

1st Ind to Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC) Meeting
Minutes, RE: Wednesday, September 17, 2025 Meeting

PRESIDENT DALE BUCK, ESQ

September 17, 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 COMMISSION
400 West Stephen Street, Suite 103
Martinsburg, WV 25401-3802**

September 17, 2025

MEMORANDUM FOR COMMISSION PRESIDENT DALE BUCK, ESQ

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

SUBJECT: Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC)
Meeting Minutes RE: Wednesday, September 17, 2025 Meeting

1. **Date, Time & Place.** The Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC) met on Wednesday, September 17, 2025, 400 West Stephen Street, 2nd 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=v6SQyjjHSUs&t=128s>. The meeting starts at the 2:09 minute mark. 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 Administrative Assistant
Sheriff	Robert (Rob) A. Blair	Sheriff of Berkeley County
Chief	Eric Burnett	Berkeley County Sheriff's Office
Chief	Tom Young	Berkeley County Sheriff's Office
Lt	Adam Boothby	Berkeley County Sheriff's Office
Corporal	Jody Strickler	Berkeley County Sheriff's Office
Ms.	Brandy Sullivan	Berkeley County Sheriff's Office

3. **Purpose.** 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. **Reading & Approval of Minutes dated: August 27, 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 August 27, 2025. There being none, he requested a motion to accept the meeting minutes of August 27, 2025, as written. Commissioner Wilson made a motion to accept the meeting minutes of Wednesday, August 27, 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.

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5. Budget (FY 2024 – 2025) Update (Informational): As of Tuesday, September 16, 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:

FOR 2026 02								
ACCOUNTS FOR:		ORIGINAL	TRANSFERS/	REVISED	YTD EXPENDED	ENCUMBRANCES	AVAILABLE	PCT
001 General County		APPROP	ADJUSTMENTS	BUDGET			BUDGET	USED
421 Civil Service								
00152421 Contractual Services								
00152421	52218 Postage	1,500	0	1,500	31.59	.00	1,468.41	2.1%
00152421	52220 Advertise Publica	2,000	8,500	10,500	1,638.88	.00	8,861.12	15.6%
00152421	52221 Training/Educati	8,500	-8,500	0	.00	.00	.00	.0%
00152421	52223 Professional Ser	10,000	0	10,000	.00	.00	10,000.00	.0%
TOTAL Contractual Services		22,000	0	22,000	1,670.47	.00	20,329.53	7.6%
TOTAL Civil Service		22,000	0	22,000	1,670.47	.00	20,329.53	7.6%
TOTAL General County		22,000	0	22,000	1,670.47	.00	20,329.53	7.6%
TOTAL EXPENSES		22,000	0	22,000	1,670.47	.00	20,329.53	

Berkeley County, WV



YEAR-TO-DATE BUDGET REPORT

FOR 2026 02								
	ORIGINAL	TRANSFERS/	REVISED	YTD EXPENDED	ENCUMBRANCES	AVAILABLE	PCT	
	APPROP	ADJUSTMENTS	BUDGET			BUDGET	USED	
GRAND TOTAL	22,000	0	22,000	1,670.47	.00	20,329.53	7.6%	
** END OF REPORT - Generated by Marcia Noll **								

(a) Postage. 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.

(b) Advertisement & Publication. There is no change from last month's report to this month's report. Our current obligation remains at 15.6%, with a remaining balance of \$8,861.12.

(c) Training/Education. There are zero funds in the line item. Mr. Alderton briefed apparently, it will remain on the report due to funding initialing being loaded. However, it does reflect where \$8,500 was transferred out of the account. It was added to the Advertisement/Publication line above it.

(d) Professional Services. There is no change from last month's report to this month's report. Our current obligation remains at .0%, with a remaining balance of \$10,000.00. Mr. Alderton reminded the commissioners to keep in mind this month the commission did reach out to Mr. Henry to provide a legal review related to the Waiver of Liability Form. Mr. Alderton believes, Mr. Henry's fee would come off of the retainer he was previously provided. As our office has not received an invoice for any legal services.

(INFORMATIONAL)

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6. Old Business:

a. **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) The applications of the top three (3) applicants on the eligibility list were provided to the Criminal Investigation Division (CID) of the Berkeley County Sheriff's Office on Thursday, August 28, 2025.

(2) Mr. Alderton announced, there is nothing else to report at this time.

(OPEN)

b. **Issue 2025-0031**, Clarification of Online Application Process RE: Accepted, Candidate, Withdrawal & Rejected Status. Commissioner Wilson addressed this issue from last month.

(1) Commissioner Wilson stated as commissioners, we are well within our right by state statute to conduct an inquiry or investigation. He went onto state the statute is quite clear and self-explanatory. It states we can make investigations, either as a body or as a single commissioner, into matters touching the enforcement on the law or the provisions of the rules and regulations as prescribed hereunder.

(2) Commissioner Dobson inquired as to the particular state statute Commissioner Wilson was referencing, Commissioner Wilson replied §7-14-6, Powers and Duties of the Commission, paragraph 3.

(3) Commissioner Wilson also stated he acknowledges that the commission does not have to, but he is just saying it would not be wrong for the commission to do that. He also said, that's just his opinion.

(4) President Buck stated, as he recalled the discussion from last month, one of the issues was that... Some of us (commissioners) felt more comfortable with the objection coming after the investigation by the office, by the department. Is that right? Commissioner Wilson asked for clarification. President Buck went onto state, he thought some of them (commissioners) felt more comfortable, if there was a rejection, that it comes following an investigation made by C.I.D. or by the Sheriff's Office. Commissioner Wilson added he thought what came up was in reference to investigations. We had rejected an application because a guy had submitted paperwork showing that there was a conviction on file for a drug related offense. So we rejected that application based upon that because our rules say that they've had a conviction, that they're not eligible. There was a lot of discussion as to whether we, as a body, or as individuals, can make an investigation. And what Commissioner Wilson is submitting is just what's in the state law and its very clear that we as a commission or commissioner can do that.

(5) President Buck accepted that the commission or commissioner can do that, and he accepts Commissioner Wilson's logic. He added, he just doesn't know if we (Commission or Commissioners) should do that. He then asked what's the next step?

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(6) Commissioner Wilson stated, we definitely can make the inquiring answer with additional information. we definitely can make the inquiring asking for additional information. Whether we make the final decision, say reject it, or whether we say it, then we're just going to forward that one, on to the Sheriff's Office. Commissioner Wilson said, that's going to be a decision for the body to make at that point in time. We either wait till the next meeting or we hold a special meeting. But for clarity, we can make investigations.

(7) Mr. Alderton added, one of the big benefits, is if an applicant is rejected it saves time on the process. Because of having a hearing, then sending a request to remove or stricken the individual, then a certified letter must be mailed to the individual to schedule a possible public hearing, with subpoenas being issued etc.,. When we already know upfront that it's a violation of the rules and regulations, and what the end result will be, why go through all that?

(8) Commissioner Dopson spoke up stating, he doesn't want to do it, but if we (commission) want to assign somebody to do it, it's clear we have the authority to do it, but it would have to be a commissioner. Mr. Alderton, added, he has never acted alone in rejected an applicant, he has always asked a commissioner to weigh in. He stated he had asked Commissioner Dopson, about an applicant and had asked Commissioner Wilson about the other three (3) applicants.

(9) President Buck asked So where are we with this? I mean, I'm going to concede that the statute says what it says. I'm not going to argue that. Commissioner Wilson spoke up saying he thinks, to start with, we're well within our right to ask, for the additional information. If we get that additional information and we feel there's a real concern, then maybe it needs to be sent out to the three (3) commissioners to look at it. Commissioner Dopson, added this isn't a possibility, due to the Open Meetings Law. Commissioner Wilson, went onto to say if we feel we need to come together and hold a special meeting to discuss it for the rejection. Commissioner Wilson added, he wouldn't want us to wait till the next meeting, because like if we did this tomorrow, it would be 30 days before we have another meeting, which would delay the process.

(10) Commissioner Dopson, added we should just assign one of us that's going to do that. President Buck stated we just need some agreement with what we're going to do. President Buck added, the only way to do that is you assign one commissioner to do it, the responsibility, and it doesn't involve any discussion with other commissioners. No violation of the open sunshine laws. Commissioner Wilson spoke up and said, to make the final decision, yes, we would have to do that in session. to do the inquiry or look further into it. It doesn't require that, it could be done by one, 2 or 3 people. This says investigations can be done sitting as a body or through a single commissioner. So, but if we sit, to make the final decision, then we would have to sit as a body. Commissioner Dopson stated an alternative could be to rotate through the commissioner's one at a time. Commissioner Wilson stated, that would be fair. Commissioner Dopson then stated, he knows he isn't going to reject anyone, unless it's blatant. So I guess we're at an impasse.

(11) President Buck spoke up, not certain what we're arguing about. If the statute says that the investigation can be made, we acknowledge we can't without being in session make it as a sitting body. It's got to be an individual to do it. Who does it? Well, we could make a process, but we should rotate among the three of us. Or we could appoint somebody with the responsibility. The suggestion was referenced to appoint Commissioner Wilson, as he's most knowledgeable of the rules and regulations. Commissioner Wilson stated he had no problem

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doing it. As he'll be fair, open and honest about it. Commissioner Wilson added, he just wanted to make sure everyone was aware. The Commission does have the right to investigate by state code.

Commissioner Dopson made a motion, that we as commission appoint Scott Wilson as commissioner to comply with §7-14-6, Powers and Duties of the Commission, paragraph 3. To review and/or reject any applications that does not comply with our rules.

President Buck added, since the commission was in the discussion phase he wanted to add, he would suggest the commission avoid rejections. So were careful about rejections, and that they go to CID, as opposed to actions by this group. If we have questions let it go. That's my suggestion and my discussion.

President Buck called for a vote as there was no further discussion. The vote was unanimous to appoint Scott Wilson as the commissioner to comply with §7-14-6, Powers and Duties of the Commission, paragraph 3, for the purpose of reviewing and/or rejecting any applications that does not comply with the Berkeley County Deputy Sheriff Civil Service Rules & Regulations.

Commissioner Wilson made a motion to close issue 2025-0031, Clarification of Online Application Process RE: Accepted, Candidate, Withdrawal & Rejected Status. Commissioner Dopson seconded the motion. President Buck called for discussion. There being none, he called for a vote. The motion passed unanimously to close Issue 2025-0031.

(CLOSE)

c. Issue 2025 – 0032. Doctor's Certification of Fitness to Perform Agility Test Form RE: Entry Level – Open Hire Testing. President Buck requested an update from Commissioner Wilson.

(1) Commissioner Wilson advised the commission the Doctor's Certification of Fitness to Perform Agility Test Form RE: Entry Level – Open Hire Testing was sent to Mr. Anthony Delligatti, Legal Director for Berkeley County and to Mr. Patrick Henry, Legal Representative for the Berkeley County Deputy Sheriff Civil Service Commission for their input..

(2) Both attorneys offered making some minor changes. Note: All three (3) commissioner's were provided copies of the proposed changes in their read-a-heads.

(3) Mr. Delligatti suggested making three (3) changes (**See Attachment 2**):

(a) In paragraph 3. Medical Condition he suggested adding *I know of no medical condition that would prevent me from safely performing the physical agility test.*

(b) In paragraph 3, Medical Condition further down, He recommended deleting *if it appears there may be a medical condition that could prevent me from safely performing the physical agility test*, and replacing that with *if it appears there may be a medical condition that could prevent me from safely performing the physical agility test.*

(c) Mr. Delligatti also recommended deleting paragraph 6 in it's entirety. Paragraph 6 reads, 6. *Binding Effect. I understand that this waiver and release is binding upon*

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myself, my heirs, their executors, administrators and assigns. Upon further discussion it was recommended by President Buck, to suggest leaving the statement in the waiver. Both Commissioner Dopson and Commissioner Wilson agrees to leave paragraph 6 in the waiver.

(4) Mr. Henry suggested making the following changes (**See Attachment 3**):

(a) In the opening sentence, he recommended deleting the word *an* and replacing it with *a voluntary*.

(b) Paragraph 1. He recommended deleting the word *Voluntary*. Also in paragraph 1 he recommended deleting *My participation in this test is voluntary*. He went onto to recommend deleting the word *shall* and adding a *s* to the word consist.

(c) In paragraph 2, Assumption of Risk, he recommended adding a . after the word injury. He also recommended deleting *including but not limited to: sprains, strains, broken bones, heat related illness, cardiac events, or other serious injury*.

(d) In paragraph 3, Medical Condition, he recommended changing the word *am* to the word *feel*. In the last sentence of the paragraph he recommended deleting *for cause*.

(e) In paragraph 4, Release of Liability, he recommended deleting _____ *High School* and replacing it with *Berkeley County Board of Education*. In the last sentence he also recommended deleting *whether caused by negligence or otherwise*.

(f) Mr. Alderton added, he had a telephone conversation regarding the changes as noted above. Mr. Henry during the phone conversation highly suggested that no one associated with this process serve as a notary for the Waiver, as it is a *conflict of interest*. This would include Mr. Alderton and Ms. Sullivan of the Sheriff's Office. He recommended the applicants get their own notary to notarize the document.

(5) Commissioner Wilson added, he feels it comes down to what changes the commission wants to make and then move forward. President Buck stated he doesn't see anything earth shattering on any of these changes.

(6) Chief Young stepped up to the podium to address the commission. He felt the commission was over thinking the conflict of interest related to Mr. Alderton and Ms. Sullivan. He stated, gentlemen, the secretary of the civil service commission and the secretary of the sheriff have absolutely no interest in the hiring of deputy sheriff whatsoever. The commission does, the sheriff does. these two individuals that can notarize they have absolutely no interest in this process whatsoever. I don't see where there's a conflict at all.

(7) Mr. Alderton spoke up saying at least on his behalf he would disagree, that he does have an interest.

(6) Commissioner Dopson, believes the commission should get the form redone, with the changes as noted and investigate a little further. The commission should takes its time, as we aren't ready to vote on document that isn't finished. Commissioner Dopson suggested this issue be tabled and investigated further.

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Commissioner Dopson made an official motion to table the issue and investigate further. President Buck seconded the motion. President Buck called for further discussion. There being none, he called for a vote. The vote was unanimous to table the issues and investigate further.

(OPEN)

d. **Issue Number 2025 - 0033**, Ongoing Recruitment; Accepting Online Applications Continuously for Deputy Sheriff Positions. Mr. Alderton briefed on the matter

(1) According with Ms. Aleah Tucker, we can accept applications continuously for the Deputy Sheriff positions.

(2) According to Ms. Tucker, application stay in the system of record forever. Mr. Alderton read into record the state relating to keeping records of applications, and briefed on Mr. Delligatti's email response. **NOTE: IAW WV State Code, §7-14-6. Powers and duties of commission.**

The civil service commission in each such county shall:

(1) Prescribe and enforce rules and regulations for carrying into effect the provisions of this article. All rules and regulations so prescribed may, from time to time, be added to, amended or rescinded.

*(2) Keep minutes of its own proceedings and records of its examinations and other official actions. **All recommendations of applicants for the position of deputy sheriff received by the commission or by the sheriff shall be kept and preserved for a period of ten years, and all such records**, recommendations of former employees excepted, and all written causes of removal, filed with the commission, shall, subject to reasonable rule and regulation, be open to public inspection.*

(3) I reached out to Mr. Delligatti and inquired if that pertains all applications or just application of applicants of those deemed as being placed on the eligibility list. His reply was...

That is a good question that cannot be easily answered by the text of the statute and there has been no case interpreting that language. The "All recommendations of applicants" language is ambiguous. I'm not sure what risk there is if records of applicants that are deemed not eligible are disposed of rather than kept for ten years. There are not likely any repercussions and I think it is a reasonable interpretation to mean only those applicants that are recommended / deemed eligible. That being said, my advice when it comes to record keeping is to err on the side of caution and keep records just in case something comes up. I'm sorry I can't give you a more definitive answer.

President Buck moved to on-going recruitment and begin accepting Online Applications. Commissioner Dopson seconded the motion. President Buck called for further discussion. There being none, he called for a vote. The vote was unanimous to on-going recruitment and begin accepting Online Applications.

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(4) Based upon the previous information, Mr. Alderton made the recommendation to open up the Online Applications, commencing on October 1, 2025. This will allow Ms. Tucker time to make the necessary changes within the system.

(CLOSED)

e. **Issue Number 2025 - 0034**, Removal of “West Virginia” from Starting Salary Schedule & Job Description. RE: Pre-Certified Officer are accepted from Any State, Not Just West Virginia. Mr. Alderton updated the Commission as follows:

(1) The term “West Virginia” was listed at two (2) different locations:

(a) One being on the County Clerk’s Web Page for Civil Service on the Application Process Page. “West Virginia” was deleted from this web page, the very next day, on August 28, 2025.

(b) The second known location was on the Careers Job Page – Job Description. Currently, the Job Description is not posted. Mr Alderton met with Ms. Aleah Tucker to make the recommended change in future job descriptions. He met with her on Tuesday, September 16, 2025. She made the change in her system.

NOTE: Starting Salary Schedule & Job Description. RE: Pre-Certified Officer are accepted from Any State, Not Just West Virginia.

(2) Based upon the previous information, Mr. Alderton made the recommendation to the commissioners to close, Issue Number 2025 - 0034, Removal of “West Virginia” from Starting Salary Schedule & Job Description. RE: Pre-Certified Officer are accepted from Any State, Not Just West Virginia.

Commissioner Dopson made a motion to close Issue Number 2025 – 0034. 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 Issue Number 2025 – 0034.

(CLOSED)

f. **Issue Number 2025 - 0035**, Consideration of Walk-On Applicants for Deputy Sheriff Entry Level Examinations. Mr. Alderton conveyed this issue was brought up at last months meeting, and has been an on-going issue. It was decided then to place it on the agenda for final discussion, one way or the other.

(1) President Buck inquired if there was any motion made ? Commissioner Wilson spoke up stating he wasn’t in favor of it. He went onto say, we’re doing things to maintain the application (Online Applications). He doesn’t see it as a big issue for someone to go ahead and take the time to complete an application. They’re afforded plenty of time to complete the application, as its published. Additionally, he believes it could be an issue on down the road. He did also state he understands the Sheriff’s desire. Commissioner Dopson, stated he had to agree with Commissioner Wilson.

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President Buck stated, if there's no motion made it just dies on the vine. Commissioner Wilson then stated, we will need a motion to close the item. Therefore he made a motion the Commission does not consider Walk-on Applications and to close Issue Number 2025 – 0035. President Buck called for further discussion. There being none, he called for a vote.

Mr. Alderton inquired if the vote was unanimous. President Buck replied he didn't vote. Then he added okay he will vote, and he voted in favor of the motion, which made the vote unanimous in the Commission will not consider Walk-on Applications and to close Issue Number 2025 – 0035.

(CLOSE)

g. Issue Number 2025 – 0036, Accepting Test Scores from One County to Another County Entry Level - Open Hire/Promotional Examinations RE County Clerk Association/WVDOP Emails Administrative. Mr. Alderton provided the background on this topic.

(1) This issue began on Friday, September 5, 2025 when Mrs. Diana Cromley, County Clerk of Mason County, sent out a mass email to all county clerks. In the email she asked... *Do any of you know if the civil service test is good in all counties? In other words if a candidate took the test in Putnam or Jackson Counties would the test be eligible to transfer here or visa versa? Thank you, Diana.*

(2) Mr. Alderton then advised the commissioner, he had prepared a response on behalf of Mr. Petrucci, County of Berkeley County which was sent to Ms. Cromley. In Mr. Alderton's response (**See Attachment 4**) he provided what he thought was sound rationale as to why Civil Service Test Scores, could not be good from one county to another.

(3) On Monday, September 8, 2025, an email (**See Attachment 5**) was sent to all County Clerk's from Mr. Brian Wood, Putnam County Clerk. This email contained an excerpt from Ms. Tracy Richardson, Human Resources Specialist 2, for the West Virginia Division of Personnel. The excerpt stated... *There is nothing in the DOP law, rule or policy that would prevent you from using a previous score. However, you will need to comply with any county civil service regulations pertaining to appointment and the provisions of W.Va. Code §7-14-1 et seq. One section you will want to look at is: Appointments from eligible list. If you decide to use a previous test score from another county, I will need a request stating the applicants name and approximate test date.*

(4) Commissioner Wilson spoke stating he does not believe promotions apply here. He stated that, because you talk about test scores from another agency, well, 1st of all, they have to become a deputy here. They can't come in at their former rank. because they didn't serve here. So they have to come in at the lowest deputy. Then they got to wait their time frame before they can even become eligible for promotion. So why would you take a score that might be two, 3 years old and do that in addition to that, we don't hold scores. This commission has decided not to take and do an eligibility list and then hold it for 2 years. We test every time there's a knowledge of a vacancy. So a previous score would not apply. Not based upon way we conduct business. He added, I think it's something we don't want to get involved with. You know, we talked about little things like this. Uh, this thing with the notary and everything like that. We're trying to be very cautious of that. Why would we want to take scores from another agency that

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we had no control over whatsoever? I think it's a conundrum that we don't want to... open ourselves up, too.

(5) Commissioner Dopson replied by stating, but we're basically accepting their medical. their agility. We're saying that a pre certified doesn't have to take the agility, or is that true? Commissioner Wilson, yeah, that's true. Commissioner Dopson, so what's the difference in that? Commissioner Wilson, I see your point.

(6) There was a lot of discussion surrounding accepting or not accepting the test scores from other counties. Basically, there are two separate issues; one to accept test scores related to Entry Level – Open Hire and the second is related to promotional test scores. Discussion continued involving not requiring current or previously certified law enforcement officers from testing.

(7) Sheriff Blair weighed in on the discussion as well. He stated him and Chief Burnett just returned from Auditors Conference, held in Canaan Valley. Where this same topic was discussed a little. He does see the argument to accept them, when they've taken the same test. He said, there's 55 counties in West Virginia and there's 55 different ways of doing this. Not just the test itself, but the whole process. He believes the biggest concern for the commission is for the integrity of the process. He believes Berkeley County is doing it the right way.

(8) The topic bounced back to the current or previously certified law enforcement officer not being required to undergo the physical agility test. Commissioner Dopson conveyed, He doesn't think it's fair to people here if an officer shows up and he clearly can not pass the physical agility test and we're waving that. That's where his concern is. We're waving part of the test already

(9) Sheriff Blair readdressed the commission and stated, he is not opposed to having everyone take that test (physical agility). Maybe that would hurt us as far as getting people, but if we can't have somebody to pass the test, it's like, do you want um doing the job?

(10) Commissioner Wilson made the motion the commission does not accept scores from other counties and we leave our rules as set. Mr. Alderton interjected, it ok to have a motion. However, according to Ms. Tracy Richardson, if it's not addressed in the Rules and Regulations, then you would have to accept the score. Commissioner Wilson stated he would amend his motion.

(11) Chief Young stepped up to the podium and was recognized to speak by President Buck. Chief Young said, I think we're all pretty much in agreement on this. We know that we're going to be having a rules amendments coming forward. We're going to discuss some here shortly. I don't think it hurts to just throw one liner in there somewhere to cover us on all of this. It wouldn't be that difficult or to change, just to throw that in there to make sure we're safe.

(12) Commissioner Wilson then amended his motion by saying... My motion is that we do not accept previous test scores from other counties, for new hires. In addition, I would say that we make an amendment to our local rules and regulations to indicate that we will not accept test scores from other counties. Commissioner Dopson said, I'll second, but I want to admit, I think you should say, make sure you clarify and written test scores. Commissioner

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Wilson spoke up saying, I'd be glad to type up a little statement like that, so then I'll send it to you two, to make sure it looks okay, and then we'll put it into an amendment.

(13) The question related to accepting scores for promotions resurfaced. It was mentioned the Berkeley County Rules and regulations does not state anything related to a deputy's requirement to serve with the Berkeley County Sheriff's Office for two (2) years in order to be promoted. Chief Young eluded to that could result in someone from Taylor County can test here. It was discussed to add an insert in the Berkeley County Rules and Regulations, in order to be promoted, a deputy must serve two (2) years with the Berkeley County Sheriff's Office.

(14) Chief Burnett spoke up stating, that's not fair, if that starts happening, President Buck inquired, what's not fair? Chief Burnett replied, if you were to take someone from Taylor County and someone that's been up here for so many years, and our person gets bumped for a guy out of Taylor County. I mean, that wouldn't be fair.

(15) Chief Young added, he feels we need that same quote in the Rules and Regulations to be safe.

(16) Commissioner Dopson, spoke up stating he thinks all of this this should be tabled and get this straight for next month, so we don't make a problem. President Buck stated, we have a motion and we have a second. That's a problem.

(17) Commissioner Wilson addressed the commission stating, the motion that we have is for the new hire, so I don't see where that's an issue. We'll have to rewrite and bring them back and make sure we're all in agreement with that. What he's (Chief Young) talking about is a whole different motion, because he's talking about promotional motion. President Buck requested Commissioner will to repeat his motion.

Commissioner Wilson then stated, My motion is that we do not accept test written test scores from other counties, on the new hire eligibilities. So we will not accept written test scores from other counties for new hire eligibilities. Then we're going to place that in the rules. We will make a notation into our rules to indicate such a change. Commissioner Dopson seconded the motion. President Buck called for a vote. All Commissioners voted in favor of the motion. Therefore it passed unanimously.

Commissioner Wilson then made a motion related to promotions as follows... I'll make a motion. That we look into that one just a little bit further. He then stopped and said, it sticks in my mind or somewhere that it's written that says you got to be within the department. I may be wrong. Let us investigate further into the same requirements in reference to promotions as well. President Buck then interjected All right. We're going to table it and turn it over to you. Commissioner Wilson accepted the responsibility of it being turned over to him. Mr. Alderton then inquired if a motion was needed to table it? President buck said okay. Commissioner Dopson then made a motion to table the promotional portion of Issue Number 2025-0036. Commissioner Wilson seconded the motion. President Buck called for further discussion. There being none, he called for a vote. The motion carried unanimously.

President Buck then moved onto to New Business

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7. **New Business**: Nothing was annotated on the agenda under New Business.

8. **Items from the Floor**: There were three (3) items brought up from the floor.

a. Chief Burnett, Veterans Point Preference applying to family members.

(1) Chief Burnette, addressed an issue relating to Veterans Point Preference applying to family members. He stated, Sheriff Blair and him just returned from the Auditor's Conference held in Canaan Valley, West Virginia, where the topic was discussed. Chief Burnett, also stated it was addressed, in order to receive the five (5) or (10) ten points for Veterans Preference, a veteran must provide their DD214 **and** had served in an active combat time period.

(2) Commissioner Wilson reviewed the applicable West Virginia State Code (§6-13-2). On the surface Commissioner Wilson, did not find anything that would indicate "Family Members" are entitled to Veterans Point Preference. Commissioner Wilson volunteered to do more research and report back to the Civil Service Commission.

(3) Mr. Alderton assigned this topic, Issue Number of 2025-0039, Veterans Point Preference applying to Family Members. As raised by Chief Burnett.

b. Chief Burnett also brought forward for discussion the Request by Sheriff Blair for an Amendment to Rules & Regulations. RE Page 10, Section IV, 1.L... Conviction of No More than Three (3) Moving Violations During the Past Twenty-four (24) Months. **NOTE: See Attachment 6** for the Sheriff's Letter of Request.

(1) The concern was raised due to a lot of people don't know what a moving violation is. Which would cause them to answer incorrectly on the application.

(2) Chief Burnett read the excerpt out of the recently adopted Rules and Regulation, which state... *The Berkeley County Deputy Sheriff Civil Service Commission will not examine or certify any applicant that has been convicted of three or more moving violations of the law during the past 24 months.* Chief Burnett recognized that commission can do their own investigations/inquiries. But suggested the commission just strike that out of the Rules and Regulations.

(3) Commissioner Dopson spoke and stated, I think you could strike, examine, but I don't think you can strike and certify. Chief Burnett, again stated he thinks the whole thing should be removed.

(4) Commissioner Wilson added to the discussion and stated he thinks it would be good just to strike it all together.

President Buck added to keep the process moving along he's making the motion to amend... Section 4, 1 L, to strike the language regarding the, 3 moving violations, as outlined in Sheriff Blair's letter (**See Attachment 6**). I make that motion, is there a second? Commissioner Wilson seconded the motion. President Buck stated, we have discussion time, and I think, Commissioner Dopson is indicating he'd like a little time. President Buck, then called for further discussion. There being none, he then called for a vote. The vote carried unanimously.

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c. Chief Young stepped to the podium to address additional items for consideration for amendment changes to the Rules and Regulations. Specifically Section IV – Preliminary Requirements – Refusal to Examine or Certify (§7-14-10), at the request of Chief Young/ Criminal Investigation Division

(1) The changes (**See Attachment 7**) brought forward were at the request of Lt Adam Boothby and the Criminal Investigation Division.

(a) The first recommended change is regarding Section IV - Preliminary Requirements - Refusal to Examine or Certify (§7-14-10), Item 1 c. Which reads...

c. An applicant for the position of deputy sheriff must be clean and sober from alcohol and any, and all, illegal substances or scheduled narcotics.

The CID wants to have it amended to read ** An applicant for the position of deputy sheriff must not have used any illegal substances, except as noted in subsection (d). Excessive alcohol use, particularly when it has impacted employment or resulted in involuntary commitment, may also be disqualifying.

(b) The second recommended change is regarding Section IV - Preliminary Requirements - Refusal to Examine or Certify (§7-14-10), Item 1 d. Which reads...

d. For a period of at least twelve (12) months prior to application, an applicant cannot have any use of Marijuana (synthetic or natural). This includes medical marijuana.

The CID wants to have a sentence added at the end of the paragraph so that it reads... it amended to read... d. For a period of at least twelve (12) months prior to application, an applicant cannot have any use of Marijuana (synthetic or natural). This includes medical marijuana. One (1) year must have passed since the expiration date of any medical marijuana card. (Federally prohibited with such card.)

(c) The third and final change requested is regarding Section IV - Preliminary Requirements - Refusal to Examine or Certify (§7-14-10), Item 1 e. Definition of Habitual Use Which reads... Habitual use is defined as use that is done regularly or repeatedly.

The CID wants to have the definition to read ... Habitual use is defined as use that is done regularly or repeatedly over a period of time. All applicants' drug histories will be evaluated on a case-by-case basis, with consideration given to honesty, time since last use, and the circumstances of use.. Each situation will be reviewed on a case by case basis.

(2) Commissioner Wilson started the discussion related to the changes. He started with addressing the changes one at a time. Starting with item 1 C. He personally didn't have a particular problem with that one. President Buck spoke up saying he actually, prefers the way they have it as opposed to the it currently reads.

(3) Commissioner Wilson than addressed item 1 D. He requested clarification on what CID is trying to say. Chief Young replied that per federal regulation, one (1) year must have passed after the expiration of the card. Upon the clarification, Commissioner Wilson stated he didn't have any issue with that change either.

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(4) The third recommended change was then addressed. An objection both Commissioner Wilson and Commissioner Dopson had related to the verbiage used, which states... with consideration given to honesty, time since last use, and the circumstances of use.. Each situation will be reviewed on a case by case basis. The current definition was left to being broad, to give the sheriff's office some discretion.

(5) Lt Boothby stepped up to the podium to speak on the proposed changes. In trying to rationalize the reasoning, it was so that there isn't so much articulation. For example, your definition for an alcoholic might be a one drink every day. Whereas someone else might say, well, that is not an alcoholic to me, an alcoholic spy drinks every day. So it kind of narrows that down for the individual investigators, so we're not just saying, You know what? We need people. lets hire 'em. Commissioner Wilson then asked, how far do we go in defining something. We could go real far and define it and pinpoint it. You might not like what we come up with.

(6) Commissioner Wilson added, I don't know that I agree with your wording on that. I have no problems with the wordings on the other two. I see what you're saying. It clarifies things, makes it a little bit more, you know, better to work with, but this one here, I think we're opening doors and making a little more restricted than you're gonna want in the very end. I'd like to keep it a little bit more open, a little bit more broad, broad base, so he (the Sheriff) can make the final determination. That's my opinion.

(7) President Buck added, he was going to agree with Commissioner Wilson. The first two make perfect sense to him. Additionally, on the third issue, the way it's written it gives the Sheriff's office the flexibility to make the call.

Commissioner Wilson made a motion that, based upon the recommendation from the sheriff's office, in reference to section four, preliminary requirements, specifically 1 C, the language that they have added, with no changes. Commissioner Dopson seconded the motion. President Buck called for further discussion. There being none, he called for a vote. The motion passed unanimously.

Commissioner Wilson made a motion that, based upon the recommendation from the sheriff's office, in reference to section four, preliminary requirements, specifically 1 C, the language that they have added, with no changes. President Buck seconded the motion. President Buck called for further discussion. There being none, he called for a vote. The motion passed unanimously.

President Buck, moved that we adopt 1 D it as we strike the comments and leave the language. He then asked if there was a second. Commissioner Dopson seconded the motion. President Buck called for further discussion. There being none he called for a vote. It passed unanimously.

Commissioner Wilson made a motion to reject the change related to the definition of Habitual Use. Commissioner Dopson seconded the motion. President Buck called for further discussion. There being none he called for a vote. It passed unanimously.

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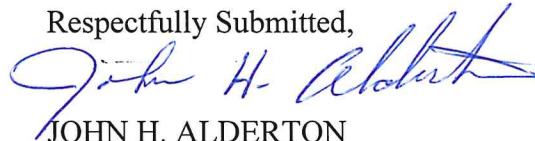
9. **Announcements.** There were two (2) announcements made by Mr. Alderton.

a. The first being in regards to **Issue 2024 – 0032**, Request for New Open Hire Physical Agility & Written Examination. RE March 8, 2025... which was **CLOSED** last Month. He briefed the Civil Service Commission gave its final approval for Ms. Sarah Cressman to be hired as a Berkeley County Deputy Sheriff. She was supposed to start on the morning of Tuesday, September 8, 2025 at 8:00 AM. When she didn't report for duty, she was contacted by phone. Ms. Cressman, replied she was no longer interested, as she accepted another position. Therefore, the Sheriff's Office is back to having seven (7) vacancies.

b. The next meeting of the Berkeley County Deputy Sheriff Civil Service Commission is scheduled for 5:00 PM, Wednesday, October 15, 2025. Hopefully, in the Commission Chambers. **NOTE:** The commission chambers cannot be reserved until the first day of every month.

10. **Adjournment.** 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 6:32 PM. **NOTE: See Attachment 8**, for a complete review of Open/Closed/Tabled items, dated 9-17-2025.

Respectfully Submitted,



JOHN H. ALDERTON

BCDSCSC, Administrative Assistant

8 Attachment(s):

1. Meeting Agenda, Wednesday, September 17, 2025
2. DRAFT Waiver of Liability for Day of Open Hire Testing, Mr. Delligatti's Changes
3. DRAFT Waiver of Liability for Day of Open Hire Testing, Mr. Henry's Changes
4. Email Reply to The Honorable Diana Cromley, County Clerk Of Mason County, 9-5-2025
5. Email from The Honorable Brian Wood, County Clerk Of Putnam County, 9-8-2025
6. Letter of Request by Sheriff Blair for an Amendment to Rules & Regulations, 9-9-2025
7. Letter of Request by Chief Young for an Amendment to Rules & Regulations, 9-17-2025
8. Open/Closed/Tabled Issues/Item(s) Table of Contents, dated September 17, 2025

cc:

BCDSCSC File

“Second oldest county in West Virginia”



AGENDA

Berkeley County Deputy Sheriff's Civil Service Commission

9/17/2025 5:00 PM | *Meeting called by:* Civil Service Commissioners

Location: The Berkeley County Main Administration Building, County Commission Chambers, 2nd 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, August 27, 2025, Regularly Scheduled Meeting. All Commissioners
3. **Budget Update (Informational).** Administrative Assistant
4. **Old Business:**
 - a. **Issue 2025-0026.** Request for New Open Hire Physical Agility & Written Examination. **RE: August 23, 2025** Administrative Assistant
 - b. **Issue 2025-0031,** Clarification of Online Application Process
RE: Accepted, Candidate, Withdrawal & Rejected Status All Commissioners
Deputy County Clerk/
Administrative Assistant
 - c. **Issue 2025-0032,** Doctor's Certification of Fitness to Perform
Agility Test Form RE: Entry Level – Open Hire Testing Commissioner Wilson
 - d. **Issue 2025-0033,** Ongoing Recruitment; Accepting Online
Applications Continuously for Deputy Sheriff Positions. All Commissioners
Deputy County Clerk/
Administrative Assistant
 - e. **Issue 2025-0034,** Removal of "West Virginia" from Starting
Salary Schedule & Job Description. RE: Pre-Certified
Officers are accepted from Any State, Not Just West Virginia. All Commissioners
Deputy County Clerk/
Administrative Assistant

ATTACHMENT "1"

f. **Issue 2025-0035**, Consideration of Walk-On Applicants for Deputy Sheriff Entry Level Examinations

All Commissioners
Deputy County Clerk/
Administrative
Assistant

g. **Issue 2025-0036**, Accepting Test Scores from One County to Another County Entry Level - Open Hire/Promotional Examinations RE County Clerk Association/WVDOP Emails

All Commissioners
Deputy County Clerk/
Administrative
Assistant

5. **New Business.**

6. **Items from the Floor.**

7. **Announcements.**

a. **Next Meeting.** The next meeting of the Berkeley County Deputy Sheriff Civil Service Commission is scheduled for 5:00 PM, Wednesday, October 15, 2025. Hopefully, in the Commission Chambers. **NOTE:** The commission chambers cannot be reserved until the first day of every month.

All Commissioners or
Deputy County Clerk/
Administrative
Assistant

8. **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
DEPUTY SHERIFFS CIVIL SERVICE COMMISSION
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:

- a. Eighteen (18) push-ups to be completed within one (1) minute
- b. Twenty-eight (28) sit-ups to be completed within one (1) minute
- c. A one and a half (1 ½) mile run to be completed within fourteen (14) minutes and thirty-six (36) seconds (14:36)

2. Assumption of Risk. 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 know of no medical condition that would prevent me from safely performing the physical agility test. 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 ~~if it appears there may be a medical condition that could prevent me from safely performing the physical agility test.~~ if it appears there may be a medical condition that could prevent me from safely performing the physical agility test.

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 carefully read this Waiver and Release of Liability, I fully understand its contents, and I sign it voluntarily of my own free will.

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____, before me, the undersigned authority, personally appeared _____, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

SEAL





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

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

I, _____, ^{a VOLUNTARY} ~~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:

- a. Eighteen (18) push-ups to be completed within one (1) minute
- b. Twenty-eight (28) sit-ups to be completed within one (1) minute
- c. A one and a half (1 ½) mile run to be completed within fourteen (14) minutes and thirty-six (36) seconds (14:36)

2. Assumption of Risk. 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 ^{FEEL} ~~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 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 ~~BERKELEY COUNTY BOARD OF EDUCATION~~ ^{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.

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ATTACHMENT "3"

By signing below, I acknowledge that I have carefully read this Waiver and Release of Liability, I fully understand its contents, and I sign it voluntarily of my own free will.

Applicant's Full Name (Print): _____

Applicant's Signature: _____

Date: _____

Witness Signature: _____

Date: _____

NOTARY ACKNOWLEDGMENT

State of West Virginia

County of Berkeley

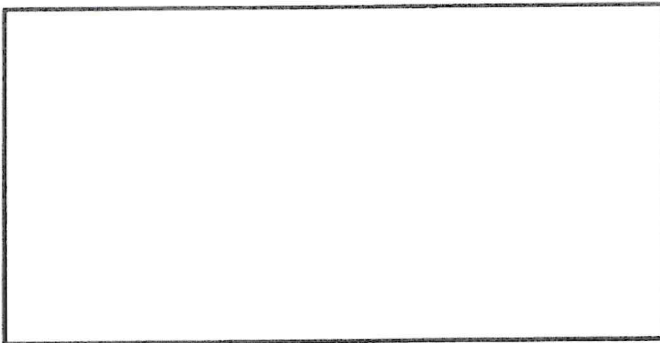
On this _____ day of _____, 20____, before me, the undersigned authority, personally appeared _____, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

SEAL



John Alderton

From: John Alderton
Sent: Friday, September 5, 2025 11:52 AM
To: Marcia Noll
Subject: RE: [clerks-listserv] civil service commission

Ma'am,

In response to you asking if I can answer the question... Below is my response using WV State Code, Chapter 7, Article as the backdrop for my response:

Citing West Virginia Code, Chapter 7, Article 14

Under WV Code Chapter 7, Article 14, the civil service system for deputy sheriffs is county-specific. Each county maintains its own Civil Service Commission, which has exclusive responsibility for administering examinations, establishing eligibility lists, and certifying candidates for appointment within that county. Because the statute grants no authority for transferring or recognizing scores across county lines, an applicant's test score in one county cannot legally be applied in another county.

I believe my position is supported by several key reasons:

1. Independent Authority of Each County Commission

- W. Va. Code §7-14-3 requires that each county shall have its own Civil Service Commission with jurisdiction only in that county.
- W. Va. Code §7-14-11 and §7-14-12 require each commission to conduct its own competitive examinations and maintain its own eligible list for deputy sheriff candidates.
- There is no statutory provision permitting transfer of scores from one county to another.

2. Fairness and Test Integrity

- The WV Division of Personnel (DOP) provides examinations to counties, but there are two versions (commonly referred to as Form A and Form B). If one county administers the A version while another administers the B version, allowing score transfer would create an unfair advantage for applicants who may have tested under different question sets.
- In addition, some counties do not use the DOP tests at all but instead contract with different test vendors. Because the content, format, and difficulty may vary between vendors, it would be unfair to equate results across counties.

3. Differences in County Rules & Regulations

- Each county Civil Service Commission establishes its own rules, consistent with Article 14, to govern the hiring process. For example:
 - In some counties, candidates must first complete a physical agility test (We are one of those counties) before being permitted to sit for the written examination.
 - In other counties, no physical agility requirement exists at all.
- Because eligibility lists are created from candidates who complete the process as structured by that county's commission, transferring a score would bypass the requirements unique to the receiving county.

4. Certification of Eligible Candidates

- By law, each commission must certify the three highest-ranking candidates from its own eligibility list for consideration by the sheriff. Since eligibility lists vary county to county, based on both examination and local requirements, a transferred score would not properly place the applicant in the ranking for the receiving county.

Conclusion. The West Virginia Deputy Sheriff Civil Service system is intentionally localized. Test administration, eligibility requirements, and certification procedures are controlled at the county level to ensure fairness, accountability, and adherence to each commission's rules and regulations. Because of:

- the independent statutory authority of each county commission,
- the use of different test versions and vendors,
- the variation in local eligibility requirements, and
- the county-specific nature of certified eligible lists,

an applicant's test score from one county cannot legally or fairly be transferred or recognized in another county under WV Code Chapter 7, Article 14.

Hope this helps!

John

Best Regards,

John Alderton



John Alderton

Administrative Assistant
County Clerk's Office -
Civil Service Commission

400 W. Stephen Street #103
Martinsburg, WV 25401



[Email Me](#)



[Our website](#)



304-264-1927

Ext: 6019

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From: Marcia Noll <mnoll@berkeleywv.org>
Sent: Friday, September 5, 2025 11:04 AM
To: John Alderton <jalderton@berkeleywv.org>
Subject: FW: [clerks-listserv] civil service commission

John, Do you know the answer to this question?

Marcia

From: 'Diana Cromley' via WVACO Clerks Listserv <clerks-listserv@wvaco.org>
Sent: Friday, September 5, 2025 10:48 AM
To: WVACO Listserv - County Clerks <clerks-listserv@wvaco.org>
Subject: [clerks-listserv] civil service commission

Do any of you know if the civil service test is good in all counties? In other words if a candidate took the test in Putnam or Jackson Counties would the test be eligible to transfer here or visa versa?

Thank you

Diana

Diana N. Cromley

County Clerk of Mason County

Mason County Courthouse

200 Sixth Street

Point Pleasant, WV 25550

304-675-1997 (voice)

304-675-2521 (fax)

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John Alderton

From: Marcia Noll
Sent: Monday, September 8, 2025 12:46 PM
To: John Alderton
Subject: FW: [clerks-listserv] civil service commission

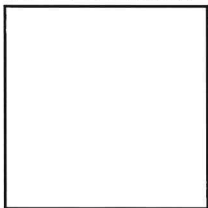
[Here you go.](#)

From: Brian Wood <bwood@putnamwv.org>
Sent: Monday, September 8, 2025 9:10 AM
To: clerks-listserv <clerks-listserv@wvaco.org>
Subject: RE: [clerks-listserv] civil service commission

From Tracy Richardson

There is nothing in the DOP law, rule or policy that would prevent you from using a previous score. However, you will need to comply with any county civil service regulations pertaining to appointment and the provisions of W.Va. Code §7-14-1 et seq. One section you will want to look at is: Appointments from eligible list. If you decide to use a previous test score from another county, I will need a request stating the applicants name and approximate test date.

Tracy Richardson
Human Resources Specialist 2
Staffing & Recruitment
Phone: 304-414-0887
WV Division of Personnel



WV State Capitol Complex, Building 3, Suite 500
1900 Kanawha Boulevard, East
Charleston, WV 25305
Email: tracy.l.richardson@wv.gov
Website: <https://personnel.wv.gov/Pages/default.aspx>
Deputy Sheriff Requests: dopds@wv.gov

Brian Wood
Putnam County Clerk

ATTACHMENT "5"

12093 Winfield Rd Ste 3
Winfield, WV 25213-7968

O 304-586-0202 Ext. 1257
Cell 304-545-2774
Fax 304-586-0280
Election Fax 304-204-1408
www.putnamcoclerk.com

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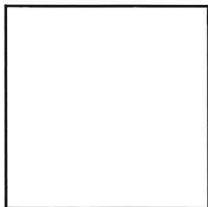
From: Brian Wood <bwood@putnamwv.org>
Sent: Friday, September 5, 2025 11:18 AM
To: clerks-listserv <clerks-listserv@wvaco.org>
Subject: RE: [clerks-listserv] civil service commission

Diana,

I agree with Carol's sheriff.

But you may want to call Tracy Richardson on Monday. She is out of the office today.

Tracy Richardson
Human Resources Specialist 2
Staffing & Recruitment
Phone: 304-414-0887
WV Division of Personnel



WV State Capitol Complex, Building 3, Suite 500
1900 Kanawha Boulevard, East
Charleston, WV 25305
Email: tracy.l.richardson@wv.gov
Website: www.personnel.wv.gov

Brian Wood
Putnam County Clerk

12093 Winfield Rd Ste 3

Winfield, WV 25213-7968

O 304-586-0202 Ext. 1257

Cell 304-545-2774

Fax 304-586-0280

Election Fax 304-204-1408

www.putnamcoclerk.com

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From: Carol Smith <cjsmith@upshurcounty.org>

Sent: Friday, September 5, 2025 10:55 AM

To: clerks-listserv <clerks-listserv@wvaco.org>

Subject: RE: [clerks-listserv] civil service commission

Diana,

My sheriff say no, it's only good in the county they originally took the test.

Regards,

Carol J. Smith

Upshur County Clerk

Office: 304-472-0949

Fax: 304-472-9406

The Upshur County Commission is an Equal Opportunity Employer (EOE)

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From: 'Diana Cromley' via WVACO Clerks Listserv [<mailto:clerks-listserv@wvaco.org>]

Sent: Friday, September 5, 2025 10:48 AM

To: WVACO Listserv - County Clerks <clerks-listserv@wvaco.org>

Subject: [clerks-listserv] civil service commission

Do any of you know if the civil service test is good in all counties? In other words if a candidate took the test in Putnam or Jackson Counties would the test be eligible to transfer here or visa versa?

Thank you

Diana

Diana N. Cromley

County Clerk of Mason County

Mason County Courthouse

200 Sixth Street

Point Pleasant, WV 25550

304-675-1997 (voice)

304-675-2521 (fax)

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BERKELEY COUNTY SHERIFF'S OFFICE

510 S. RALEIGH ST., MARTINSBURG, WV 25401
(304) 267-7000 - www.sheriffs.berkeleywv.org



SHERIFF ROB BLAIR

CHIEF E.D. BURNETT

CHIEF T. A. YOUNG

September 9, 2025

Berkeley County Deputy Sheriff
Civil Service Commission (BCDSCSC)
400 West Stephen Street, Suite 103
Martinsburg, West Virginia 25401

RE: Request for Amendment to Rules and Regulations
(Section IV, 1.L.)

Dear Members of the Commission,

I am writing to formally request a change to the current *Rules and Regulations of the Berkeley County Deputy Sheriff Civil Service Commission*, dated June 18, 2025.

On page 10, Section IV, 1.L., the rules currently state:

"The BCDSCSC will not examine or certify any applicant that has been convicted of three (3) or more moving violations of the law during the past twenty-four (24) months."

Our concern is that when applicants complete the pre-employment questionnaire, they may not clearly understand what qualifies as a moving violation. As a result, they may inadvertently list any and all violations they have received, regardless of type, which would eliminate them from the process.

We respectfully request the ability for our agency to conduct the appropriate investigation during the background portion of the hiring process and determine the relevance of any violations as we deem appropriate. This would allow for a more accurate and fair assessment of applicants while maintaining the integrity of the hiring standards. We would request that this section be completely removed from the Rules and Regulations.

We sincerely appreciate your consideration of this request and look forward to working together to ensure the Commission's rules continue to support both high professional standards and a fair application process.

Sincerely,

Sheriff Robert A "Rob" Blair
Berkeley County Sheriff's Office

Attachment 6

John Alderton

From: Tom Young
Sent: Friday, September 12, 2025 2:37 PM
To: Scot Wilson; Dale Buck; Stephen Dopson; John Alderton
Cc: Adam Boothby; Matthew Rephann; Eric Burnett; Rob Blair
Subject: Agenda Request for September 17, 2025
Attachments: Section IV.docx

Good afternoon gentlemen. I am requesting to be placed on the agenda for the meeting on September 17th to discuss verbiage and other minor changes to the current rules and regulations, specifically Section IV – Preliminary Requirements, at the request of our Criminal Investigation Division. Attached are the requested items (highlighted).

Respectfully,

T.A. Young

Chief Deputy of Field Operations

Berkeley County Sheriff's Office
510 South Raleigh Street
Martinsburg, WV 25401
Phone: (304) 267-7000 extension 7102



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Attachment 7

Section IV - Preliminary Requirements - Refusal to Examine or Certify (§7-14-10)

1. At any time during the application process, the BCDSCSC may refuse to examine or refuse to Certify a candidate as eligible for any of the following reasons:

- a. Found to lack any of the established preliminary requirements for the examination or position of deputy sheriff for which he applies, including the submission of any requested documents by the established deadline.
- b. Physically so disabled as to be rendered unfit for the performance of the duties of the position of deputy sheriff.
- c. An applicant for the position of deputy sheriff must be clean and sober from alcohol and any, and all, illegal substances or scheduled narcotics.

**** An applicant for the position of deputy sheriff must not have used any illegal substances, except as noted in subsection (d). Excessive alcohol use, particularly when it has impacted employment or resulted in involuntary commitment, may also be disqualifying.**

d. For a period of at least twelve (12) months prior to application, an applicant cannot have any use of Marijuana (synthetic or natural). This includes medical marijuana. One (1) year must have passed since the expiration date of any medical marijuana card. (Federally prohibited with such card.)

e. No applicant for the position of deputy sheriff shall be considered by this commission if they have habitually used any prescription medications that were not specifically prescribed for the applicant.

Habitual use is defined as use that is done regularly or repeatedly over a period of time. All applicants' drug histories will be evaluated on a case-by-case basis, with consideration given to honesty, time since last use, and the circumstances of use.. Each situation will be reviewed on a case by case basis.

f. Convicted of a felony, or guilty of infamous or notoriously disgraceful conduct, including but not limited to the following:

(1) No applicant for the position of deputy sheriff shall be considered by the BCDSCSC if they have sold any drugs for profit or taken part in an illegal enterprise, such as carrying drugs for sale by a friend, family member or providing transportation for a friend or family member for the purpose of acquiring or distributing drugs or any illegal substances for sale.

(2) Associations with convicted felons or with those individuals that are Under criminal investigation or indictment may be grounds for not being permitted to be tested or certified.

g. Dismissed from public service for delinquency or misconduct;

h. Made a false statement of any material fact, or practiced or attempted to practice any deception or fraud in his application, in any such examination, or in securing his eligibility. The BCDSCSC will not examine or certify any applicant for the position of deputy sheriff that fails to disclose negative information or falsely provide information to either the BCDSCSC or Sheriffs department background investigators. Examples include, but are not limited, to the following:

(1) Providing incorrect information on the application regarding drug use and the number of times an illegal substance was used by the applicant and then giving the polygraph investigator a different number during that interview.

(2) Falsely providing information regarding employment history to the BCDSCSC or background investigators

i. Refuses to comply with the rules and regulations of the BCDSCSC.

j. The BCDSCSC will not examine or certify any applicant that has a history of bad debt, unaddressed debt, or bankruptcy for a period of the last 5 years.

k. The BCDSCSC will not examine or certify an applicant that fails to provide child support payments or court ordered obligations.

1. The BCDSCSC will not examine or certify any applicant that has been convicted of three (3) or more moving violations of the law during the past twenty-four (24) months.

2. Residency Requirement. There is no residency requirement by West Virginia law other than the individual must be a United States citizen.

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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Current as of: 9-17-2025

Attachment 8

Open/Closed/Tabled Issue Running List

Table 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

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. RE December 14, 2024	October 30, 2024	March 31, 2025 @ Special Meeting	Deputy County Clerk/ Administrative Assistant

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	August 27, 2025	Deputy County Clerk/ Administrative Assistant
End of Issue Items for 2024				
Beginning of Issue 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

Open/Closed/Tabled Issue Running List

Table of Contents – Continued

2025 - 0008	Request for Hearing for Information RE: 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 RE 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

Open/Closed/Tabled Issue Running List

Table of Contents – Continued

2025 - 0017	Request for Promotional 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	All Commissioners 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

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	August 27, 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

Open/Closed/Tabled Issue Running List

Table of Contents – Continued

2025 - 0033	Ongoing Recruitment; Accepting Online Applications Continuously for Deputy Sheriff Positions.	September 17, 2025		All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0034	Removal of “West Virginia” from Staring Salary Schedule & Job Description. RE: Pre-Certified Officer are accepted from Any State, Not Just West Virginia.	September 17, 2025		All Commissioners Deputy County Clerk/ Administrative Assistant
2025 - 0035	Consideration of Walk-On Applicants for Deputy Sheriff Entry Level Examinations	September 17, 2025		All Commissioners Deputy County Clerk/ Administrative Assistant