

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

July 24, 2025
9:30 A.M.

Present:

G. Edgar Gochenour, President

R. Stephen Catlett, Vice President

H. D. Boyd, Commissioner

John Hardy, Commissioner

Gary A. Wine, County Administrator

Penny Shewell, Office Administrator

Commissioner Whitacre was not present for the meeting.

Also Present: Chad Winebrenner, Deputy County Administrator; Anthony Delligatti, Legal Director; Tracie McCormick, Procurement Coordinator; Doug Smith, County Engineer; The Honorable Larry Hess, Assessor; Brian Ross, Community Development Director

Re: Call to Order

President Gochenour called the June 24, 2025 Berkeley County Commission meeting to Order at 9:35 A.M.

Re: Items from the Public

Joe Burton, Director, Parks & Recreation appeared before the Commission and reminded the Commission that he is waiting on them to vote if the Parks & Rec can be on the upcoming election ballot for the Parks & Rec levy. He stated that they need help and were going to have a \$1 million deficit.

President Gochenour advised Mr. Burton that he understood their situation and the Commission was working with the city on this situation.

Re: Agenda

Vice President Catlett made a motion to approve the Agenda for the July 24, 2025 Berkeley County Commission meeting. Commissioner Boyd 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

There were no internal budget revisions to be addressed.

3. Changes in Status

President Gochenour stated that a new hire recommendation was received from Tim Czaja, Community Corrections Director for Ashley Schimpf as a Drug Screening Tech effective August 4, 2025 with an annual salary of \$39,812.

President Gochenour stated that a new hire recommendation was received from Tim Czaja, Community Corrections Director for Danny Dulyea, Jr. as a part time driver effective July 30, 2025 with a compensation rate of \$17.83 per hour.

President Gochenour stated that a new hire recommendation was received from the Honorable Michelle Schoppert, Circuit Clerk for Anelise “Carson” Robertson as a Deputy Clerk effective August 11, 2025 with an annual salary of \$40,830.

President Gochenour stated that a change in status was received from Tim Czaja, Community Corrections Director for Taylor Parker, Interim Community Service Specialist to move to permanent status effective August 4, 2025 with no change in salary.

President Gochenour stated that a change in status was received from Tim Czaja, Community Corrections Director for Liam McKee, Peer Recovery Coach to move from the Recovery Resource Center to the DRC effective August 4, 2025 with no change in salary.

President Gochenour stated that a letter of resignation was received from Jennifer Swisher, Emergency Communications Director for Monica Ruis, Telecommunicator I effective July 16, 2025.

President Gochenour stated that a letter of retirement was received from the Honorable Rob Blair, Sheriff for Karen Young, Tax Office Deputy Director effective August 31, 2025.

4. Approval of Minutes

There were no changes to the July 17, 2025 Berkeley County Commission meeting minutes.

- 5. Bond Release – Spring Mills PUD Lot 11 Townhome Rentals, BCP File #2410-313 tied to #2410-312, 2303-115 & #2306-0091, Bond #100755700 – Engineering**
- 6. Bond Release – Cardinal Pointe, Section 5, Phase 2, Lots 326-341 & 420-431 (Final Plat), BCP File #2408-254 tied to #2209-263 & #2204-114, Bond #100754740 Engineering**
- 7. Bond Reduction – Cardinal Pointe – Section 1, Phase 3, Lots 342-357 & 408-419 (Final Plat), File #048-18 tied to #2010-276, 2211-341 & 2211-345. Bond #1005831502 Engineering**
- 8. Bond Reduction – Cardinal Pointe, Section 1, Phase 4, Lots 358-371 & 396-407 (Final Plat) File #048-18 tied to #2011-338, #2211-341 & #2211-346, Bond #100542341 – Engineering**

9. Bond Reduction – Cardinal Pointe, Section 1, Phase 5, Lots 10-42, 65-70, 95-97, 66-177, 182-185, 272-273 & 304-308 (Final Plat) File #048-18 tied to #2011-352, 2211-341 & 2211-347, Bond #100557838 – Engineering Department

Re: Consent Agenda Approval

Commissioner Hardy made a motion to approve the Consent Agenda for the July 24, 2025 Berkeley County Commission meeting. Commissioner Boyd seconded the motion. The motion carried unanimously.

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

The Honorable Larry Hess, Assessor appeared before the Commission and presented seven (7) personal tax exonerations for reason of taxpayer totaling \$1,494.34.

Commissioner Hardy made a motion to approve the seven (7) personal tax exonerations for reason of taxpayer error totaling \$1,494.34. Vice President Catlett seconded the motion. Commissioner Hardy voted in favor of the motion. The motion failed with a vote of one to three.

Mr. Hess presented seven (7) personal tax exonerations for reason of office error totaling \$2,546.56.

Vice President Catlett made a motion to approve the seven (7) personal tax exonerations for reason of office error totaling \$2,546.56. Commissioner Boyd seconded the motion. The motion carried unanimously.

Mr. Hess presented twenty-two (22) real estate exonerations for reason of office error totaling \$22,783.56.

Vice President Catlett made a motion to approve the twenty-two (22) real estate exonerations due to office error totaling \$22,783.56. Commissioner Boyd seconded the motion. The motion carried unanimously.

Mr. Hess presented fifteen (15) real estate exonerations for reason of office error totaling \$18,112.87.

Commissioner Boyd made a motion to approve the fifteen (15) real estate exonerations for reason of office error totaling \$18,112.87. Vice President Catlett seconded the motion. The motion carried unanimously.

Mr. Hess presented five (5) real estate exonerations for reason of office error totaling \$7,777.59.

Commissioner Boyd made a motion to approve the five (5) real estate exonerations for reason of office error totaling \$7,777.59. Commissioner Hardy seconded the motion. The motion carried unanimously.

Mr. Hess presented one (1) application for Consolidation of Properties application.

Commissioner Hardy made a motion to approve the one (1) application for Consolidation of Properties. Commissioner Boyd seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Commissioner Boyd reported that he had no meetings this week.

Vice President Catlett reported that he attended the Comprehensive Plan meeting with the Berkeley Group and the Planning Commission staff. He also reported that he attended the open house for the Health Department and stated that he appreciated all the work that President Gochenour, Gary Wine, County Administrator and the staff had done for the Health Department expansion. Vice President Catlett reported that he attended the Sewer District board meeting where a demonstration was presented from a representative from Red Zone (the company that performed the study on the entire system) and stated that while they scored high, they have some issues that need to be addressed, but it was good that these issues were identified. Vice President Catlett reported that he attended the Stormwater Management meeting and stated that he discussed the LGAC position and is in conversations with the state about having the Stormwater Manager appointed to their board and if not, he may fill the position himself. Vice President Catlett reported that he attended the Senior Services board meeting where they discussed the Hero's dinner coming up in September and also reported that their finances are in good order. Vice President Catlett stated that the Woods Resort treatment plant would be fired off next week and in full operation by mid August.

President Gochenour reported that he attended the Comprehensive Plan meeting with the Berkeley Group and the Planning Commission staff along with Vice President Catlett. He also reported that he attended the Health Department open house.

Re: Board and Commission Vacancies

Vice President Catlett made a motion to appoint Chad Winebrenner to the Region 9 board for a full term. Commissioner Hardy seconded the motion. The motion carried unanimously.

Commissioner Boyd made a motion to appoint Brad Knieriem to the Berkeley County 911 Advisory board. Vice President Catlett seconded the motion. The motion carried unanimously.

Vice President Catlett made a motion to accept the letter of resignation from Sandy Hamilton for the Region 9 board. Commissioner Hardy seconded the motion. The motion carried unanimously.

Re: Board and Commission Interview

Brandon Franklin – Candidate – Planning Commission

Brandon Franklin appeared before the Commission and was interviewed as a candidate for the Planning Commission.

Commissioner Hardy made a motion to appoint Brandon Franklin to the Planning Commission for a full term. Vice President Catlett seconded the motion. The motion carried unanimously.

Re: Chad Winebrenner, Deputy County Administrator Employee PTO Use While Off on Worker's Compensation Impact Fee Schedule and Ordinance Approval

Chad Winebrenner, Deputy County Administrator appeared before the Commission and reviewed the current process for employees who were off from work due to an injury or illness covered under worker's compensation and if they so choose to use their accrued long-term leave (formerly known as sick leave) to supplement their lost wages, since typically worker's compensation benefits only cover 60% of an employees wages. Mr. Winebrenner reviewed the issues with current practice. Mr.

Winebrenner recommended that the Commission formally discontinue this practice effective immediately and moving forward employees receiving worker's compensation should be limited to receiving the benefits as provided under state law (typically 60% wage replacement) without the option to "buy back" leave time using worker's compensation payments. He further stated that should the Commission wish to consider a supplemental income policy for workers on approved compensation leave, such a policy should be developed, reviewed and adopted through the proper channels and included in the Employee Handbook to ensure consistent administration.

President Gochenour stated that he had no problem with the current buy back leave practice being discontinued as long as there was a plan being reviewed to make employee's pay whole while they were off for a work-related injury.

Commissioner Hardy made a motion to abolish the current buy-back practice for a work-related injury effective immediately and create a new plan. Vice President Catlett seconded the motion. The motion carried unanimously.

**Re: Gary Wine, County Administrator
State Budget Revision # 01 Fund 001
Animal Control Expansion Project**

Gary Wine, County Administrator reviewed State Budget Revision #01 for Fund 001.

Vice President Catlett made a motion to approve State Budget Revision # 01 for Fund 001. Commissioner Boyd seconded the motion. The motion carried unanimously.

Mr. Wine reviewed the recommended expansion project for the Animal Control building. He stated that with the growing demands on Animal Control, they were seeking to construct an addition or separate building on the campus to accommodate 60 kennels, a cleaning/veterinarian room, adoption room, drive through sally port and second level storage mezzanine. He further stated if the design placed the kennels on the exterior of the building, there is an opportunity to have controlled outdoor time for the dogs on good weather days. Mr. Wine stated that the construction costs have been estimated at \$525,000 and was asking approval to move forward with the formal drawings and to begin the bidding process.

Commissioner Hardy made a motion to approve to move forward with the Animal Control expansion project not to exceed \$525,000. Commissioner Boyd seconded the motion. The motion carried unanimously.

Re: Recess

Commissioner Hardy made a motion to Recess the July 24, 2025 Berkeley County Commission meeting.



Submitted by: _____

Penny Shewell, Office Administrator