Berkeley County
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1<sup>st</sup> Ind to Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC) Meeting Minutes, RE: Wednesday, August 27, 2025 Meeting

PRESIDENT DALE BUCK, ESQ

August 27, 2025

#### MEMORANDUM FOR BCDSCSC, ADMINISTRATIVE ASSISTANT

Approved / Disapproved. Distribute electronically to all Berkeley County Deputy Sheriff Civil Service Commissioners, Berkeley County Commissioners, Berkeley County Sheriff and Staff as required.

DALE BUCK, ESQ., President, BCDSCSC

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# BERKELEY COUNTY DEPUTY SHERIFF CIVIL SERVICE COMMISSON

#### 400 West Stephen Street, Suite 103 Martinsburg, WV 25401-3802

August 27, 2025

#### MEMORANDUM FOR COMMISSION PRESIDENT DALE BUCK, ESQ

FROM: Mr. John Alderton, Administrative Assitant, Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC)

SUBJECT: Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC)
Meeting Minutes RE: Wednesday, Agust 27, 2025 Meeting

1. <u>Date, Time & Place.</u> The Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC) met on Wednesday, August 27, 2025, 400 West Stephen Street, 2<sup>nd</sup> Floor, Commission Chambers. Martinsburg, West Virginia. The meeting commenced, at 5:00 PM and was streamed on YouTube at https://www.youtube.com/watch?v=\_aKw8JuvKh8. The meeting starts at the 2:28 minute mark. **NOTE:** due to technical difficulties (Bad microphone cord), there is no audio. The meeting was opened by President Dale A. Buck, President, Berkeley County Deputy Sheriff Civil Service Commission.

#### 2. Personnel in Attendance:

Mr.	Dale Buck	President of Commission
Mr.	D. Scott Wilson	Commissioner
Mr.	Stephen D. Dopson	Commissioner
Mr.	John H. Alderton	Deputy County Clerk/ BCDSCSC
	9	Administrative Assistant
Chief	Eric Burnett	Berkeley County Sheriff's Office
Chief	Tom Young	Berkeley County Sheriff's Office
Captain	Trent Heckman	Berkeley County Sheriff's Office
Ms.	Brandy Sullivan	Berkeley County Sheriff's Office

- 3. <u>Purpose.</u> The purpose of the meeting was to discuss and/or approve a variety of topics. See the agenda (**Attachment 1**) for those issues/items. The following is a summarization of the discussion surrounding each issue/item, listed on the agenda.
- 4. <u>Special Recognition</u>. President Buck opened the meeting by welcoming everyone in attendance. He expressed his appreciation for those present and noted that, before proceeding with the formal business portion of the meeting, the Commission would like to begin with a moment of special recognition. He then turned the floor over to Mr. Alderton to lead the presentation.

Special Recognition was to Recognize Ms. Aleah Tucker, Executive Assistant for Berkeley County. Mr. Alderton announced that the Commissioners wished to formally honor and recognize Ms. Aleah Tucker for her exceptional service and unwavering dedication. Her support

to the Berkeley County Deputy Sheriff Civil Service Commission is phenomenal. It's unfortunate Ms. Tucker was unable to attend the meeting

In recognition of her exceptional service, Mr. Alderton read the Certificate of Recognition (Attachment 2), into the record.

- 5. Reading & Approval of Minutes dated: July 16, 2025. President Buck inquired whether the meeting minutes had been reviewed. All three commissioners confirmed they had reviewed the prepared minutes. President Buck, inquired if anyone had any objections or corrections to the meeting minutes of July 16, 2025. There being none, he requested a motion to accept the meeting minutes of July 16, 2025, as written. Commissioner Wilson made a motion to accept the meeting minutes of Wednesday, July 16, 2025 as written. Commissioner Dopson seconded the motion. President Buck called for further discussion. There being none, he called for a vote. The vote was unanimous on accepting the meeting minutes as written.
- 6. **Budget (FY 2024 2025) Update (Informational):** As of Tuesday, August 26, 2025, the following is a breakdown of the 2025-2026 Fiscal Year, Civil Service budget, as managed through the County Clerk's Office:

#### Current (FY 2025-2026) Budget Update:

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<sup>&</sup>quot;Second oldest county in West Virginia"

- (a) Postage. There is no change from last month's report to this month's report. Our current obligation remains at 2.1%, with a remaining balance of \$1,468.41. However, we should see a change in next month's report. This is due to mailing back the Open Entry Entry Level test materials back to WVDOP, on Saturday, August 23, 2025. They were given to Going Postal at 11:52 AM. The cost to mail the test materials back was \$39.04.
- (b) Advertisement & Publication. Apparently, the budget numbers are still being worked. The report reflects a budget of \$2,000. However, this is not correct. As such, it shows an obligation rate of 81.9%, which is also incorrect. It was conveyed to Mr. Alderton, for the report you have before the commissioners. They'll need to combine the amount of \$2,000 for Advertise Publication and \$8,500 in Training/Education. The training /Education line item will be going away, as that money, was given to us in error. Therefor the line of Training/Education will be deleted in the future.
- (c) Training/Education. **NOTE**: As previously mentioned this line item will be deleted in the future.
- (d) Professional Services. There is no change in this line item since the last budget report given on Wednesday, July 16, 2025. Current Obligation rate remains at 0 %.

We received an invoice, for \$832.09 for advertisement with Local IQ for Newspaper Advertisements and Job Board Advertisements. This was for the Open Entry – Entry Level Deputy Sheriff advertisements. Additionally, an Invoice from the Journal for \$455.00 was received by our office on Monday, July 21, 2025. This was for the Journal add relating to our Open Hire-Entry Level advertisement which ran on Saturday, July 12, 2025.

Mr. Alderton also provided the final statistics for the response to our online job board's ad. This covers July and August. It will show zero applies, since we are directing people to the County website. Therefore, they cannot track who visits the County Careers page.



(INFORMATIONAL)

#### 7. Old Business:

- a. **Issue 2024-0032**. Request for New Open Hire Physical Agility & Written Examination. RE: March 2025. Mr. Alderton briefed the following summary of where this issue currently stands.
- (1) On August 8, 2025 Chief Young provided the commission a letter relating to the hiring of applicant Sarah Cressman.
- (2) The County Commission has already approved the hiring of Ms. Sarah Cressman. She has a hiring start date, which they approved for Tuesday, September 2, 2025. Mr. Alderton briefed he is currently scheduled to administer the Oath of Office, as a Deputy Sheriff to her on Wednesday, September 3<sup>rd</sup>, at 10:30 AM, at the Berkeley County Sheriff's Office.
- (3) Mr. Alderton provided each commissioner with a draft letter for President Buck to sign, confirming the Civil Service Commission acknowledges that all necessary qualifications and requirements, as outlined by the West Virginia State Code and our Berkeley County Deputy Sheriff Civil Service Commission Rules and Regulations, have been met by the applicant and the Berkeley County Sheriff's Office.
- (4) Based upon Chief Young's Letter, dated August 8, 2025 Mr. Alderton made the recommendation a commissioner make a motion to certify her as being Eligible to be hired, even though, the County Commissioners have already approved her to be hired.

Commissioner Dopson made a motion to close Item Number 2024 - 0032. Commissioner Wilson seconded the motion. President Buck called for further discussion. There being none, he called for a vote. The vote was unanimous to close Item Number 2024 - 0032. **(CLOSE)** 

- b. **Issue 2025-0026**, Request for New Open Hire Physical Agility & Written Examination. RE August 23, 2025. President Buck, requested an update from Mr. Alderton.
- (1) On Saturday, August 23, 2025, the Entry Level Open Hire examination was administered, consisting of a Physical Agility Test and a Written Examination.
- (2) A total of seventy-two (72) applications were submitted through the Berkeley County Online Application Process.
- <u>a</u>. Of the seventy-two (72) applicants, thirty-one (31) submitted all required documentation by the deadline of Wednesday, August 20, 2025, at 5:00 PM, thereby qualifying as candidates.
- <u>b</u>. Accordingly, thirty-one (31) applicants were scheduled to participate in the Physical Agility Test on Saturday, August 23, 2025. However, prior to the start of testing, the Commission was notified that four (4) applicants would not be reporting, reducing the number of participants to twenty-seven (27). Additionally, there were three (3) candidates who were "No Shows". This reduced the number of applicants present to twenty-four (24).

<u>c</u>. Of the twenty-four (24) applicants present, twenty-one (21) were required to complete the Physical Agility Test, as three (3) were previously or currently certified law enforcement officers and therefore exempt. Five (5) applicants did not successfully complete the required test:

• One (1) failed push-ups, completing only fifteen (15) of the required eighteen (18).

• One (1) failed sit-ups, completing twenty-four (24) of the required twenty-eight (28).

• Three (3) failed the 1.5 mile run: one exceeded the maximum allowable time (14:44 vs. 14:36), and two did not complete the run.

<u>d</u>. The Physical Agility Test was conducted at Martinsburg High School, and commenced at 8:00 AM. Captain Jarrett Jones and President Dale Buck proctored the physical agility test.

<u>e</u>. Upon completion of the physical agility testing, everyone transitioned to the Sheriff's Office for the 84 question, two (2) hour Written Examination. The testing commenced at 9:47 AM. President Buck served as test proctor, along with myself being present.

<u>f</u>. This left nineteen (19) eligible applicants, including the three (3) exempt officers, to proceed to the written examination. The written examination was administered at the Berkeley County Sheriff's Office. A total of nineteen (19) applicants sat for the exam. In accordance with applicable state code & our rules & regulations:

Summary as of close of business (deadline for accepting applications) on Wednesday, August 20, 2025:

29 Accepted

27 Candidate

4 Rejected

12 Withdrawn

72 Total Applicants

How Did You Hear about the opening(s)

Advertisement: 28 Employment Agency: 6

Other: 23 Walk-in: 3 Friend: 9 Relative: 3

g. The test materials were picked up at the Charleston, WV Post Office on August 26, 2025, at 6:45 AM.

<u>h</u>. The Open Entry – Entry Level test scores, arrived Wednesday, August 27, 2025 via email at 11:36 AM.

- i. Out of the nineteen (19) who sat for the written examination. Only nine (9) applicants achieved passing scores. Test scores ranged from the highest being 85 and the lowest being 46. There were seven (7) in the 60's (67,65, 64, 63, 63, 63 and 62). Two (2) in the 50's (57 & 56). One (1) in the 40's (46).
- j. In accordance with applicable state code and our rules & regulations:
- Two (2) applicants were awarded five (5) points each for Veterans' Preference.
- One (1) applicant was awarded five (5) points for previous law enforcement certification. (OPEN)
- e. **Issue 2025-0028**, Request for Promotional Examination for the Rank of Corporal, as Result of the Promotion of Corporal Chronister to Sergeant on May 12, 2025. Eligibility date is May 13, 2025. Mr. Alderton provided the following update:
- (1) On Friday, July 18, 2025 we offered the written examination for Corporal. This was as result of Corporal Chronister being promoted to Sergeant, on May 12, 2025. The test was proctored by Commissioner Wilson, along with myself being present.
- (2) There were twenty-seven (27) Deputies eligible to test for Corporal. We had Fourteen (14) Deputies originally; submit their letter of intent to test. However, three (3) informed us they would not be able to test. This left eleven (11) Deputies to take the test.
- (3) Originally, we were supposed to have only one time slated to test. However, due to one (1) of the deputies being assigned a call, he was unable to be there at 9:00 AM. Commissioner Wilson, IAW with the recently adopted Rules & Regulations granted him an alternative test time. The alternative test time given was that of 1:00 PM, same day (Friday, July 18, 2025). The situation of extenuating circumstances was briefed to the ten (10) deputies who were at the 9:00 AM.
- (4) Prior to the testing all deputies were briefed they would be receiving a brief survey in regards to providing feedback on the new study guide. A request was made for them to please take the time to complete the survey.
- (5) Mr. Alderton mailed back all of the Corporal test materials, from our Friday, July 18, 2025 Test. They were given to Going Postal at 2:41 PM, on Friday, July 18, 2025. The cost for mailing them back was \$35.25.
- (6) The West Virginia Division of Personnel received the test material on Monday, July 21, 2025, 2025 at 5:51 AM. USPS Tracking had it listed as Delivered, Individual Picked up at Post Office.
- (7) The West Virginia Division of Personnel emailed the test results back via email on Tuesday, July 22, 2025 at 11:31 AM. Commissioner Wilson, came to the office on, July 23, 2025. Both he and Mr. Alderton reviewed and calculated the test scores.

- (8) Deputy Ryan Kolb received the highest overall score of 58.9518 thus placing him at the top of the Promotional list for Corporal.
- (9) A letter was provided to Sheriff Blair relating to all of the overall scores of those deputies who test for Corporal on Wednesday, July 23, 2025.
- (10) On July 30, 2025 Chief Young sent you folks a letter. The stated . . . On July 30, 2025, Deputy Kolb was administered a physical examination by Valley Health. On that date, he was certified by a physician as capable of handling the prescribed duties of the rank of Corporal. This report will be located in the medical section of his personnel file kept at the Berkeley County Sheriff's Office.
  - (11) The date of promotion to Corporal was effective July 30, 2025.
- (12) Based upon Chief Young's Letter, dated July 30, 2025 Mr. Alderton recommended the commissioners make a motion to close Issue Number 2025 0028.

Commissioner Wilson made a motion to close Item Number 2025 - 0028. Commissioner Dopson seconded the motion. President Buck called for further discussion. There being none, he called for a vote. The vote was unanimous to close Item Number 2025 - 0028.

**NOTE**: A Civil Service Certificate of Recognition; RE Promotion of Corporal Ryan Kolb (See Attachment 3) was read into the record and given to Chief Burnett to give to Corporal Kolb.

(CLOSE)

#### 8. New Business:

- a. **Issue 2025-0031**, Clarification of Online Application Process RE: Accepted, Candidate, Withdrawal & Rejected Status. Commissioner Wilson opened this issue for discussion.
- (1) He started out by saying he understands the different statuses (Accepted, Candidate, Withdrawal, and Rejected) can be a little confusing. He went on to explain each of the statuses.
- (2) The question was asked, is it understood by the applicant that when they're in the Accepted Status, was it clear, they needed to provide more documentation? Commissioner Wilson, was of the belief, yes, the email sent to them clearly stated what needed to be returned, in order to be moved to the Candidate status. Documents required to be moved to the candidate status are:
  - Personal Inquiry Waiver Release of Information Form
  - Doctor's Certification of Fitness to Perform Agility Test
  - Applicant's Statement Form
- (3) Commissioner Wilson stated on record he doesn't see anything wrong with our process overall. Commissioner Dopson spoke up saying there is I'm sorry. There's been

confusion around the word "Accepted". Commissioner Wilson, asked the question, by who? Commissioner Dopson stated, by the people getting that notification.

- (4) Mr. Alderton spoke up saying there should not be any confusion on their part. As the email that is sent out to them uses red font and bold font to highlight the important information. It clearly states they must submit the paperwork to move to "Candidate" status. Commissioner Wilson went on to say... but his email is very specific. He says, " Accepted, but the following documents must be completed and submitted via email."
- (5) There was discussion related to the online process. Commissioner Wilson stated the Online process is a third party vendor software program. The Online application process will only allow the applicant to upload two (2) documents; a cover letter and resume. Any other documents need to be emailed.
- (6) Commissioner Wilson made the recommendation to eliminate us requesting the front and back of driver's license and the release of information form. As both were primarily requested for background checks for the Sheriff's Office. They can make that request of the applicants when the time comes. Therefore, he recommended putting that back on the Sheriff's Office, as that is two (2) less documents an applicant needs to provide us. This will help streamline our process a little bit.
- (7) President buck acknowledged the presence of Chief Young at the podium. Chief Young, just wanted to offer the comment "we concur with Commissioner Wilson".
- (8) Commissioner Dopson inquired, that's in our process, not in our rules, right? Commissioner Wilson wasn't certain and needs to look into that. However, he went on to say if we decide to do this, there is what we use in the military known as an IMC. It's an Immediate Message Change. We could go out and make a change for our rules. It doesn't have to go through the whole process of a change in the rules. We do an Immediate Message Change, and that would be attached to that specific spot in the rules that says that is no longer a requirement. So that way we don't go through the whole process of changing the rules. And that's the way we did it in military. It was called Immediate Message Change. It's voted on, it's just attached to the rules, so we know we don't have to worry with it. And then, at the end of the year, when we do the review, then we would accept it as part of it. President Buck stated, that change would be like an addendum to the rule. To which Commissioner Wilson replied "exactly".

Commissioner Wilson stated, his motion would be for the commission to eliminate the requirement for the release of information and the requirement for the copy of the driver's license. And by doing so that an addendum or immediate message change be made to change the current rules and regulations of our local rules. President Buck seconded the motion, and then called for discussion.

(9) Commissioner Dopson stated he doesn't see that in our rules. It just says a completed application must contain all documents that were with the application package when it was picked up. Each document must be filled out with hard signatures, but he doesn't see anything that says. What we require them to submit. He went on to say he agrees, we need a motion to change it procedurally and he thinks the commission should amend that motion to say at the application process at the application stage. So that we're not saying we don't ever need that. We're just saying at the application stage. In addition to that, we'll specifically name those

documents that are in addition to the application. That way, we can clarify that, make sure there's no problems. He then asked, would that suffice?

Commissioner Wilson acknowledged it would. He made a motion to amend his original motion to add that. Commissioner Dopson added, We're just saying at the application stage. And what you're talking about now is no change to rules. It's to change process. President Buck then spoke up... So with that, are we all the same page? All right. President Buck stated he will second Commissioner Wilson's amended motion. He then called for a vote. The motion passed. President Buck then inquired if there any other discussion under this item?

- (11) Mr. Alderton spoke up stating it was his understanding from last months meeting. There was also a concern on whether the commission should be rejecting any application(s). President Buck stated he will give his two cents on the topic. He thinks we should reject obvious ones that don't comply with our rules and regulations. He does not believe the commission should investigate. He doesn't think we're suppose to look into it. He added he doesn't think any investigation, is any of our business, that's up to the Sheriff's Office.
- (12) Commissioner Wilson addressed the four (4) rejections this past testing cycle. He addressed them one by one, and gave the reasons one by one, why they were rejected. In each case it was violation of the published rules and regulations.
- (13) Commissioner Dopson, responded by saying... he's not going to participate in that. So he's not going to comment on any rejections because he's not qualified to do that.
- (14) President Buck added he doesn't like the one related to the rejection related to marijuana convictions, because they're influx. This occurred in Virginia, and he doesn't know Virginia law.
- (15) Commissioner Wilson, then stated, he doesn't know then why it's even in our rules and regulations, if we're not going to do that. He went onto state then we should remove this from our rules and regulations. Commissioner Dopson, then stated he thinks it should go to the Sheriff's Office to conduct the background check. They're better at doing investigations.
- (16) President Buck stated, if Mr. Alderton receives an application that should be disqualified, he's going to call one of the commissioners. Commissioner Dopson spoke up and said "don't call me." Chief Wilson said he's ok with that process. President Buck added, if somebody's got eyes on it, I'm just saying my position's going to be if we have to look into it, and if it's not clear, we're not going to reject an application. Commissioner Dopson added, his concern is not with either of the two commissioners, or himself, it's who might be on this commission in five years, or ten years.
- (17) President Buck acknowledged Captain Trent Heckman of the Sheriff's Office wanting to speak at the podium. Captain Heckman, stated, that's exactly what he was going to say is this panel should not be investigators. Currently, you do have a prior law enforcement officer, but there's no stipulation on that being anything, it could be individuals that have just extremely good will, but don't know the processes. There has been other administrations that have hired contrary to the endorsement of the Civil Service Commission, and I know that there's investigations at times on that. I'm not speaking on behalf of that, but I know that there has been

contention in the past. He added... There's also times in my job assignment as the criminal investigator that I was doing the backgrounds that you would call somebody for the traffic violations, who would tell you that they've had three or four, that were either was settled on a stet docket, or it was dismissed, or there was other dispositions that wasn't that we were able to get verification through that jurisdiction, to be able to clear it.

- (18) Mr. Alderton asked the question; do we reject or not reject? President Buck, stated he will repeat what he said... he thinks if it's violation of the basic qualifications, we reject it. If we have to require any kind of questions about it, we don't reject it. It goes to the Sheriff's Office. He then asked for someone make a motion and let's vote on it.
- (19) Commissioner Wilson stated, If I understand what you're saying correctly, then whatever they submit, that's what we take it on face value. If we feel there is a need for more information, then we won't. We're not going to reject it. We forward it on to the Sheriff's Office. That's what I understood. President Buck replied, I think that's what I'm saying, yes. Commissioner Dopson added, I don't think we should be doing any of it, but that's okay.

Commissioner Wilson stated, I move that this commission not engage in additional investigation beyond the application, all right? Accept it at its face value. I do think that if it's face value on the application, there's a disqualifier by the rules rejected. That's my motion. President Buck stated he accepts that motion. He called for any further discussion, with no further discussion, he then called for a vote. President Buck and Commissioner Wilson voted in favor of the motion. Commissioner Dopson voted against the motion. Therefore the motion passed by a 2-1 vote.

- b. **Issue 2025-0032**, Doctor's Certification of Fitness to Perform Physical Agility Test Form RE: Entry Level Open Hire Testing.
- (1) Commissioner Wilson addressed the requirement of needing a Doctor's Certification of Fitness to Perform Agility Test. The Civil Service Commission requires as part of their application to do physical fitness testing. We've done that in the past for quite some time because any applicant that's hired by the sheriff goes to the Academy. If we go through the whole process and hire somebody, and I say we because we've went through a lot of work, we went through money. They've probably hired them, and they've probably been on board at least two months usually before they get to the Academy. So they've been paying the salary, you've bought them equipment, you send them to Charleston to take the physical fitness test they fail. They get sent home and nine times out of ten sheriff's don't keep them. So we've wasted time and money, now we've got to go through the whole rehiring process again to fill that vacancy. It takes a lot of time.
- (2) So a previous commission decided to do the physical fitness testing locally, basically to weed out this kind of individuals that won't make it. There's no requirement by law to do that in application process. The only requirements under 149 CSR2, that's just prior to going to the Academy after they've been accepted. So, in the process of doing that here, we've always in the past required that they get a slip signed by a doctor saying that they are medically cleared to do the pushups, sit ups and do mile-half run. They're running into issues with some of these medical providers, they don't want to do that. They're saying, "How do I know that?" So there's the first issue. The second issue is it's becoming a very costly venture for them to do, for a job that they don't even know they're going to get. And some people are applying for these positions because they need a job. They don't have the money to do this kind of thing.

Commissioner Wilson met with the Chad Winebrenner, Deputy County Administrator to see if there's any problem, if we did away with that kind of requirement and did simply a waiver of liability. The Deputy County Administrator, didn't have a problem in fact. He said, "We should talk with legal." So he walked Commissioner Wilson down the hallway to talk to Mr. Delligatti, who is the county's attorney, or one of the county's attorneys. And they talked about it. Commissioner Wilson, explained everything to him. Mr. Delligatti didn't see a problem with doing away with the medical requirement and having a good medical or waiver of liability. He made a few recommendations. He looked at the one that we currently use, because we are using one on the morning of the testing. He said, it could be tweaked and done a little bit better. So with that, Commissioner Wilson said, okay. Chief Burnett supplied Commissioner Wilson with a draft Waiver of Liability.

(3) Commissioner Wilson made some changes and presented the commissioners with a DRAFT Waiver of Liability (See Attachment 4) for their review. The other commissioners liked the Draft Waiver of Liability. Commissioner Dopson make the recommendation it be sent to Mr. Patrick Henry, Civil Service Commission's legal attorney for his review.

Commissioner Wilson made a motion to take the draft waiver and release of liability, and send it to the County Commission attorney, Mr. Delligatti, and to the Civil Service Commission attorney, Mr. Henry, and asked for their input so we can develop a final waiver, and then once we get that, we can eliminate the requirement for a doctor's release for the physical fitness test. Commissioner Dopson seconded the motion. President Buck called for further discussion. There being none, he called for a vote. The vote was unanimous in favor of the motion.

#### (OPEN)

#### 8. Items from the Floor.

- a. Ms. Brandy Sullivan addressed the Civil Service Commissioners.
- (1) Ms. Sullivan raised the question if the Online application process can remain open continuously, like 911 job announcements.
- (2) Her suggestion is to leave it open and then once we've set a date, contact the people and tell them the date. A question was asked, How long do those applications stay in the online system. It was not known by anyone in attendance. Mr. Alderton, spoke up and said he would get an answer to the question.
  - (3) President Buck stated we will need to TABLE this discussion for now.
- b. Chief Young addressed a request to update two website sites in regards to the Starting Salary Schedule for Pre-certified Officers.
- (1) Chief Young requested to have the wording "West Virginia" deleted from the two (2) webpages. One location is located on the County Clerk's Civil Service Web Page. The other location was on the Job Announcement for Deputy Sheriff.

- (2) Mr. Alderton stated he can get the wording deleted on the County Clerk's Civil Service Web Page. He added he can get wording changed on the Job Description page through Ms. Tucker, when the job announcement is re-posted.
- c. Chief Burnette Requested the Commission to strongly consider accepting Walk on Applicants the day of testing.
- (1) Chief Burnett stated in year and a half, this has been the longest Civil Service Meeting he has attended, and the most productive. He went on to thanks everyone for the hard work. He also stated he appreciates everyone involved.
- (2) He requested the Civil Service Commissioners consider doing a walk-on date. He believes they are great. Additionally, he believes this would get a lot more applicants. Chief Burnette was asked to clarify what he means by a walk-on date. He said, let's say that there's a test date on the 23rd of August. Instead of having to submit all your paperwork to the Civil Service Commission, you just go ahead and have your paperwork filled out and you walk on and test that day.
- (3) Chief Burnett added a lot of agencies accept walk-ons. He had a concern that people last minute things and they forget about it. This would give them an opportunity to still apply and test.
- 9. <u>Announcements</u>. There was only one (1) announcement. **Next Meeting**. President Buck announced, the next meeting of the Berkeley County Deputy Sheriff Civil Service Commission is scheduled for 5:00 PM, Wednesday, September 17, 2025 Hopefully, the meeting can be held in the Commission Chambers. **NOTE**: Per Ms. Penny Shewell, the commission chambers cannot be reserved until the first day of every month.
- 10. <u>Adjournment</u>. President Buck, requested a motion to adjourn. Commissioner Dopson made a motion to adjourn. Motion was seconded by Commissioner Wilson. President Buck called for any further discussion. With there being none, President Buck called for a vote. The motion carried unanimously. The meeting was adjourned at 6:38 PM. **NOTE**: See Attachment 5, for a complete review of Open/Closed/Tabled items, dated 8-27-2025.

Respectfully Submitted,

JOHN H. ALDERTON

BCDSCSC, Adminstrative Assistant

5 Attachment(s):

- 1. Meeting Agenda, Wednesday, August 27, 2025
- 2. Civil Service Certificate of Recognition; RE Ms. Aleah Tucker
- 3. Civil Service Certificate of Recognition; RE Promotion of Corporal Ryan Kolb
- 4. DRAFT Waiver of Liability for Day of Open Hire Testing
- 5. Open/Closed/Tabled Issues/Item(s) Table of Contents, dated August 27, 2025

cc:

**BCDSCSC** File



# **AGENDA**

### Berkeley County Deputy Sheriff's Civil Service Commission

8/27/2025 5:00 PM | Meeting called by: Civil Service Commissioners

**Location**: The Berkeley County Main Administration Building, County Commission Chambers, 2<sup>nd</sup> Floor
400 West Stephen Street
Martinsburg, WV 25401

#### Commissioners & Recorder

Dale Buck, Esq., President | Stephen D. Dopson, Commissioner | D. Scott Wilson, Commissioner | John H. Alderton, Deputy County Clerk/Administrative Assistant for BCDSCSC

Item	OPR
1. Welcome – Call to Order	President Buck
2. Reading & Approval of Minutes. Approval of Meeting Minutes for Wednesday, July 16, 2025, Regularly Scheduled Meeting.	All Commissioners
3. <u>Special Recognition</u> ; Ms. Aleah Tucker, Executive Assistant Berkeley County	All Commissioners
4. Budget Update (Informational).  5. Old Pusingss.	Administrative Assistant
5. Old Business:	
a. Issue 2024-0032. Request for New Open Hire Physical Agility & Written Examination. RE: March 8, 2025	Administrative Assistant
b. Issue 2025-0026. Request for New Open Hire Physical Agility & Written Examination. RE: August 23, 2025	Administrative Assistant
c. <b>Issue 2025-0028</b> , Request for Promotional Examination for the Rank of Corporal, as Result of the Promotion of Corporal Chronister to Sergeant on May 12, 2025. Eligibility date is May 13, 2025.	All Commissioners Deputy County Clerk/ Administrative Assistant
6. New Business.	
a. <b>Issue 2025-0031</b> , Clarification of Online Application Process RE: Accepted, Candidate, Withdrawal & Rejected Status	All Commissioners Deputy County Clerk/ Administrative Assistant

b. a. **Issue 2025-0032**, Doctor's Certification of Fitness to Perform Agility Test Form RE: Entry Level – Open Hire Testing

Commissioner Wilson

#### 7. Items from the Floor.

#### 8. Announcements.

a. **Next Meeting**. The next meeting of the Berkeley County Deputy Sheriff Civil Service Commission is scheduled for 5:00 PM, Wednesday, September 17, 2025. Hopefully, in the Commission Chambers. **NOTE**: Per Ms. Penny Shewell, the commission chambers cannot be reserved until the first day of every month.

All Commissioners or Deputy County Clerk/ Administrative Assistant

#### 9. Motion for Recess or to Adjourn

All Commissioners

The Berkeley County Deputy Sheriff Civil Service Commission reserves the right to re-arrange items on the Agenda as needed due to time constraints of the commission.

NOTES:

# Berkeley County Civil Service Commission Certificate of Recognition



Presented to

## MS. ALEAH TUCKER, Berkeley County Executive Assistant

to

# Commemorate Exceptional Contributions to the Berkeley County Deputy Sheriff Civil Service Commission

Ms. Tucker was instrumental in initiating our inaugural Online Application process for the position of Deputy Sheriff, resulting in the largest number of applications received since 2015. You further demonstrated your dedication by assisting with the seamless assistance in managing the application process during a two-week period of staff absence, ensuring uninterrupted and efficient service was maintained.

Your unwavering support extends well beyond these initiatives - always willing to lend your knowledge and assistance whenever needed. You continually assist the Civil Service Commission in many facets, always demonstrating a mastery of professional skills, striving for flawless quality, and doing so with a pleasant, cheerful, and charismatic demeanor. This truly reflects the highest standards of public service.

Your professionalism, dedication, initiative, and willingness to help exemplify the highest standards of service and reflect great credit upon yourself and Berkeley County. With gratitude and appreciation, we hereby recognize your outstanding service and lasting impact on the success of the Civil Service Commission.

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Presented this 27th day of August 2025

DALE BUCK

President, Civil Service Commission



# Berkeley County

# Civil Service Commission Certificate of Recognition



Presented to

## CORPORAL RYAN KOLB

to

Commemorate and Recognize being Promoted To the Rank of Corporal, with the Berkeley County Sheriff's Office, Martinsburg, West Virginia

On behalf of the Berkeley County Deputy Sheriff Civil Service Commissioners, we want to offer our congratulations on your recent promotion to the rank of Corporal and may you continue to strive for excellence while as a team member of the Berkeley County Sheriff's Office. As a Corporal with the Berkeley County Sheriff's Office you become a first line supervisor and responsible for several facets of being a Deputy Sheriff. Now a greater emphasis will be placed upon your leadership and direction. Additionally, you're transforming from being a basic Deputy Sheriff to a Deputy Sheriff supervisor, an active and effective leader. Furthermore, you're joining the ranks of Deputy Sheriff Corporal across our great state. This is an honored and dedicated tier within the law enforcement community. Do not take this promotion lightly. Let it be known, that with your promotion you willingly accept greater responsibility. Congratulations and may you continue to strive for excellence while as a team member of the Berkeley County Sheriff's Office.

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Given this 27th day of August 2025.

DALE BUCK
President, Civil Service Commission





# BERKELEY COUNTY DEPUTY SHERIFFS CIVIL SERVICE COMMISSON 400 W. Stephen Street – Suite 103, Martinsburg, WV 25401-3802

# WAIVER AND RELEASE OF LIABILITY Deputy Sheriff Applicant Physical Agility Test

I,, an applicant for the position of Deputy Sheriff with the Berkeley County Sheriff's Office, hereby acknowledge and agree to the following:
1. Voluntary Participation. I understand that as part of the application process, I am required to participate in a physical agility test administered by or under the authority of the Berkeley County Deputy Sheriff Civil Service Commission. My participation in this test is voluntary. This test shall consist of the following:
<ul> <li>a. Eighteen (18) push-ups to be completed within one (1) minute</li> <li>b. Twenty-eight (28) sit-ups to be completed within one (1) minute</li> <li>c. A one and a half (1 ½) mile run to be completed within fourteen (14) minutes and thirty-six (36) seconds (14:36)</li> </ul>
<b>2. Assumption of Risk.</b> I acknowledge that participation in the physical agility test involves strenuous physical activity, which carries inherent risks of injury, including but not limited to: sprains, strains, broken bones, heat-related illness, cardiac events, or other serious injury. I freely assume all risks associated with my participation.
3. Medical Condition. I certify that I am physically fit to participate in the physical agility test and have not been advised otherwise by a qualified medical professional. I understand that it is my responsibility to consult with a physician prior to participating if I have any concerns about my health or physical condition. I understand that, on the day of testing, a member of the Berkeley County Deputy Sheriff Civil Service Commission may, if they deem appropriate, decline to administer the test to me for cause.
4. Release of Liability. In consideration of being permitted to participate in the physical agility

- 4. Release of Liability. In consideration of being permitted to participate in the physical agility test, I hereby release, waive, and discharge the Berkeley County Deputy Sheriff Civil Service Commission, the Berkeley County Sheriff's Office, the Berkeley County Commission, the High School, and their respective officers, employees, representatives, and agents from any and all liability, claims, demands, actions, or causes of action arising out of or related to any injury, illness, or damage that may occur to me during or as a result of my participation in the physical agility test, whether caused by negligence or otherwise.
- **5.** No Guarantee of Employment. I understand that completion of the physical agility test and signing of this waiver does not guarantee employment as a Deputy Sheriff with the Berkeley County Sheriff's Office.
- **6. Binding Effect.** I understand that this waiver and release is binding upon myself, my heirs, executors, administrators, and assigns.

By signing below, I acknowledge that I have careful I fully understand its contents, and I sign it voluntary	•
Applicant's Full Name (Print):	
Applicant's Signature:	
Date:	
Witness Signature:	
Date:	
NOTARY ACKNOWLEDGMENT	
State of West Virginia County of Berkeley	
On this day of, 20 personally appeared satisfactorily proven to be the person whose naminstrument, and acknowledged that he/she executontained.	, known to me or me is subscribed to the foregoing
In witness whereof, I hereunto set my hand and	official seal.
	Notary Public
My Commission Expires:	
SEAL	

# Open/Closed/Tabled Issue Running List Table of Contents

Issue Item Number	Title	Opened	Closed - Tabled	OPR
2024 - 0001	Nomination of BCDSCSC President	January 27, 2024	April 24, 2024	All Commissioners
2024 - 0002	BCDS Chief Young's Request for Reinstatement Submittal/Withdrawal.	March 27, 2024	March 27, 2024	All Commissioners
2024 - 0003	REVISED Title; Investigating Test Providers for Deputy Sheriff Promotional Examination Services. Titled changed 9-18-2024, Civil Service Meeting  Former Title: Online Testing for the Berkeley County Deputy Sheriff Department for Open Entry and Promotional exams.	???????	This item was TABLED on May 22, 2024, pending more information relating to a budget — financial obligation.  This item was readdressed on 9-18-2024 and was also TABLED again on 9-18-2024	All Commissioners
2024 - 0004	Amendment to BCDSCSC Rules & Regulation RE: Virtual Attendance.	March 27, 2024	April 24, 2024	All Commissioners
2024 - 0005	Hiring of Deputy Charles Hess.	October 19, 2023	March 27, 2024	All Commissioners
2024 - 0006	Promotional Exam for Corporal on Monday, March 25, 2024. RE: due to Steerman vacancy	January 23, 2024	April 24, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0007	Letter of Resignation for Lt Kurt Yoder, Effective March 12, 2024, received this Office on March 13, 2024	March 13, 2024	March 27, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0008	Promotional Exam Request for Rank of Lieutenant due to Lt Yoder's resignation, which created the vacancy as of March 13, 2024	March 27, 2024	July 17, 2024	All Commissioners

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# Open/Closed/Tabled Issue Running List Table of Contents - Continued

Tubic of Contents Continued					
Issue Item Number	Title	Opened	Closed - Tabled	OPR	
2024 - 0009	Promotional Exam Request for Rank of Sergeant due to Lt Yoder's resignation, which created the vacancy as of March 13, 2024	March 27, 2024	July 17, 2024	All Commissioners	
2024 - 0010	Promotional Exam Request for Rank of Corporal Due to Lt Yoder's resignation, which created the vacancy as of March 13, 2024	March 27, 2024	July 17, 2024	All Commissioners	
2024 - 0011	Transfer Request from Mr. Timothy Everhart	March 27, 2024	March 27, 2024	Deputy County Clerk/ Administrative Assistant	
2024 - 0012	Part-Time Employment Amendment. IAW WV State Code §17-14-15a, to Rules & Regulations	January 27, 2024	April 24, 2024	Chief T.A. Young /Chief of Staff Eric Burnett	
2024 - 0013	Open Hire Process IAW Current Rules & Regulation. Rules & Regulation Update/Review	April 24, 2024	June 18, 2025	President Dopson	
2024 - 0014	Position Classification Plan – Does the Chief Administrator's Position Need to be added?	March 27, 2024	April 24, 2024	Deputy County Clerk/ Administrative Assistant	
2024 - 0015	Master Classification & Proposed Rank Structure.	April 24, 2024	May 22, 2024	Chief T.A. Young All Commissioners	
2024 - 0016	Draft of Revised Berkeley County Deputy Sheriff Civil Service Application	April 24, 2024	July 17, 2024	Deputy County Clerk/ Administrative Assistant	
2024 - 0017	Open Hire Physical Agility & Written Examination (August 3, 2024)	May 22, 2024	August 21, 2024	All Commissioners	
2024 - 0018	(Informational) Job Fair Participation (May 8, 2024)	May 22, 2024	May 22, 2024	Deputy County Clerk/ Administrative Assistant	

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Current as of: 8-27-2025

# Open/Closed/Tabled Issue Running List Table of Contents - Continued

2024 - 0019	(Informational) Resignation of Deputy Thadeuss Wright (Last Work Day, June 1, 2024)	May 22, 2024	May 22, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0020	Provisional Appointment(s)	July 17, 2024	July 17, 2024	All Commissioners
2024 - 0021	Preference Points for Certified Officers	July 17, 2024	July 17, 2024	Deputy County Clerk/ Administrative Assistant
2024 – 0022	(Informational) Demotion (Voluntary) Letter of Request. Re Sergeant Harold Heagy	July 1, 2024	July 17, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0023	Promotional Exam Request for Rank of Sergeant due to Sergeant Heagy Demotion (Voluntary) Request, which created the vacancy as of July 1, 2024	July 1, 2024	October 16, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0024	Request for New Open Hire Physical Agility Test & Written Examination. RE October 26, 2024	August 21, 2024	January 15, 2025	Deputy County Clerk/ Administrative Assistant
2024 - 0025	Conditional Hiring Request for Approval RE: Applicant Bryce Reinhardt	September 18, 2024	September 18, 2024	All Commissioners
2024 - 0026	Request to Stricken/Remove Applicant RE: Jerry Lee Moschel	September 18, 2024	October 16, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0027	Request to Stricken/Remove Applicant RE: Stefan Cebotari	September 18, 2024	November 20, 2024	Deputy County Clerk/ Administrative Assistant
2024 - 0028	Conditional Hiring Request for Approval RE: Applicant Aden Drake	September 18, 2024	October 16, 2024	All Commissioners
2024 - 0029	Request for New Open Hire Physical Agility & Written Examination. <b>RE December 14</b> , <b>2024</b>	October 30, 2024	March 31, 2025 @ Special Meeting	Deputy County Clerk/ Administrative Assistant

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# Open/Closed/Tabled Issue Running List Table of Contents - Continued

2024 - 0030	Request to Stricken/Remove Applicant RE: Mackenzie Duclos	December 18, 2024	January 15, 2025	Deputy County Clerk/ Administrative Assistant
2024 - 0031	Request to Stricken/Remove Applicant RE: Reily Miller	December 18, 2024	January 15, 2025	Deputy County Clerk/ Administrative Assistant
2024 - 0032	Request for New Open Hire Physical Agility & Written Examination. RE March 8, 2025	December 18, 2024		Deputy County Clerk/ Administrative Assistant
	End of Issu	e Items for 2024		
	Beginning of Is	sue Items for	2025	
2025 - 0001	Annual Report for Calendar Year 2024	January 15, 2024	March 19, 2025	Deputy County Clerk/ Administrative Assistant
2025 - 0002	Social Media RE: Facebook and/or Instagram Presence	January 15, 2025	February 19, 2025	Deputy County Clerk/ Administrative Assistant
2025 - 0003	Promotional Exam Request for Rank of Sergeant due to Sergeant Heagy Demotion (Voluntary) Request, which created the vacancy as of July 1, 2024	February 19, 2025	May 21, 2025	All Commissioners
2025 - 0004	2025 West Virginia Legislative Session Update	March 19, 2025	May 21, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0005	Promotional Exam Request for Rank of Corporal. As Requested in Chief Young's Letter Dated March 17, 2025	March 19, 2025	Verbally Rescinded, By Chief Young, During Meeting of March 19, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0006	Addendum to Current (9-15-2021) Rules & Regulations, Article III, Promotions, Section II – Eligibility (§7-14-13)	March 19, 2025	March 19, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0007	Request to Stricken/Remove Applicant RE: Stephen Ray Moreland	March 19, 2025	March 31, 2025 @ Special Meeting	Deputy County Clerk/ Administrative Assistant

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# Open/Closed/Tabled Issue Running List Table of Contents – Continued

2025 - 0008	Request for Hearing for Information <b>RE</b> : Reason Hearing wasn't heard in October of 2023 – Corporal Philip Butcher	March 19, 2025  @ Special Meeting	April 8, 2025  @ Special Meeting	All Commissioners
2025 - 0009	Eligibility Date of Decision Rendered at Special Meeting held on March 31, 2025 <b>RE</b> Corporal Philip Butcher.	April 8, 2025	April 8, 2025  @ Special Meeting	All Commissioners
2025 - 0010	Corporal Stephen T. Dopson's Request, dated April 1, 2025, for a New Hearing Related to Corporal Butcher's original Grievance, dated 10-16-2023.	April 8, 2025	April 8, 2025  @ Special Meeting	All Commissioners
2025 - 0011	Corporal Stephen T. Dopson's Freedom Of Information Act (FOIA) Letter of Request, dated April 1, 2025	April 8, 2025	April 8, 2025  @ Special Meeting	All Commissioners
2025 - 0012	Civil Service Commission Legal Counsel	April 16, 2025	May 21, 2025	All Commissioners
2025 - 0013	Mr. Trent Heckman's Freedom of Information Act (FOIA) Letter of Request, dated April 9, 2025	April 16, 2025	May 21, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0014	Resignation of Civil Service Commissioner, Mr. James G. Moffitt. Effective date of Resignation was immediately on 4-17-2025.	May 21, 2025	May 21, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0015	Appointment of D. Scott Wilson as Civil Service Commissioner.	May 21, 2025	May 21, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0016	Request to Stricken/Remove Applicant RE: Joshua Yanich.	May 21, 2025	May 21, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant

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# Open/Closed/Tabled Issue Running List Table of Contents – Continued

	Request for Promotional			All Commissioners
2025 - 0017	Examination for the Rank of Captain, as Result of the Retirement of Captain Hall. The Eligibility date is April 19, 2025.	May 21, 2025	June 18, 2025	Deputy County Clerk/ Administrative Assistant
2025 - 0018	Request for Promotional Examination for the Rank of Lieutenant, as Result of the Retirement of Captain Hall. The Eligibility date is April 19, 2025.	May 21, 2025	June 18, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0019	Request for Promotional Examination for the Rank of Sergeant, as Result of the Retirement of Captain Hall. The Eligibility date is April 19, 2025.	May 21, 2025	June 18, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0020	Request for Promotional Examination for the Rank of Corporal, as Result of the Retirement of Captain Hall. The Eligibility date is April 19, 2025.	May 21, 2025	July 16, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0021	Request to Stricken/Remove Applicant RE: Anthony DeMartino.	May 21, 2025	May 21, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0022	DRAFT Addendum Proposal RE: Current (9-15-2021) Rules & Regulations, Article II, Employment as a Deputy Sheriff, Section IV – Preliminary Requirements – Refusal to Examine or Certify (§7-14-10) RE: Habitual User vs Mis-used Prescription Medication.	May 21, 2025	June 18, 2025.  NOTE: No Action taken, as result of adopting the Rules & Regulations	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0023	Request for Promotional Examination for the Rank of Corporal, as Result of the Resignation of Corporal Walker. The Eligibility date is May 4, 2025.	May 21, 2025	July 16, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant

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# Open/Closed/Tabled Issue Running List Table of Contents – Continued

2025 - 0024	Request to Stricken/Remove Applicant RE: Austin Kershner.	May 21, 2025	May 21, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0025	Request to Stricken/Remove Applicant RE: Wyatt Roy.	June 18, 2025	June 18, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0026	Request for New Open Hire Physical Agility & Written Examination. RE August 23, 2025	June 18, 2025		Deputy County Clerk/ Administrative Assistant
2025 - 0027	Commissioner Contact RE Deputy Merson	June 18, 2025	June 18, 2025	Commissioner Wilson
2025 - 0028	Request for Promotional Examination for the Rank of Corporal, as Result of the Promotion of Corporal Chronister to Sergeant. The Eligibility date is May 13, 2025.	June 18, 2025		All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0029	Request to Stricken/Remove Applicant RE: Dillon Brown.	June 18, 2025	June 18, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0030	Application Revision for Deputy Sheriff to Coincide with Revised Rules and Regulations	July 16, 2025	July 16, 2025	All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0031	Clarification of Online Application Process RE: Accepted, Candidate, Withdrawal & Rejected Status	August 27, 2025		All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0032	Doctor's Certification of Fitness to Perform Agility Test Form RE: Entry Level – Open Hire Testing	August 27, 2025		All Commissioners

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