedule with Memorial Day and the Memorial Day Breakfast is scheduled. He reported that the facilities complaints had been addressed. He also reported that he attended the Public Service Sewer District and Stormwater Management District board meetings where their budgets were approved.

President Copenhaver reported that he attended the Fire Board meeting and reported that the roof on the Bedington VFD main station needed to be replaced. He also stated that there may be a referendum on the ballot for fire fees. President Copenhaver reported that he also attended the Duck Derby and he and the Mayor raced.

Re: Board and Commission Vacancies

Councilperson Dulyea requested to have Tracy Regalia scheduled for an interview for the Senior Services board.

Re: Tracey Guilliams, Grants Administrator
Acceptance of FY23 Records Management Preservation Board Grant
Acceptance of WV FY22 SBIRT Grant

Tracey Guilliams, Grants Administrator appeared before the Council and reviewed the FY23 Records Management Preservation Board grant stating the grant request total was \$14,512.82 with a project cost of \$15,963 and a match requirement of \$1,451.18.

Vice President Whitacre made a motion to approve the acceptance of the FY23 Records Management grant with a grant match of \$1,451.18. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Mrs. Guilliams reviewed the WV FY22 SBIRT grant and stated that the grant request total was \$62,500 with a 0% match.

Councilperson Barnhart made a motion to accept the WV FY22 SBIRT Grant with a 0% match. Councilperson Dulyea seconded the motion. The motion carried unanimously.

**Re: Dave Irvin, President, Berkeley County Emergency Ambulance Authority
Ambulance Authority Update**

Dave Irvin, President, Berkeley County Emergency Ambulance Authority appeared before the Council and presented an update on the Ambulance Authority. He presented a power point presentation on the services provided by the Ambulance Authority and reviewed the finances and the need to increase the Ambulance Authority fees. Brian Costello, Director, Berkeley County Emergency Ambulance Authority appeared before the Council and spoke regarding the services provided. Chad Winebrenner appeared before the Council and spoke regarding the transports.

**Re: Mike Rezac, WV Corp
Vivian Parsons, WV Corp
Company Nurse PILOT Program**

Mike Rezac and Vivian Parsons with WV Corp appeared before the Council and spoke regarding the Company Nurse PILOT Program. Alan Davis, County Administrator reviewed the reason for the program.

The consensus of the Council was to move forward with the program.

**Re: Alan Davis, County Administrator
FY2022-23 Property Casualty Insurance Renewal
Continued Discussion Capital Projects
Declaration of Surplus Property for Sheriff's Department**

Alan Davis, County Administrator reviewed the FY2022-23 Property Casualty Insurance renewal recommending that the Council approve the renewal.

Councilperson Gochenour made a motion to renew the FY2022-23 Property Casualty Insurance with WVCorp at the quoted premium not to exceed \$1,053,818. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Davis continued the discussion on capital projects.

Mr. Davis presented on Order for the Declaration of Surplus Property for the Sheriff's Department.

Councilperson Barnhart made a motion to declare the property as presented by Mr. Davis on the Order as surplus. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Re: Executive Session – Pending Litigation

Councilperson Barnhart made a motion to go into executive session for pending litigation at 12:38 P.M. Councilperson Dulyea seconded the motion. The motion carried unanimously.

President Copenhaver declared the Council out of executive session at 1:11 P.M.

There were no motions made during or after executive session.

Re: Recess

Councilperson Barnhart made a motion to Recess the May 19, 2022 Berkeley County Council meeting.

Submitted by: Penny Shewell

Penny Shewell, Office Administrator