

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

July 28, 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

Gary Wine, Deputy County Administrator

Penny Shewell, Office Administrator

Alan Davis, County Administrator was not present for the meeting.

Also Present: Tracie McCormick, Procurement Coordinator; the Honorable Larry Hess, Assessor; Anthony Delligatti, Legal Director; Jeff Mauzy, Deputy Legal Director, Sheriff Nathan Harmon

Re: Call to Order

President Copenhaver called the July 28, 2022 Berkeley County Council Meeting to Order at 9:35 A.M. Vice President Whitacre

Re: Items from the Public

There were no items from the public.

Re: Agenda

Vice President Whitacre made a motion to approve the Agenda for the July 28, 2022 Berkeley County Council meeting with the removal of the 10:45 board interview. Councilperson Gochenour 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 Copenhaver stated that a letter of resignation was received from Animal Control from John Burdette effective July 22, 2022.

4. Approval of Minutes

There were no changes to the July 14, 2022 Berkeley County Council meeting minutes.

5. Council Calendar

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

6. Board and Commission Calendar

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

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

Re: Consent Agenda Approval

Councilperson Gochenour made a motion to approve the Consent Agenda for the July 28, 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 Honorable Larry Hess, Assessor appeared before the Council and presented five personal tax exonerations for reason of tax payer error totaling \$644.93.

Councilperson Barnhart made a motion to approve the five (5) personal tax exonerations for reason of tax payer error totaling \$644.93. Councilperson Dulyea seconded the motion. The motion failed with a vote of zero to five.

Mr. Hess presented eleven (11) personal property tax exonerations for reason of office error totaling \$1,160.76.

Councilperson Dulyea made a motion to approve the eleven (11) personal property tax exonerations for reason of office error totaling \$1,160.76. Vice President Whitacre seconded the motion. The motion carried unanimously.

Mr. Hess presented two (2) real estate exonerations for reason of office error totaling \$11,819.71.

Councilperson Barnhart made a motion to approve the two (2) real estate exonerations for reason of office error totaling \$11,819.71. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Hess presented one (1) application for consolidation of properties application.

Vice President Whitacre made a motion to approve the one (1) application for consolidation of properties application. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Mr. Hess presented one (1) application for deconsolidation of properties application.

Councilperson Barnhart made a motion to approve the one (1) deconsolidation of properties application. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Hess presented four (4) apportionment of assessments of taxes per final divorce order.

Vice President Whitacre made a motion to approve the four (4) apportionments of assessments per final divorce order. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Councilperson Barnhart reported that he attended the Public Service Water District board meeting where they approved the design plan for Townhouses and plant upgrades and reviewed the year end financials which are in good shape. He also reported that he and Councilperson Gochenour attended a meeting at Entsorga regarding their abandonment and the burning trash.

Councilperson Dulyea reported that he attended the Senior Services board meeting where they were working on updates to the employee handbook.

Vice President Whitacre reported that he had no meetings.

Councilperson Gochenour reported that he attended the Landmarks Commission meeting, but they did not have a quorum so no action could be taken, but the Morgan Cabin group held a discussion on planning a fall festival. He also reported that he along with Councilperson Barnhart met at Entsorga to see what could be done with issues of concern.

President Copenhaver reported that he was unable to attend the Fire board meeting but they did elect new officers.

Re: Board and Commission Vacancies

Councilperson Gochenour sent his condolences to the family of Jeff Hollis and requested that a letter of condolences be sent to his family.

Re: Brian Ross, Director of Community Development Building Code Adoption

Brian Ross, Director of Community Development appeared before the Council and stated that the state adopted the amended Building Code which would make the current Building Code null and void effective August 1, 2022. He stated that the biggest changes were the energy codes.

Mayors Kevin Knowles, President of the Home Builders Association appeared before the Council and stated that they were good with the changes to the Building Code.

Councilperson Gochenour made a motion to adopt the 2018 Building Code effective August 1, 2022 and allow for the ones already in the system and once proof is provided would be grandfathered in for 90 days. Vice President Whitacre seconded the motion. The motion carried unanimously.

**Re: Gary Wine, Deputy County Administrator
Declaration of Surplus Property**

Gary Wine, Deputy County Administrator presented the declaration of surplus property requesting permission to auction off seven (7) vehicles and donate one (1) vehicle to an agency in dire need rather than auction it at the Sheriff's request.

Councilperson Gochenour made a motion to declare the vehicles as surplus and give authority to the Fleet Manager Gary Wine to give three (3) vehicles away to other entities. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Executive Session – Real Estate

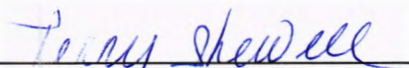
Councilperson Dulyea made a motion to go into executive session at 10:16 A.M. for real estate matters. Vice President Whitacre seconded the motion. The motion carried unanimously.

President Copenhaver declared the Council out of executive session at 11:10 A.M.

There were no motions made during or after executive session.

Re: Recess

Councilperson Barnhart made a motion to Recess the July 28, 2022 Berkeley County Council meeting.

Submitted by: 

Penny Shewell, Office Administrator